

APPLICATION BY COMPANY FOR AGENT'S LICENCE

Section 38, Real Estate Agents Act 2008

Real Estate Authority

1. Use this form to apply as a **company** for an Agent's licence.
2. Complete all sections. Use BLOCK LETTERS. Tick the boxes as appropriate. Use a ballpoint pen.
3. When completed, attach the statutory declaration, consent to disclosure, prescribed fee, and supporting documents and send the original of this form to:
 - By Post: The Registrar, Real Estate Authority, PO Box 25371, Wellington 6146.**
 - By Courier: The Registrar, Real Estate Authority, Level 4, 95 Customhouse Quay, Wellington**
 - By email: licensing@rea.govt.nz**
4. For help completing this form, call 0800 for REA (0800 367 7322) or 04 471 8930 or visit www.rea.govt.nz.
5. Send the original of this application to us and keep a copy for your records.

<p>1. LICENCE HISTORY</p> <p>The company has/has not * previously held an agent's licence. [<i>* Select one.</i>]</p> <p>Licence Number (<i>if any</i>) _____</p>
<p>2. DETAILS OF APPLICANT COMPANY</p> <p>Company name:</p> <p>Trading name of business:</p> <p>Name of franchise group or marketing group (<i>if any</i>):</p> <p>Company Number (<i>as recorded by the Companies Offices</i>):</p> <p>NZBN (New Zealand Business Number):</p>
<p>3. ADDRESS OF PRINCIPAL PLACE OF BUSINESS</p> <p>Street:</p> <p>Suburb: City:</p> <p>Postcode: _____</p> <p>Office Email:</p> <p>Office telephone number: (0) (<i>this can be a landline or mobile number</i>)</p> <p>Website:</p> <p><i>(This is the address, telephone number, email and website which will appear on the public register.)</i></p>
<p>4. POSTAL ADDRESS (<i>if different from #3</i>)</p> <p>Street or PO Box:</p> <p>Suburb: City:</p>

Postcode: _____

5. ADDRESS OF REGISTERED OFFICE

Street or PO Box:

Suburb: City:

Postcode: _____

6. CONTACT PERSON (for enquiries about this application and other business matters)

Name:

Real Estate Licence Number _____

Daytime phone number: (0)

Contact Email address:

7. BRANCH OFFICES

Once the company is granted a licence will you be operating any branch offices?

Yes (if yes you must complete the Branch Office form on page 4)

No

8. OFFICERS OF THE COMPANY

All officers of the company must be fit and proper persons to be officers of a licensee company by reason of personal character and financial position.

The **principal officer** is the officer who controls the agency's business activities and is a director or shareholder of the agency.

An **eligible officer** is an officer of the agency who holds an agent's licence. Under section 44(2) of the Real Estate Agents Act 2008 at least one officer of the company must hold an agent's licence.

Please provide the following details of all officers of the company (or persons who will be officers of the company if this application is granted).

[If there are more than two officers of the company, copy page 3 and enter their details and attach the page to the application.]

DETAILS OF PRINCIPLE OFFICER

Mr / Mrs / Miss / Ms* [* Select one.]

Surname:

First name(s):

Known as:

Date of birth (dd/mm/yyyy) ____ / ____ / _____

Real Estate Licence Number (if known): _____

Class of licence held: Agent/Branch Manager/Salesperson (select one)	
Eligible officer <input type="checkbox"/> Yes <input type="checkbox"/> No	
POSTAL ADDRESS Street or PO Box: Suburb: City: Post Code: _ _ _ _	
CONTACT DETAILS Personal email: Business telephone number: Mobile number: (0)	
IDENTIFICATION (Please provide a certified copy of photo identification with your application) New Zealand driver licence number: _ _ _ _ _ Expiry date (dd/mm/yyyy) _ _ / _ _ / _ _ _ _ Card version number (5b) _ _ _ _ OR New Zealand passport number _ _ _ _ _ Expiry date (dd/mm/yyyy) _ _ / _ _ / _ _ _ _ Nationality as shown on passport:	
REFEREES Each officer must provide the names, addresses, and telephone numbers of 2 referees who have known the officer for at least 12 months, and who are not related to the officer. One referee must be a current licensee. The other referee must not be a current or former licensee or have held an agent's licence or a branch manager's or salesperson's certificate of approval under the Real Estate Agents Act 1976. Please arrange for each of the referees to complete the Reference for Company Officer form and send it directly to the Real Estate Authority.	
Mr / Mrs / Miss / Ms* [* Select one.] Full Name: (must be a current licensee) Preferred name: Licence number _ _ _ _ _ Postal Address: Suburb:	Mr / Mrs / Miss / Ms* [* Select one.] Full Name: (must NOT be a current licensee) Preferred name: Postal Address: Suburb: City:

