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# Position Description

## Real Estate Authority

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<b>POSITION TITLE</b>	Principal Solicitor (18 month Fixed Term)
<b>GROUP</b>	Legal
<b>REA JOB LEVEL</b>	L17
<b>LOCATION</b>	Wellington
<b>REPORTS TO</b>	General Counsel
<b>LAST REVIEW DATE</b>	December 2023

## About REA

The Real Estate Authority (REA) is the independent government agency that regulates New Zealand licensed real estate professionals. We are a Crown entity established under the Real Estate Agents Act 2008.

Our purpose is to promote and protect the interests of consumers in respect of transactions that relate to real estate and to promote public confidence in the performance of real estate agency work. We aim to promote high standards of conduct in the real estate industry and help provide increased levels of protection for buyers and sellers of real estate.

As part of this role we:

- Oversee the regulatory framework for real estate professionals including licensing people and companies working in the real estate industry, and overseeing a continuing professional development programme for licensees
- We maintain Professional Conduct and Client Care Rules setting out the professional standards licensed real estate professionals must follow, and provide information and guidance to support them to meet their obligations
- Deal with complaints about the conduct of real estate agents
- Provide information for consumers about the real estate transaction process
- Maintain a public register of real estate agents which includes information about any upheld complaints.

## Role Purpose

The Principal Solicitor (fixed term) is responsible for leading the provision of accurate and timely legal and regulatory policy advice, solutions and approaches that deliver on our legislative intent, support REA's strategic priorities and meet our overall purpose. This

includes the provision of legal advice and opinions and managing litigation in relation to the licensing and disciplinary process contained in the Real Estate Agents Act 2008 (the Act) and its associated Regulations and Codes.

The role is fixed term to provide additional senior resourcing to support high litigation workload and the additional regulatory and legal changes occurring in the real estate landscape and increase in regulatory policy and advisory work required of the legal team.

## Delegations

The role does not hold financial delegations.

## Relationships

The position is required to build and maintain the following relationships:

### Internal (within REA)

- Chief Executive/Registrar
- Senior Leadership team
- Legal Services team
- Regulatory Services Team
- All other REA staff and managers.

### External (outside REA)

- Consumers and Licensees
- External legal providers
- Regulatory stakeholders, including other occupational regulators
- Key industry stakeholders including Industry Advisory Groups and Real Estate Leaders Forum members and Continuing Professional Development Advisory Group
- Other Public sector agencies within the property sector ecosystem, such as Kainga Ora, Ministry of Housing and Urban Development and Ministry of Business, Innovation and Employment.

## Key accountabilities

The key accountabilities of this role support delivery of REA's strategic priorities and includes:

### Litigation management

- Effectively managing REA litigation including Complaint Assessment Committees, Real Estate Agents Disciplinary Tribunal and Court matters, and providing support and guidance to junior members of the team as required from time to time.
- Providing legal advice on complex and serious litigation and other legal matters.
- Providing legal advice in relation to the Real Estate Agents Act 2008 and any relevant legislation, regulations and codes.
- Providing assistance / mentoring to members of the legal team as required

### **Legal and Regulatory Policy Advice**

- Contributing to the development of REA's regulatory approach and decision-making principles. Leading the development and documentation of regulatory frameworks, including regulatory tools and guidance on their use and application.
- Advising on legal and regulatory policy issues that support REA's regulatory decision making and effectiveness.
- Contributing to or leading the development of statutory instruments, codes, standards, exemptions, rules and other regulatory instruments to support REA's regulatory activities.
- Contributing to the development of REA's Regulatory Standards for the industry.
- Assessing and advising on the regulatory and legal impact of changes to legislation and regulations in the real estate sector, public sector and regulatory environment.
- Contributing to the development of guidance or advice provided to the Minister, Ministry of Justice or other Government agencies relating to real estate and property system matters in which REA has an interest or role to play.
- Supporting effective decision making by the senior leadership team, Chief Executive and Board, including through any internal committees that may be established, on regulatory policy issues.

### **Business Improvement and change**

- Analysing, reporting and advising on challenges or risks to existing interpretations of legislation and regulatory approaches or policies.
- Translating and interpreting legislation or Government policy changes into regulatory operating procedures.
- Contributing to projects and initiatives to deliver REA's strategic priorities.
- Advising on opportunities to improve the effectiveness and efficiency of REA's regulatory processes.

