

Form 2: Application by company for agent's licence

Section 38, Real Estate Agents Act 2008

1. Use this form to apply as a **company** for an agent's licence.
2. Complete all sections. Tick boxes as appropriate.
3. When completed attach the supporting documents and send to:
 By email: licensing@rea.govt.nz
 By post: Real Estate Authority, PO Box 25371, Wellington 6140
 By courier: Real Estate Authority, Level 4, 95 Customhouse Quay, Wellington
4. For help completing this form call 0800 367 732 or +64 4 471 8930 or visit rea.govt.nz.

Licence history

The company has/has not* previously held an agent's licence. (***Select one.**)

Licence registration number (**if any**): _ _ _ _ _

Details of applicant company

Company name: _____

Trading name of business: _____

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

Company Number: _____ NZBN: _____

Postal address

Street or PO Box: _____

Suburb: _____

City: _____ Postcode: _____

Address of registered office

Street: _____

Suburb: _____

City: _____ Postcode: _____

Address of principal place of business

Street: _____

Suburb: _____

City: _____ Postcode: _____

Office email: _____ Office phone: (0 __) _____

Website: _____

(This is the address and contact details that will appear on the public register.)

Contact person for inquiries about this application

Name: _____

Telephone number: (0____) _____

Email address: _____

Branch offices

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

☐ Yes (**Complete the Branch Offices form**)

☐ No

Officer(s) of the company licensed as agent (*eligible officer*)

Details of the officer/officers* of the company who is/are* licensed as an agent as required by section 44(2) of the Real Estate Agents Act 2008 are: (***Select one.**)

Eligible officer 1

Name: _____

Position in company: _____

Licence registration number: _ _ _ _ _

Eligible officer 2 (if applicable)

Name: _____

Position in company: _____

Licence registration number: _ _ _ _ _

Company officers

Any person who is, or will be, an officer of the company if the application is granted must, by reason of both their personal character and their financial position, be a proper person to be an officer of a licensee company.

- **Principal officer:** The officer who controls the agency's business activities and is a director or shareholder of the agency.
- **Eligible officer:** The officer(s) of the agency who holds an individual 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.
- **Other officer(s):** 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

All officers of the company

Complete pages 3 and 4 for **all** officers of the company, or persons who will be officers of the company if this application is granted, including the officer(s) listed above.

Details of officer

Mr | Mrs | Miss | Ms **(select one)**

First name(s): _____

Middle name(s): _____

Surname: _____

Preferred name: _____

Any other name(s) that are used or have been used: _____

Date of birth **(dd/mm/yyyy)**: ____/____/____

Position in company: _____

Officer role: Eligible officer | Principal officer | Other officer **(Select one)**

Home address

Street: _____

Suburb: _____

City: _____ Postcode: _____

Postal address

Street or PO Box: _____

Suburb: _____

City: _____ Postcode: _____

Contact details

Telephone number: (0____) _____

Mobile number: (0____) _____

Email address: _____

Identification

New Zealand driver licence number: _____

Version number: ____ ____ ____ Expiry date **(dd/mm/yyyy)**: ____/____/____

OR

Passport number: _____

Nationality as shown on the passport: _____

Expiry date **(dd/mm/yyyy)**: ____/____/____

Referees

1. Provide the details of two referees who have known you for at least 12 months, who are not related to you and do not live at the same address as you.
2. 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.
3. Arrange for each of the referees to complete the *Reference for company officer* form and send it directly to REA.

By providing your referees' details, you are confirming that they have agreed to have their personal details provided to REA for the purposes of us assessing your application.

Referee 1 (must be a current licensee)

Mr | Mrs | Miss | Ms (**select one**)

Surname: _____

First name(s): _____

Known as: _____

Real estate licence number: _ _ _ _ _

Home address

Suburb: _____

City: _____ Postcode: _____

Contact email: _____

Phone number: (0____) _____

Referee 2 (must not be a current or former licensee)

Mr | Mrs | Miss | Ms (**select one**)

Surname: _____

First name(s): _____

Known as: _____

Home address

Suburb: _____

City: _____ Postcode: _____

Contact email: _____

Phone number: (0____) _____

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 statutory declaration (Form 6), 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 rea.govt.nz.
2. Before a licence can be issued, the application must be advertised 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.

