# Application for Licence – property Agent - Notes

## Who can use this form?

The licence application form is for individuals to apply for a real estate agent licence, a property manager licence, a general auctioneer licence or a property representative licence under the *Property Agents and Land Transactions Act* 2016. If you require a licence to conduct business, please use the Licence Application Form – Business.

## Applicant details

You need to provide proof of identification in your current name. This can be your driver’s licence, passport, Australian certificate of citizenship or birth certificate/extract. Do not send originals. Only photocopies of original documents certified as being a true copy of the original document by the following people can be accepted: Justice of the Peace, Commissioner for Declarations, barrister/solicitor or Notary Public.

## Lodgement

Please ensure your application is fully completed and you have attached proof of identification documents, training certificates, fees and attachments as required. If any details or fees are missing or incomplete, we will write to you which delays the processing of your application and the issue of your licence.

If no response is received from you within the advised timeframe, your application will be assessed on the information before the Board. If the licence is not granted, then a refund of fees paid less the application assessment fee will be refunded to you. You will then need to resubmit another application if you still require the licence.

Please lodge the completed application, supporting documentation and applicable fees to the Property Agents Board. All applications must include:

|  |  |
| --- | --- |
| [ ]  | National Police Record Check – issued not more than three (3) months before the date of lodging the application for licence |
| [ ]  | Insolvency Check – this is to be issued not more than seven (7) days before the date of lodging the application for licence. |
| [ ]  | Proof of Identification – certified as being a true copy of the original document by a Justice of the Peace, Commissioner for Declarations, Barrister/Solicitor or Notary Public (eg Driver’s Licence, Passport, Australian Certificate of Citizenship). |
| [ ]  | Details of Educational qualifications and experience as necessary. |
| **By mail** Property Agents Board, Level 1, 15 Victoria Street, Hobart | **Email**  board@propertyagentsboard.com.au |

## Licence approval

Normal processing time for new applications is 15 business days however this can be longer if we need to contact you for missing information or fees.

If your application is refused, we will send an information notice to you explaining why and setting out your rights and the process involved in appealing the decision.

**You are not able to perform any regulated functions of a property agent until a licence has been issued.**

## Fees

A licence applicant is required to pay an application assessment fee and a licence fee. Listed below are the current fees for each licence type.

|  |  |  |
| --- | --- | --- |
| Real Estate Agent | $294.80 | (includes the non-refundable application assessment fee of $147.40) |
| Property Manager | $294.80 | (includes the non-refundable application assessment fee of $147.40) |
| General Auctioneer | $294.80 | (includes the non-refundable application assessment fee of $147.40) |
| Property Representative | $221.90 | (includes the non-refundable application assessment fee of $147.40) |

## **Refunds**

You can withdraw your application at any time prior to the licence being granted or refused. If the application is withdrawn by you or refused you will receive a refund of the fees paid, less the non-refundable application assessment fee.

## Criminal History check

All applicants must provide a National Police Record Check with the application. In completing the relevant form for the National Police Record Check, the purpose category for seeking the certificate is “general employment”.

For **Tasmanian residents** only a National Police Record check issued by Tasmania Police will be accepted. Here is a link to the Tasmania Police website: [Tasmania](http://www.police.tas.gov.au/services-online/police-history-record-checks/)

For **interstate applicants** who do not have a Tasmanian return address or are not currently residents in Tasmania, those applicants will need to apply to a person in their State or Territory who holds a similar position to the Tasmanian Commissioner of Police. Here is a link to that jurisdiction:

[Australian Capital Territory](https://www.afp.gov.au/what-we-do/services/criminal-records/national-police-checks)

[Queensland](https://www.police.qld.gov.au/documents-for-purchase/national-police-certificates)

New South Wales

[Northern Territory](https://forms.pfes.nt.gov.au/safent/Apply.aspx?App=CHC)

[South Australia](https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check)

[Victoria](https://www.police.vic.gov.au/national-police-records-checks)

[Western Australia](https://www.police.wa.gov.au/Police-Direct/National-Police-Certificates)

Please note that the National Police Check that accompanies the application must be issued not more than three (3) months before the date of lodging the application for licence. The Property Agents Board must be satisfied that an applicant holds relevant qualifications and is a fit and proper person to hold a property agent licence.