City: Postcode _____ Daytime phone number: (0) Email:	Postcode _____ Daytime phone number: (0) Email:
<p>DETAILS OF OTHER OFFICER(S)</p> Mr / Mrs / Miss / Ms* [* Select one.] Surname: First name(s): Known as: Date of birth (dd/mm/yyyy) ____ / ____ / _____ Position in company: Real Estate Licence Number (if known): _____ Class of licence held: Agent/Branch Manager/Salesperson (select one) Eligible officer <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>POSTAL ADDRESS</p> Street or PO Box: Suburb: City: Post Code: _____	
<p>CONTACT DETAILS</p> Personal email: Business telephone number: (0) Mobile number: (0)	
<p>IDENTIFICATION (Please provide a certified copy of photo identification with your application)</p> New Zealand driver licence number: _____ Expiry date (dd/mm/yyyy) ____ / ____ / _____ Card version number (5b) _____ OR New Zealand passport number _____ Expiry date (dd/mm/yyyy) ____ / ____ / _____ Nationality as shown on passport:	

REFEREES

Each officer must provide the names, addresses, and telephone numbers of 2 referees who have known the officer for at least 12 months, and who are not related to the officer.

One referee **must be** a current licensee. The other referee **must not** be a current or former licensee or have held an agent’s licence or a branch manager’s or salesperson’s certificate of approval under the Real Estate Agents Act 1976.

Please arrange for each of the referees to complete the Reference for Company Officer form and send it directly to the Real Estate Authority.

<p>Mr / Mrs / Miss / Ms* [* Select one.]</p> <p>Full Name:</p> <p style="text-align: center;"><i>(must be a current licensee)</i></p> <p>Preferred name:</p> <p>Licence number _____</p> <p>Postal Address:</p> <p>Suburb:</p> <p>City:</p> <p>Postcode _____</p> <p>Daytime phone number: (0)</p> <p>Email:</p>	<p>Mr / Mrs / Miss / Ms* [* Select one.]</p> <p>Full Name:</p> <p style="text-align: center;"><i>(must NOT be a current licensee)</i></p> <p>Preferred name:</p> <p>Postal Address:</p> <p>Suburb:</p> <p>City:</p> <p>Postcode _____</p> <p>Daytime phone number: (0)</p> <p>Email:</p>
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9. CONSENT AND CERTIFICATION (to be signed by the Principal Officer)

- I consent to the making of inquiries to, and the exchange of information with, the authorities in New Zealand or in any participating jurisdiction, regarding matters relevant to this application.
- I certify that the above particulars are true and correct and that I am duly authorised to make this application.

Signature:

Name [*print name*]:

Date: ____ / ____ / _____

Position in the company:

Notes

1. A copy of this application, together with the prescribed statutory declaration, the prescribed fee, and any supporting documents (including sufficient authorisation to release information concerning the criminal history of **every officer of the company**), must be sent to the Registrar. Fees are prescribed by the Authority by Gazette notice and can be found on the Authority's Internet site.
2. Before submitting an application for a licence to the Registrar, the applicant must advertise the application in accordance with regulation 7 of the Real Estate Agents (Licensing) Regulations 2009.
3. If a person does not have either a driver licence or passport as proof of identity, the Registrar may agree to accept some other form of proof on a case-by-case basis and at the discretion of the Registrar.
4. An applicant who provides misleading or false information commits an offence and is liable to a penalty, in the case of an individual, of a fine not exceeding \$40,000 or, in the case of a company, of a fine not exceeding \$100,000.

