

Application by company for renewal of agent's licence

Section 52, Real Estate Agents Act 2008

Real Estate Authority

1. This form is for **companies** who deferred their renewal due to COVID-19.
2. Please ensure you have read the Guide to renewing an agent's licence (page 10).
3. When completed, attach any supporting documents and send by email to licensing@rea.govt.nz
4. For help completing this form call 0800 367 732 (NZ only) or +64 (4) 471 8930
5. Please retain a copy of this form for your records.

1. Application

I am applying to renew company agent's licence number: _ _ _ _ _

2. Company details

Company name: _____

Trading name of business: _____

Name of franchise group or marketing group (if any): _____

3. Principal place of business

Street: _____

Suburb: _____

City: _____ Postcode: _____

Office email: _____

Office telephone number: (0) _____

(This can be a landline or mobile number.)

Website: _____

(This is the address, telephone number, email and website which will appear on the public register.)

4. Postal address (if different from #3)

Street or PO Box: _____

Suburb: _____

City: _____ 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: _____

Email: _____

Daytime contact number: (0) _____

- ☐ I agree that for the purpose of business, the REA may contact us at the email address provided.

7. Standard clauses

Does your agency use the use REA endorsed standard clauses in your residential agency agreements?

- ☐ Yes ☐ No ☐ Not applicable

Does your agency use the use REA endorsed standard clauses in your rural agency agreements?

- ☐ Yes ☐ No ☐ Not applicable

8. Real estate agency work

Please specify the type of real estate agency work your agency undertakes.

- ☐ Residential sales ☐ Rural sales
☐ Business broking ☐ Commercial (including commercial letting and leasing)

Does your agency carry out residential letting and leasing?

- ☐ Yes ☐ No

9. Does the agency operate a trust account for real estate sales transactions?

- ☐ Yes

Name of auditor: _____

- ☐ No Please specify reason you do not operate a trust account:

- ☐ using Solicitor Trust Account
☐ using New Zealand Real Estate Trust
☐ other, please specify: _____

10. Do you have any branch offices?

- ☐ Yes (if yes you must complete the Branch Office form on page 5)
- ☐ No

11. Company officers

(List all officers of the company. If necessary, use an additional sheet.)

- All directors involved in carrying out the company's business as a real estate agent must be included in this section.
- All officers must complete a 'Consent to Disclosure' form unless they are in the process of renewing their individual licence or have renewed their licence within the last 6 months.

The following, who are officers of the company, are fit and proper persons to be officers of a licensee company by reason of personal character and financial position:

Full name: _____

Position in company: _____

Licence number (if applicable): _ _ _ _ _

Holds agent's licence: ☐ Yes ☐ No

Full name: _____

Position in company: _____

Licence number (if applicable): _ _ _ _ _

Holds agent's licence: ☐ Yes ☐ No

Full name: _____

Position in company: _____

Licence number (if applicable): _ _ _ _ _

Holds agent's licence: ☐ Yes ☐ No

Full name: _____

Position in company: _____

Licence number (if applicable): _ _ _ _ _

Holds agent's licence: ☐ Yes ☐ No

Full name: _____

Position in company: _____

Licence number (if applicable): _ _ _ _ _

Holds agent's licence: ☐ Yes ☐ No

12. 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 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 (dd/mm/yyyy): ____ / ____ / ____

Position in the company: _____

Notes

1. A copy of this application, together with 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 REA by *Gazette* notice and can be found on REA's Internet site.
2. 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.
3. 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

When you send in your application, check that you have all of the following:

- ☐ Renewal Application Form (Form 8)
- ☐ Completed Payment Advice Form
- ☐ Payment of \$724.50 (including GST).
- ☐ Consent to Disclosure of Information Form for each officer of the company (if not already submitted with their individual licence application).

Branch offices

Please list all the branch offices that operate under the company's licence. Please copy this page if required.

Branch office

Name of branch: _____

Trading as: _____

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: _____

Does this branch use REA-endorsed standard clauses in residential agency agreements?

☐ Yes ☐ No ☐ Not applicable

Does this branch use REA-endorsed standard clauses in rural agency agreements?

☐ Yes ☐ No ☐ Not applicable

Does the branch carry out residential letting and leasing?

☐ Yes ☐ No

Type of real estate agency work undertaken in this branch:

- ☐ Residential sales
- ☐ Rural sales
- ☐ Business broking
- ☐ Commercial (including commercial letting and leasing)

Branch office

Name of branch: _____

Trading as: _____

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: _____

Does this branch use REA-endorsed standard clauses in residential agency agreements?

☐ Yes ☐ No ☐ Not applicable

Does this branch use REA-endorsed standard clauses in rural agency agreements?

☐ Yes ☐ No ☐ Not applicable

Does the branch carry out residential letting and leasing?

☐ Yes ☐ No

Type of real estate agency work undertaken in this branch:

- ☐ Residential sales
- ☐ Rural sales
- ☐ Business broking
- ☐ Commercial (including commercial letting and leasing)

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 REA (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: _____ Postcode: _____

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: _____

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: _____

Payment advice form

1. Use this form when paying for a company licence renewal.
2. For help in completing this form: call 0800 for REA (0800 367 732) if calling from a landline or 04 471 8930 if calling from a mobile phone or visit rea.govt.nz

1. Company name

Licence number: _ _ _ _ _

2. Payment enclosed

- ☐ \$ 724.50 (If you want to renew via the Licensee Portal please call us, as we need to reactivate the licence while you are on the phone)

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.