## Insolvency Check

An applicant must provide evidence of being a fit and proper person in relation to their solvency. The applicant is to provide an extract or a result report from the National Personal Insolvency Index (NPII) maintained by the Australian Government’s Australian Financial Security Authority. The extract or result report from the NPII is to be issued not more than seven (7) days before the date of lodging the application for licence. A link to the relevant website is [here](https://www.afsa.gov.au/online-services/bankruptcy-register-search)

## Previous licence

An applicant is eligible to obtain a licence if their name has been in the relevant part of the Register within a prescribed period.

|  |  |
| --- | --- |
| Real Estate Agent | Person’s name has been in Part 1 of the Register at any time during the 5 year-period immediately preceding the licence application |
| Property Manager | Person’s name has been in Part 2 of the Register at any time during the 5 year-period immediately preceding the licence application |
| General Auctioneer | Person’s name has been in Part 3 of the Register at any time during the 5 year-period immediately preceding the licence application |
| Property Representative | Person’s name has been in Part 4 of the Register at any time during the 2 year-period immediately preceding the licence application |

## Educational qualifications and experience

An applicant is eligible to obtain a licence if they have completed the educational qualifications as required for that licence type.

|  |  |  |
| --- | --- | --- |
| **Licence type** | **Educational qualification** | **Experience**  |
| Real Estate Agent | Diploma of Property (Agency Management) CPP51119 **and** | *during the 5-year period immediately preceding the licence application, been employed as a property manager or property representative for –**(A) a period of at least 2 years full-time employment; or**(B) periods of part-time employment that total 2 years.* |
| Property Manager | Diploma of Property (Agency Management) CPP51119 **and** | *satisfies the Board, by examination or inquiry, that the person has sufficient knowledge and experience of property management business to be able to carry on that business.* |
| General Auctioneer | CPPREP4505 - Value Goods, chattels, plant and equipmentCPPREP4509 - Auction goods, chattels or equipmentCPPREP5001 - Manage compliance in the property industryCPPREP5002 -Establish and monitor property industry trust account management practicesCPPREP5003 - Manage ethical practice in the property industry**or** | *satisfies the Board, by examination or inquiry, that the person has sufficient knowledge and experience of general auctioneering business to be able to carry on that business.* |
| Property Representative | Successful completion of the examination for property representative administered by the Board (within the previous 2 years) **or** | *satisfies the Board, by examination or inquiry, that the person has sufficient knowledge and experience of the functions property representative to be able to carry on that occupation.* |

Please provide with your application a certificate of completion, statement of attainment or official transcript of the relevant course/training package listing the units/ modules successfully completed.

Some licences have an employment, experience or knowledge element. If you are required to provide evidence to support your application, then a signed and dated statement outlining the relevant information should be provided. **It will not be enough to rely upon having held a licence for a period of time.**

For example,

* a detailed list of your real estate activities and transactions might demonstrate sufficient knowledge and experience.
* a current resume which details your prior employment history may satisfy an employment requirement.

## Suitability

The Board must not grant an application for a licence unless it is satisfied that the applicant has the relevant qualifications to be licensed and is a fit and proper person to hold a property agent licence.

An applicant is not a suitable person to hold a licence if the individual is an undischarged bankrupt or if the person has made a composition or arrangement with creditors and the debts have not been paid in full or the terms have not been fulfilled or if the Board otherwise determines that the person is not a fit and proper person.

In considering whether a person is fit and proper the Board takes into consideration the applicant’s criminal history. If there is a criminal history the Board will assess the number, frequency and timing of convictions and the nature and seriousness of any offence. The Board has developed a Fit and Proper Person Assessment policy which can be viewed on its website [here](http://www.propertyagentsboard.com.au/uploads/7/8/3/8/78382648/policy_-_fit_and_proper_person_assessment___criminal_history___august_2019_-_version_2_.pdf) .

## Change of details

If at any time your licence details or suitability requirements change, you must notify the Board within 14 days.

## Privacy details

The Property Agents Board collects information, including personal information, on this form as required by the *Property Agents and Land Transactions Act* 2016 (the Act) to process your application. In accordance with the Act, some personal information is included in the Board’s Register which is published on the Board’s website and is available for inspection by the public. Additionally, information on this form can be disclosed without your consent where authorised or required by law and may also be shared on a confidential basis with other Australian property industry regulators.

## Commissioners for Declaration

Examples of people who are Commissioners for Declaration because of their profession or an appointment they hold:

* Agent or permanent employee of the Australia Post;
* Bailiff;
* Bank, Building Society, Credit Union officer;
* Chiropractor
* Clerk of a court;
* Commissioner for affidavits;
* Commissioner for declarations;
* Dentist
* Fellow of the National Tax Accountant's Association;
* Finance company officer;
* Holder of a statutory office not specified elsewhere;
* Judge of a court;
* Justice of the Peace;
* Legal Practitioner
* Magistrate;
* Master of a court;
* Marriage celebrant;
* Medical Practitioner
* Member of Governance Institute of Australia;
* Member of the Engineers Australia other than at the grade of student;
* Member of Association of Taxation and Management Accountants;
* Member of the Australasian Institute of Mining and Metallurgy;
* Member of the Australian Defence Force who is
1. an officer; or
2. a non-commissioned officer; or
3. a warrant officer;
* Member of the Institute of Chartered Accountants in Australia;
* Member of the Australian Society of Certified Practicing Accountants;
* Member of the Institute of Public Accountants
* Member of
1. the Parliament of the Commonwealth; or
2. the Parliament of a State or
3. a Territory legislature; or
4. a local government authority of a State or Territory
* Minister of Religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961;
* Nurse
* Optometrist
* Permanent employee of:
1. the Commonwealth or Commonwealth authority; or
2. a State or Territory or State or Territory Authority; or
3. a local government authority with 5 or more years continuous service who is not specified elsewhere;
* Pharmacist;
* Physiotherapist;
* Police officer;
* Psychologist
* Registrar or Deputy Registrar of a court;
* RSPCA Inspector;
* Senior Executive Service Officer of
1. the Commonwealth or Commonwealth authority; or
2. a State or Territory or of State or Territory authority;
* Teacher employed on a full-time basis at a school or tertiary education institution.
* Veterinary Surgeon