Checklist

Check that you send the following to the Authority:

- Application form (Form 2)
- Statutory declaration (Form 6) signed and witnessed
- Completed Fees and Levies Remittance Form
- Certified copies of proof of identity for each officer
- Authorisation to the New Zealand Police to Disclose Information to the Real Estate Authority for each officer

Referees

- Arrange for the referees for each officer to send the referee reports directly to the REA

You are advised to keep a copy of the application and the relevant supporting documentation for your own records. You may need to refer to this if the Registrar has any questions about your application, or if you need to update any information in the future.

BRANCH OFFICES

Please list all the branch offices that will operate under the company's licence

BRANCH OFFICE

Name of Branch:

Trading as:

Franchise Group:

Office Phone: (0)

Office Email:

Web Address:

Name of contact person:

Physical address

Street:

Suburb: City:

Postcode _ _ _ _ _

Postal address (if different from physical address)

Street or PO Box:

Suburb: City.....

Postcode _ _ _ _ _

BRANCH OFFICE

Name of Branch:

Trading as:

Franchise Group:

Office Phone: (0)

Office Email:

Web Address:

Name of contact person:

Physical address

Street:

Suburb: City:

Postcode _ _ _ _ _

Postal address (if different from physical address)

Street or PO Box:

Suburb: City.....

Postcode _ _ _ _ _

<p>BRANCH OFFICE</p> <p>Name of Branch:</p> <p>Trading as:</p> <p>Franchise Group:</p> <p>Office Phone: (0)</p> <p>Office Email:</p> <p>Web Address:</p> <p>Name of contact person:</p> <p>Physical address</p> <p>Street:</p> <p>Suburb: City:</p> <p>Postcode _ _ _ _</p> <p>Postal address (if different from physical address)</p> <p>Street or PO Box:</p> <p>Suburb: City.....</p> <p>Postcode _ _ _ _</p>
<p>BRANCH OFFICE</p> <p>Name of Branch:</p> <p>Trading as:</p> <p>Franchise Group:</p> <p>Office Phone: (0)</p> <p>Office Email:</p> <p>Web Address:</p> <p>Name of contact person:</p> <p>Physical address</p> <p>Street:</p> <p>Suburb: City:</p> <p>Postcode _ _ _ _</p> <p>Postal address (if different from physical address)</p> <p>Street or PO Box:</p> <p>Suburb: City.....</p> <p>Postcode _ _ _ _</p>

DECLARATION IN SUPPORT OF APPLICATION BY INDIVIDUAL FOR AGENT'S LICENCE

Section 38, Real Estate Agents Act 2008

(Important: this document must accompany your application form)

You should complete this declaration carefully and honestly. If you provide false or misleading information the Authority can cancel your licence; you may also be fined.

Your declaration must be made before a Justice of the Peace, Solicitor, Notary Public, Registrar or Deputy Registrar of the High Court or any District Court, Authorised Officer in the service of the Crown, or any Member of Parliament.

I, [full name],
 the [state official position in company, e.g. managing director, director, secretary]

 of [name of company]

solemnly and sincerely declare that—

1. The following officer(s) of the company is/are* licensed as an agent as required by section 44(2) of the Real Estate Agents Act 2008:

[* Select one.]

Full name:

Position in company:

Licence number: _ _ _ _ _

[Continue on a separate sheet if necessary.]

2. Every officer of the company is, by reason of his or her personal character and financial position, a proper person to be an officer of a licensee company for the purposes of section 43(1)(c) of the Real Estate Agents Act 2008.

[If any officer of the company is unable to fulfil the criteria to be a proper person, strike out the above paragraph and provide the name of the officer, their position in the company, and details explaining why the officer is not a proper person by reason of personal character or financial position.]

3. [Delete the one which does not apply.]

There are no unsatisfied judgments against the company in any court, **or**

Judgments obtained against the company that are still unsatisfied are on the list attached to this declaration.

I also solemnly and sincerely declare that—

- 4.** The documents submitted with the application are complete and correct.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Signature of person making declaration:

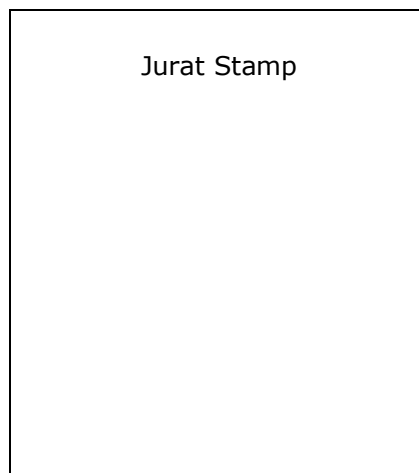
[This section to be completed by the witness.]