Privacy and information handling

The information you provide helps the Real Estate Authority (**REA**) to assess your application and to carry out its functions under the Real Estate Agents Act 2008 and regulations. REA may need to obtain personal information from other sources, such as public registers, to assess your application.

By completing this form, you authorise REA to make enquiries directly with third parties and to receive and collect personal information relevant to your application. REA will collect, use, hold and disclose your personal information only for the purposes of assessing your application or any future applications, and as provided for under the Real Estate Agents Act 2008 and regulations, Privacy Act 2020, Public Records Act 2005, or otherwise as permitted or required by law.

The provision of information by you is voluntary. However, if you do not provide full information, REA may not be able to assess your application.

Under the Privacy Act 2020 you may request access to, and request correction of, your personal information held by REA.

For more information about the REA's Privacy Statement, please refer to www.rea.govt.nz/terms-of-use-and-privacy-statement.

General information about the Privacy Act 2020 is also available on the website of the Privacy Commissioner at www.privacy.org.nz.

Form 6: Declaration in support of application by company for agent's licence

Section 38, Real Estate Agents Act 2008

I, **(full name)**: _____

the **(state official position in company, e.g. managing director, director, secretary)**:

of **(company name)**: _____

solemnly and sincerely declare that—

1. I have provided the Real Estate Agents Authority with the information necessary for it to advertise the company's licence application on the Authority's Internet site in the prescribed manner.
2. 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.)**

Eligible officer 1

Full name: _____

Position in company: _____

Licence registration number: _____

Eligible officer 2 (If applicable)

Full name: _____

Position in company: _____

Licence registration number: _____

3. 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. **(read <https://www.rea.govt.nz/real-estate-professionals/fitandproper/>)**

(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.)

Full name: _____

Position in the company: _____

Details: _____

_____ **(Continue on a separate page if needed.)**

Initial: _____

4. (Select the paragraph below that applies.)

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—

5. 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

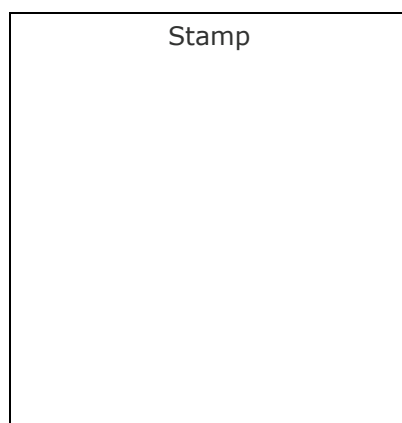
Declared at **(place)**: _____

Date **(dd/mm/yyyy)**: ____/ ____/ _____

Before me **(signature)**: _____

Name of witness **(print name)**: _____

Justice of the Peace | Solicitor | Notary public | Registrar or Deputy Registrar of the District Court or the High Court | Member of Parliament **(Select one.)**



Note

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

Initial:

Payment advice

Application by company for agent's licence

Company name: _____

Payment enclosed

☐ \$939.55

Type of fee or levy	Amount
Application fee	\$187.00
Operational levy	\$597.00
Disciplinary levy	\$33.00
GST	\$122.55
Total	\$939.55

Payment details

Pay by internet banking or bank deposit. The Real Estate Authority is set up as a 'Bill Payee' with all the major banks.

Real Estate Agents Authority
Westpac NZ Government Branch
03-0251-0039428-00

Use your company name as the reference when making the payment. Attach evidence that the payment has been made.

Payment was made on (**dd/mm/yyyy**): ____/____/____

Payment and refunds

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.

REA does not provide a refund if a licence is suspended, surrendered or cancelled after the licence has been issued.

Consent to disclosure to the Real Estate Authority for criminal conviction history check

Application by company for agent's licence

This page must be completed by **all** officers of the company.