### **Regulatory insights and best practice**

- Identifying and sharing regulatory insights and good practice to inform REA regulatory activities, including communication and stakeholder engagement work.
- Researching and analysing data from external sources to produce and share regulatory intelligence across REA.

- Working closely with the Engagement, Insights and Education team by contributing to the analysis of complaints and disciplinary trends to identify systemic issues and opportunities for REA to address consumer harm and improve REA's regulatory impact.
- Working closely with the Regulatory Services team by contributing to the assessment of internal procedures to identify areas of improvement and to ensure they are fit for purpose for REA's regulatory purposes.

## Qualifications, skills, knowledge and experience

The following skills, knowledge and experience is required:

- Qualified lawyer with at least 5-7 years post admission experience
- Proven knowledge and at least 4 years' relevant experience in litigation or regulatory enforcement
- Proven knowledge and at least 3 years' relevant experience in a regulatory operating environment
- Knowledge of or an understanding of legal/regulatory/compliance functions and environments
- Experience working in Public Sector agencies.
- Sound understanding of the machinery of government and the legislative process
- Experienced in providing high quality operational legal advice.
- Ability to navigate ambiguity and complexity
- Excellent oral and written communication skills
- Integrity and sound judgement
- Uses initiative and problem-solving skills
- Knowledge of the Real Estate Agents Act and its related regulations and codes (or an ability to gain such knowledge quickly)
- Tertiary qualification in law and current practising certificate

## Key competencies

- Ability to work with limited supervision, to make decisions and work on own initiative
- Ability to prioritise effectively under pressure, meet deadlines and process work in a timely fashion
- Strong attention to detail and demonstrate critical thinking
- Effective communication skills in order to deal tactfully and sensitively with people at all levels
- Champions REA values
- Excellent listening skills
- Strong organisation and interpersonal skills

- Ability to establish and maintain good working relationships with a wide range of people
- Has regard to diverse perspectives at work and in the workplace, ensuring the fair and proper treatment of all people and groups of people
- Brings a diverse perspective to our policies, processes and systems and encourages others to do the same
- Ability to work as part of a team and motivate others.
- Ability to operate within tight dealings and manage competing priorities
- High standards of integrity and confidentiality and ability to remain calm under pressure, and to be flexible with shifting priorities

### **Client focus**

- Provides responsive, respectful and knowledgeable service to internal and external clients
- Puts the client (internal and external) perspective at the forefront of decision making & works to create client- focused service and solutions
- Proactively and constructively deals with client problems
- Is aware of differing approaches relevant to engaging with and meeting the needs of clients

### **Communication**

- Excellent written and oral communication skills with demonstrated ability to present complex information in a clear and accurate written and verbal format
- Organises information in a logical sequence
- Includes content appropriate for the purpose and the audience

### **Results orientation**

- Establishes a plan of action to achieve expected results
- Employs a systematic approach to completing tasks
- Establishes and reviews priorities
- Takes timely corrective action
- Pursues high quality results
- Produces high quality reports

### **Integrity**

- Maintains high personal standards of professional excellence
- Accepts full responsibility for own actions

### **Self-management**

- Manages own workload, behaviour and emotions appropriately
- Remains calm and in control under pressure

- Seeks to continually develop self by acting on feedback and taking opportunities to learn.

### **Collaboration and team building**

- Works closely with others to bring together resources for achievement of common objectives
- Promotes cooperation within and across teams through the sharing of resources and information. Seeks and values the contributions of others
- Reflects on how own working style impacts on others
- Sees things from others point of view and confirms understanding
- Works in a harmonious and collegial manner with colleagues and other staff

### **Problem solving and analysis**

- Systematically analyses situations by developing frameworks that reveal the essential features and issues
- Uses analytical techniques to distinguish the important from the trivial
- Looks beyond the obvious and does not stop at the first answers
- Is objective and open-minded
- Uses academic training effectively, and freely shares disciplinary insights and analytic techniques with others

### **Oriented toward practical solutions**

- Is able to produce timely, well presented and accurate work on issues in a format appropriate for the intended audience

### **Judgement**

- Recognises the need to consult before making a decision
- Understands the risks that may result from a decision
- Judgements take REA resources, constraints and values into consideration

Approved: 12 December 2023