Declared at [place]: [date]:

Before me [signature]:

Name of witness [print name]:

(*Justice of the Peace, Solicitor, Notary Public, Registrar or Deputy Registrar of the High Court or any District Court, Authorised Officer in the service of the Crown, any Member of Parliament (*Circle one))



NOTE: A person who provides misleading or false information in this declaration commits an offence and is liable to a significant penalty

CONSENT TO DISCLOSURE TO THE REAL ESTATE AUTHORITY (For a New Zealand Criminal History Check)

Note: Each officer of the company **must** complete a copy of this form and the form(s) returned to the Real Estate Authority.

Applicant to complete and return to the Authority (the REA will submit the criminal history request to NZ Police and receive the result). For further information, see the REA website.

DETAILS OF APPLICANT

Mr / Mrs / Miss / Ms* [* *Select one*]

Date of birth (dd/mm/yyyy) ___ / ___ / _____

Surname:

Given name(s):

Preferred name:

Place of Birth:

Country of Birth:

Nationality:

HOME ADDRESS

Street:

Suburb:

City: Post Code _____

IDENTIFICATION *(Please enter your driver licence or passport details.)*

New Zealand driver licence number _____

Expiry date (dd/mm/yyyy) ___ / ___ / _____

Card version number (5b) _____

OR

Passport number _____

Expiry date (dd/mm/yyyy) ___ / ___ / _____

Nationality as shown on passport:

Country Issued by:

CONSENT AND CERTIFICATION

- I consent to the making of inquiries to, and the exchange of information with, the authorities in New Zealand or in any participating jurisdiction, regarding matters relevant to the company's application.
- I certify that the above particulars are true and correct.

Signature: Date ___ / ___ / _____

FEES AND LEVIES REMITTANCE FORM

1. Use this form when paying for a licence.
2. Attach this form and cheque (if applicable) to your application form.
3. For help in completing this form: call 0800 for REA (0800 367 7322) if calling from a landline or 04 471 8930 if calling from a mobile phone or visit www.rea.govt.nz.

NAME OF APPLICANT													
Company name:													
PAYMENT ENCLOSED													
<input type="checkbox"/> \$ 939.55 (including GST) *Payment must be submitted with your application. The application fee is non-refundable.* If you are not granted a licence only the levies will be refunded.													
METHOD OF PAYMENT [Tick box and provide details as appropriate.]													
<input type="checkbox"/> Internet Banking payment was made on (dd/mm/yyyy) ___ / ___ / _____ ❖ Please use the Name of the Company as the reference when making an internet banking payment. ❖ Please attach evidence that the payment has been made (e.g. a printout of the payment confirmation screen). The Authority is set up as a "Bill Payee" with all the major banks. Westpac NZ Government Branch 03-0251-0039428-00													
<input type="checkbox"/> Cheque (Make cheque payable to "Real Estate Authority" in NZ dollars and attach cheque to this form.) Bank Name: Drawer: Cheque No: Please cross the cheque by placing two vertical parallel lines through the centre of the cheque and writing the words "not transferable" between them. You should also cross out the words "or bearer".													
<input type="checkbox"/> Credit Card													
CREDIT CARD PAYMENT DETAILS													
<input type="checkbox"/> MasterCard <input type="checkbox"/> Visa (Only MasterCard OR Visa accepted)													
Card number													
Cardholder Name	Please print												
Expiry date	M	M	/	Y	Y	Amount						\$	
Signature						Date		D	D	M	M	Y	Y

REFERENCE FOR COMPANY OFFICER

1. You should have known the applicant for at least 12 months.
2. You cannot provide a reference if you are:
 - related to the applicant by blood or marriage
 - connected to the applicant by civil union or defacto relationship
 - live at the same address as the applicant.
3. Please complete the form subject to the provisions of the Criminal Records (Clean Slate) Act 2004.
4. Full and complete answers are required for each question on this form.
(One word or single phrase responses are not sufficient).
5. Please send the completed form:

By Post to:
The Registrar, Real Estate Authority, P.O. Box 25371, Wellington 6146.