3. Method of payment (tick box and provide details as appropriate)

- ☐ 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. Attach evidence that the payment has been made.

The Real Estate Authority is set up as a 'Bill Payee' with all the major banks.

Westpac NZ Government Branch 03-0251-0039428-00

- ☐ Credit Card

Credit card payment details

- ☐ MasterCard ☐ Visa (only MasterCard OR Visa accepted)

Card number

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Cardholder name _____ PLEASE PRINT

Expiry date

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Amount \$

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Signature _____

Date

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Guide to renewing 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. Application

This box asks you to provide the company's licence number. This information appears on the document headed "Evidence of Licence" that the Registrar sent to the company when issuing or last renewing the licence.

You can also check the company's licence number on the Public Register at rea.govt.nz

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 Real Estate 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 our reminders and confirmations (of renewal, suspension, expiry etc.) via email. Company reminders are sent to the principal officer's email address.

7. Standard clauses

Please indicate if your agency has signed up to use REA-endorsed standard clauses in your residential and/or rural sales agency agreements

8. Real estate agency work

Please record the type of real estate agency work your agency carries out.

9. Trust account

Please record the name of your auditor or the reason the company does not operate a trust account.

10. Location of branch offices

If the company operates from more than one office please provide details for each office on page 5.

11. Company officers

You must 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.

Officer means 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.

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

Please indicate which of the officers of the company **eligible officers** are. 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.

Each officer of the company must complete Consent to Disclosure Form unless they have already provided one with their individual licence renewal application within the last 6 months.

12. 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 a company.

13. Eligibility to be licensed

Eligibility for a licence is covered by sections 36 and 37 of the Real Estate Agents Act 2008. Section 36 sets out the eligibility criteria. Section 37 sets out circumstances that prohibit a person from being licensed.

The requirement to be a 'fit and proper' person applies in addition to the prohibitions that apply under section 37 of the Act. In other words, a person may not be prohibited from holding a licence under section 37 but may nevertheless not satisfy the REAA Registrar that he or she is a fit and proper person.

Licensees are under a duty at all times to notify the Registrar of any change in circumstances that may result in them no longer being a fit and proper person to be licensed. It is the Registrar's decision whether you are a fit and proper person to hold a licence. If there has been a change in circumstances that may result in the Registrar not being satisfied that you are a fit and proper person to hold a licence, you must notify the Registrar of that change in circumstance.

If you sign the renewal application form and do not disclose any matter impacting your eligibility to hold a licence, including any matter that may result in a decision that you are no longer a fit and proper person to hold a licence, you will be committing an offence. If you are

granted a licence on the basis of any false or fraudulent representation or declaration made orally or in writing your licence must be cancelled.

Matters which may be considered by the Registrar for the fit and proper person assessment (in addition to the section 37 prohibitions) include:

- any criminal conviction not already brought to REA's attention, which has not been 'clean slated' under the Criminal Records (Clean Slate) Act 2004. This includes any excess breath alcohol conviction and any traffic offence that resulted in a conviction;
- any pending criminal charges (in New Zealand or overseas);
- any unsatisfied judgements in any court;
- any adverse findings against you by a court in civil proceedings;
- any significant financial issues, such as bankruptcy or liquidation/receivership of a company of which you are a director; and
- disciplinary action taken by another regulatory or professional body in New Zealand or overseas.

This does not include any open complaints being considered by a Complaints Assessment Committee or the Real Estate Agents Disciplinary Tribunal. However, if you owe any outstanding costs or fines resulting from a disciplinary matter or have not complied with any other order this should be declared.

Note: licensees are required by the Real Estate Agents Act 2008 to advise the Registrar of any change of circumstances that affects their eligibility to hold a licence, within 10 working days of the change occurring, including any change in circumstances that may result in the licensee no longer being a fit and proper person to be licensed. If anything occurred during the year that has affected your eligibility to hold the licence, you should by law have advised the Registrar at the time.

To be eligible to hold a branch manager's or agent's licence you must have had 3 years real estate agency work experience in the last 10 years. Each year you need to confirm you still meet this requirement. Note: residential letting and leasing does not qualify as real estate agency work.

If you have any questions or concerns about your eligibility to be granted a licence please contact us to discuss before completing the form.

14. Criminal History Check

Each officer of the company must complete the Consent to disclosure to the Real Estate Authority (for NZ 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.

15. What does it costs

It costs \$724.50, including GST. You must send payment (or evidence of payment) with the application.

You can pay by credit card or internet banking. If you pay by internet banking please enter your Company Name and Licence Number as the reference and send a copy of the payment confirmation with your application. REA is set up as a 'Bill Payee' with all the major banks.

Levies paid are not refundable. No refunds paid if a licence is suspended, surrendered or cancelled after the licence has been renewed.

[Tax Invoice/receipt](#)

A tax invoice/receipt will be available in the portal in the documents tab within 24-48 hours of the licence renewal being approved.