# Application for Licence – property Agent - Form

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| --- |
| Licence details |
| [ ]  Real Estate Agent | [ ]  Property Manager | [ ]  General Auctioneer | [ ]  Property Representative |
| Applicant details |
| Title:  | Mr [ ]  | Mrs [ ]  | Ms [ ]  | Miss [ ]  | Other (specify) |  |
| Surname:  |
| Given names:  |
| Have you been known by another name?  | Yes [ ]  | No [ ]  |
| Previous name: |
| Reason for change: |
| Name for marketing (if different): |
| Date and place of birth |
| Date of birth:  |  |
| Place of birth: Town | State | Country |
| Driver licence number: | Place of issue: |
| Passport number: | Passport country: |
| Other identification (specify) |
| Are you an Australian citizen? | Yes [ ]  | No [ ]  |
| Contact details |
| Residential address: |
| Suburb:  | State:  | Postcode:  |
| Postal address: | State:  | Postcode:  |
| Mobile personal:  | Mobile work:  |
| Fax number:  |
| Email personal:  |
| Email work: |
| Qualifications and previous licences |
| Have you completed the relevant educational qualification or previously held the licence in Tasmania? |
| [ ]  yes, completed educational qualification | [ ]  Attach copy of evidence of relevant educational qualification |
| [ ]  yes, previously held licence in Tasmania | Licence number *(if known)*  | period from: / / to: / / |
| Employment details *(if appropriate)* |
| Name of employing property agent: |
| Business name: |
| Authorised place of Business:  |
| Suburb:  | State:  | Postcode:  |
| Will the applicant be employed to manage the authorised place of business? | Yes [ ]  | No [ ]  |
| [ ]  The Employer confirms that the individual named on this form is to be employed |
| [ ]  The Employer confirms that they have read the applicant’s disclosures and to the best of their knowledge it is true and correct. |
| Managing agent’s name: |  | Signature: |  |

|  |
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| Disclosure *(if you answer yes to any of these questions, you will need to provide full details in writing)* |
| 1. Have you ever been convicted of, or found guilty of ANY offences anywhere? *(excludes all traffic offences)*
 | [ ]  Yes [ ]  No |
| 1. Are you presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention or community service order?
 | [ ]  Yes [ ]  No |
| 1. Have you ever been disqualified from holding a licence/registration by any occupational licensing Board, Agency, other Department or authority anywhere?
 | [ ]  Yes [ ]  No |
| 1. Have you had any occupational licence/registration or application refused, cancelled or suspended?
 | [ ]  Yes [ ]  No |
| 1. Are you an undischarged bankrupt or have you made a composition or arrangement with creditors that is still in force?
 | [ ]  Yes [ ]  No |
| Declaration |
| I,*(full name)* | of: *(address)* |
| Do solemnly and sincerely declare that: |
| 1. All statements and information contained in and with this application are true and correct to the best of my knowledge;
 |
| 1. I have read and understood the information contained in this application; and
 |
| I further state that: |
| 1. I know that it is an offence to make a declaration that is false in any material particular;
 |
| 1. I authorise the Property Agents Board to make any enquiries and to receive and disclose any information relevant to this application;
 |
| 1. I acknowledge that specific information will be placed on a public register in accordance with the *Property Agents and Land Transactions Act 2016*;
 |
| 1. I confirm I understand the duties and obligations imposed on me under the *Property Agents and Land Transactions Act 2016, Property Agents and Land Transaction Regulations* 2017 and Code of Conduct.
 |
| 1. I accept that failure to supply information required on this application form may delay the processing of the application.
 |
| This declaration is made at: *(location)* |  |
| Signature |  | Date: |  |
| Before me: *(Print name of witness)* |
| Witness’ signature |  | Date: |  |
| Witness’ qualification( ie profession/appointment) |  |  |  |
| Payment |
| Payment is accepted by EFT, BPAY, cheque or money order. A cheque or money order can be posted in, together with the application form – make it payable to Property Agents Board. Please indicate your payment method: |
| [ ]  EFT | [ ]  Cheque | [ ]  BPAY | [ ]  Money order |  |
| EFT payments can be made into |
|  | **Bank Account****BSB****Account No.****Your Reference** | CBA067 002 0011 0109Your Name |
|  | Payments can be made using **BPAY** through your bank or financial institution using the reference details that will be provided to you once the application has been received. |