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# Position Description

## Real Estate Authority

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| <b>POSITION TITLE</b>   | Complaint Facilitator                                  |
| <b>GROUP</b>            | Regulatory Services                                    |
| <b>REA JOB LEVEL</b>    | 14                                                     |
| <b>LOCATION</b>         | Wellington                                             |
| <b>REPORTS TO</b>       | Complaints Assessment, Resolution and Referral Manager |
| <b>LAST REVIEW DATE</b> | July 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 role is responsible for the effective and efficient handling of formal complaints and industry reports regarding possible breaches of the Act, regulations and rules.

The role will help assess the appropriate regulatory response to matters, including making recommendations for closing complaints under Registrar decisions, referring cases to a CAC or resolving complaints, where appropriate.

## Delegations

This position has no delegations.

## Relationships

### Internal (within REA)

- Chief Executive/Registrar
- Senior Leadership Team
- Regulatory Services Team
- Legal Team
- Engagement, Insights and Education Team
- Other key REA staff and managers as required

### External (outside REA)

- Complainants and Licensees
- Eligible officers/Agency compliance managers
- Complaints Assessment Committee members
- REA stakeholders
- Complaint and resolution entities and providers

## Key accountabilities

### Assessing complaints

- Accurately collect information from both parties to assess appropriate complaint management pathway within agreed REA timelines.
- Accurately apply triage criteria and assess complaints and prepare recommendations of the suitable complaint pathway applying REA complaint principles and timelines.
- Draft Registrar decisions for approval where appropriate.
- Undertake resolution processes for those matters which are referred for resolution.
- Identify regulatory and disciplinary issues and ensure effective and timely escalation of misconduct matters.
- Manage expectations of all parties about REA process and potential outcomes through timely and clear communication.
- Maintain regulatory knowledge to ensure consistent and accurate decisions.
- Escalate complaints to the Registrar (or delegate) where appropriate.
- Support effective referral to other REA teams for further consideration.
- Ensure robust record keeping and file management to support ongoing investigation and complaint determination processes.

- Create high-quality and accurate complaint referrals.
- Engage effectively with CAC teams to ensure the smooth referral of matters to the CAC process.

### **Resolving and referring complaints**

- Use appropriate regulatory tools to address matters such as provision of information or guidance.
- Use clear and empathetic communication skills to enable parties to understand each other's perspective, where appropriate, and the relevant REA rules.
- For matters which are subject to a resolution pathway, use dispute resolution skills (such as active listening, reframing, summarising, reflection, use of open questions and silence) to understand the concerns during conversations with parties.
- Record case outcomes, including where appropriate resolution agreements, clearly and concisely.
- Write outcome letters that are plain English and well-reasoned.
- Create high-quality and accurate complaint referrals.

### **Identifying risks**

- Recognise and escalate regulatory and organisational risks associated with complaints and enquiries.
- Support the management of any regulatory or organisational risk.
- Supporting regulatory goals and priorities.
- Assist in developing guidance and information for consumers and the industry.
- Contribute to team and REA projects and initiatives.

## **Qualifications, skills, knowledge and experience**

You must have the following qualifications, skills, and experience:

- At least 1 years' work experience in conflict/complaint/dispute resolution.
- Expertise in legal/regulatory/compliance and/or complaint resolution functions and environments.
- Knowledge of the Real Estate Agents Act and its related regulations and codes (or an ability to gain such knowledge quickly).

The following are desirable:

- A relevant tertiary qualification or equivalent training and/or experience.
- Certified, or working towards certification, with the Resolution Institute, Arbitrators and Mediators Institute of New Zealand (AMINZ), or equivalent

## **Key competencies**

- Ability to work with limited supervision, to make decisions and work on own initiative
- 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
- 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**

- Produces 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: 27 July 2023