Company name: _____

Details of officer

Mr | Mrs | Miss | Ms **(select one)**

Surname: _____

Given name(s): _____

Preferred name: _____

Place of birth: _____

Country of birth: _____

Nationality: _____

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: _____

Name **(print name)**: _____

Date **(dd/mm/yyyy)**: ____/____/____

Criminal conviction history check

REA will assess whether you are, by way of your personal character or financial position, a proper person to be an officer of a licensee company. As part of this we carry out a criminal conviction history check.

The following information will be released to REA by the Ministry of Justice:

- A record of your criminal conviction history and any sentences, penalties or orders imposed as a result of any conviction, and
- Information subject to name suppression where that information is necessary to the purpose of the report.

Read the Fit and proper guidelines for information: <https://www.rea.govt.nz/real-estate-professionals/fitandproper/>.

Branch offices

Application by company for agent's licence

Provide details of all branch offices that will operate under the company's licence if issued.
Copy this page if needed.

Company name: _____

Branch office

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: _____

Branch office

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: _____

Reference for company officer

Application by company for agent's licence

1. Complete this form subject to the provisions of the Criminal Records (Clean Slate) Act 2004.
2. Full and complete answers are required for each question on this form. One word or single phrase responses are not sufficient.
3. Continue answers on a separate page if needed.
4. When completed send to:
By email: licensing@rea.govt.nz
By post: Real Estate Authority, PO Box 25371, Wellington 6140
By courier: Real Estate Authority, Level 4, 95 Customhouse Quay, Wellington
5. For help completing this form call 0800 367 732 or +64 4 471 8930 or visit rea.govt.nz.

Applicant details

Name of officer: _____

Name of company applying for agent's licence: _____

Referee details

Mr | Mrs | Miss | Ms **(select one)**

Surname: _____

First name(s): _____

Real estate licence number **(if applicable)**: _ _ _ _ _

Home address: _____

Suburb: _____

City: _____ Postcode: _____

Contact email: _____

Phone number: (0 ____) _____

Name of employer: _____

Position held: _____

Reference

How long and in what capacity have you known the applicant?

An officer of a company must be a proper person by reason of their personal character and financial position. Please explain why you think the applicant is a proper person to be an officer of a real estate agency.

Read the Fit and proper guidelines for guidance to answer this question:
<https://www.rea.govt.nz/real-estate-professionals/fitandproper/>.

Are there any personal or professional issues the Real Estate Authority should be aware of?

Do you have any further comments about the applicant's character?

To the best of your knowledge, has the applicant:

1. Ever been convicted in any court in New Zealand or overseas?
☐ Yes
☐ No
2. Got any pending or current charges before a court in New Zealand or overseas?
☐ Yes
☐ No
3. Ever been the subject of disciplinary action by any authority in New Zealand or overseas?
☐ Yes
☐ No

Declaration

- ☐ I am not related to the applicant related by blood or marriage.
- ☐ I do not live at the same address as the officer.
- ☐ I confirm that the above information is true to the best of my knowledge.

Signed: _____

Name (**print name**): _____

Date (**dd/mm/yyyy**): ____/____/____

Privacy and information handling

The Real Estate Authority (REA) will collect, use, hold and disclose your personal information only for the purposes of assessing the applicant's application, and as provided for under the Real Estate Agents Act 2008 and regulations, Privacy Act 2020, Public Records Act 2005, or otherwise as permitted or required by law.

The provision of information by you is voluntary. However, if you do not provide full information, REA may not be able to assess the applicant's application.

Under the Privacy Act 2020 anyone may request access to, and request correction of, their personal information held by REA.

The information and opinion you provided will be treated as confidential to REA. However, please note that it may also be necessary to disclose the reference to the applicant in the interests of natural justice or on request by the applicant under the Privacy Act 2020.

For more information about REA's Privacy Statement, please refer to www.rea.govt.nz/terms-of-use-and-privacy-statement.

General information about the Privacy Act 2020 is also available on the website of the Privacy Commissioner at www.privacy.org.nz.