OR

By Email to: licensing@rea.govt.nz
6. If you email this form to us **DO NOT** post it as well.
7. For help in completing this form, call 0800 for REA (0800 367 7322) or 04 471 8930 or visit www.rea.govt.nz
8. Please retain a copy of this form your records.

1. NAME OF APPLICANT:	
2. NAME OF APPLICANT'S REAL ESTATE AGENCY <i>(if applicable)</i>	
3. REFEREE DETAILS Mr / Mrs / Miss / Ms* [* Select one.] Full Name: Known as: Home Address: Suburb: City: Postcode _ _ _ _ _ Daytime phone number (0) Email:	Name of Employer: Position Held: Business address:
4. Is the applicant related to you by blood or marriage? <input type="checkbox"/> Yes <input type="checkbox"/> No	

5. Does the applicant live at the same address as you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. How long and in what capacity have you known the applicant?		
7. An officer of a company must be a fit and proper person by reason of their personal character and financial position. Please explain why you think the applicant is a fit and proper person to be an officer of a real estate agency.		
<i>(If necessary use a separate sheet and attach to this report.)</i>		
8. Are there any personal or professional issues the Real Estate Authority should be aware of?		
9. Do you have any further comments about the applicant's character?		
10. To the best of your knowledge, has the applicant:		

- Ever been convicted in any court in New Zealand or overseas?
 - Pending or current charges before a court in New Zealand or overseas
 - Ever been the subject of disciplinary action by any authority in New Zealand or overseas?
- Yes (please provide further details on a separate sheet)
- No

11. DECLARATION:

I confirm that the above information is true to the best of my knowledge.

Signed: Date: ___ / ___ / ___

INFORMATION NOTES

Requirements

Please elaborate on each point. Insufficient information could cause delays in the processing of the applicant's licence application.

Use of Reference

The information and opinion you provided will be treated as confidential to the Real Estate Authority. It will be used for the purpose of consideration of the suitability of the applicant to be issued with a licence pursuant to Part 3 of the Real Estate Agents Act 2008.

Privacy Act 1993

Any reference you provide may be made available to the applicant on request under the provisions of the Privacy Act 1993.

Applying for an AGENT'S LICENCE (COMPANY)

How to fill in this form

Make sure you provide all the information the form asks for, and that you attach all the required documentation. If the application form is incomplete, there will be a delay in processing your application and it may be sent back to you.

1. Licence history

If the company has held a licence in the past please indicate this, even if the licence is no longer current.

2-6. Details of applicant

Complete all sections. The following details will appear on the public register of licensees:

- the company's name and trading as name
- the company's licence details
- address and phone number of the principal place of business
- website
- contact email

The postal address will be used by the Registrar or Authority to communicate with you: It will not appear on the Public Register (unless you have nominated your business address as the postal address).

In line with the Government wide move to electronic communications, we are now sending all of our reminders and confirmations (of renewal, suspension, expiry etc.) via email. Company reminders are sent the principal officer's email address.

7. Branch offices

If you intend to operate out of branch offices please record the details of these branches on page 4.

8. Officers of the company

You should provide details for every person who is an officer of the company. If there is insufficient space on the form, continue on a separate sheet. Section 4 of the Real Estate Agents Act 2008 defines the following persons as being an officer of a company:

- every director, manager, or secretary of the company who, on behalf and in the name of the company, carries on the company's business as a real estate agent;
- and includes any person, however designated, who is responsible for the management of the company and any person who is responsible for the management of any branch of the company, or (in relation to any company that carries on any other business in addition to its business as a real estate agent) the person responsible for the management of the company's real estate agency work.

Identification

You will need to provide proof of identity for each officer of the company. As a general rule, proof of identity is provided by way of a New Zealand driver licence or New Zealand passport. Please provide

certified copies for each officer. A certified copy is a photocopy of the original that has been certified as a true copy. A certified copy must be marked "Original sighted and this is a copy of that original". The certified copy must be signed and dated, preferably with a name stamp appended. The following people can sign a certified copy: the issuing authority, a solicitor, notary public, Justice of the Peace, or Commissioner for Oaths. If any of your company officers do not have a driver licence or passport, the Registrar may accept some other identification on a case by case basis. You will need to discuss this with the Registrar.

Referees

You must provide two referees *for each officer*. One of the referees in every case *must* be a current licensee (that is, a person who currently holds an agent's, branch manager's or salesperson's licence). The second referee *must not* be a current or former licensee or have held an agent's licence, branch managers or salesperson's certificate of approval under the 1976 Act. The referees must have known the officer concerned for at least 12 months and must not be related to the officer. They should be people who know the officer well and can provide sound information about his or her character.

Before you send in the application, you should provide each referee with a copy of the Reference for Company Officer form and ask them to send it directly to the Authority.

9. Consent and certification

The "consent and certification" section of the application form authorises the Registrar to make any enquiries regarding matters relevant to this application.

This section of the application form also certifies that the information provided in respect of the application is true and correct. The person who signs the form should be authorised to do so and should identify his or her position in the company.

Note that it is an offence to provide false or misleading information and a fine of up to \$40,000 applies in the case of an individual or up to \$100,000 in the case of the company.

Form 6: Statutory declaration

Form 6 must accompany your company's licence application. You should check every statement in the form and ensure that you can truly make the statements concerned.

Note that under item 3, the statement applies to every officer of the company: you will need to ensure that you have taken the necessary steps to verify that the officers of the company meet the "proper person" requirement.

You must have your signature of the declaration witnessed.

The following persons can legally do this:

- Justice of the Peace
- Solicitor
- Notary public
- Registrar or Deputy Registrar of the High Court or any District Court

-
- Authorised officer in the service of the Crown
 - Any member of Parliament
-

Criminal History Check

Each officer of the company must complete the Criminal History Check form unless they have already provided one with their individual licence renewal application within the last 6 months. This form specifically authorises the New Zealand Police to disclose to REA the following information about officers of the applicant company:

- the officer’s conviction history and any sentences, penalties or orders imposed as a result of any conviction
- any discharges without conviction and charges that have resulted in diversion against the officer
- information subject to name suppression where that information is necessary for the purpose of the criminal history check.
- Any disclosure will be subject to the Criminal Records (Clean Slate) Act 2004.

Note: information which is relevant to the fit and proper person assessment is wider than the information obtained from New Zealand Police through a criminal history check. As set out above, it is your obligation to tell the Registrar immediately of any change in circumstances that may result in you no longer being a fit and proper person to be licensed, irrespective of whether that is information which will be obtained through a criminal history check.

Fees and levies

It costs \$939.55 (incl GST) to apply for a licence.

Cost:	
Application fee	\$187.00
Operational levy	\$597.00
Disciplinary levy	\$33.00
Manual processing fee (incl GST)	\$28.75
GST	\$122.55
Total	\$939.55

The application fee is for processing a new application. The two levies are annual charges to fund the costs of the Real Estate Authority and the Real Estate Agents Disciplinary Tribunal. If you are not granted a licence, the levies will be refunded.

The application fee is non-refundable.

**Advertising on
REA website**

When we have received your application we will put details of the company and officers of the company on our website for 14 days. During this time anyone can object to your company being issued with a licence and we will carry out a Criminal History check on the officers of the company and other checks.

**What happens
next?**

Depending on how long it takes for the result of the Criminal History check(s) to come back to us, it will take between 14 and 28 days for a decision to be made as to whether the application will be approved.

However, if an objection is received this will need to be considered before a decision is made on your application. You will be notified of the objection and be given the opportunity to respond. Once you have responded there will be a hearing to consider the objection. Consideration of an objection can take up to 2 months for complete the process.

**General
information**

For general information on licensing see: www.rea.govt.nz

To view the Real Estate Agents Act 2008 see: www.legislation.govt.nz

Postal Address: *PO Box 25371, Wellington 6146.*

Courier Address: *Level 4, 95 Customhouse Quay, Wellington*

Telephone: 0800 for REA (0800 367 7322) if calling from a landline within New Zealand 04 471 8930 if calling from a mobile phone

**What happens
next**

Depending on how long it takes for the result of the Criminal History check to come back to us, it will take between 15 and 28 days for a decision to be made as to whether the application will be approved.

However, if an objection is received this will need to be considered before a decision is made on your application. You will be notified of the objection and be given the opportunity to respond. Once you have responded there will be a hearing to consider the objection. Consideration of an objection can take up to 2 months for complete the process.
