

# REIQ JOURNAL

FOR MEMBERS OF THE REAL ESTATE INSTITUTE OF QUEENSLAND



## The Kings of Real Estate

WHAT DOES IT TAKE TO LAST IN  
THE REAL ESTATE BUSINESS? WE  
ASK FOUR OF QUEENSLAND'S  
OLDEST REAL ESTATE FAMILIES.



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# Putting your succession plan in place – the time is now!

WORDS BY ROB HONEYCOMBE, REIQ CHAIRMAN

*A quick question for those of you who are business owners: What's your exit strategy? Are you selling the rent roll to a competitor? Closing the doors and walking away? Or easing a family member or someone from the team into ownership so you can ease back out?*



Whether we're in our 20s or 70s we should know the answer. There's no right or wrong succession plan of course, but a direction on how you'll eventually cash in on your investment and hard work is pretty important.

When you're faced with all those thousands of small-business choices we make every week, you need some clarity on where you're headed.

You might choose to pay yourself well along the way and not build equity in the business – a completely valid option. But even then, your presence in the market, your clients and database, are all an opportunity for

the next generation.

This edition of The Journal explores family businesses and they've long been a big part of our profession. A common example - Dad selling, Mum in rentals and maybe the daughter on reception or the son in leasing. Lots of you are nodding right now. And as a business approach a family structure has some powerful competitive strengths. Staff loyalty for one!

But it still needs to be part of a broader succession plan. A plan that details where the business will go in the future, who will make decisions and what's expected of each family member in their work and personal contribution. Nepotism isn't viewed too well by co-workers and no small business can afford a free-loader. Regardless of age, sex and experience of each parent or sibling, there's challenges in ensuring each has clear responsibilities and entitlements.

If there's to be a generational change, who will take the reins and when? Will it be a staged handover or a toss of the keys and a 'hoo-roo' as Mum and Dad make for the airport?!

Like any partnership a family business can come with conflict, with compromise an inescapable part of the deal. But knowing disagreements will happen, by anticipating and planning for the key decisions and steps in the business' evolution you'll lessen the chance of those arguments escalating to something too far. A dispute that tears a family apart. A disagreement when poorly chosen words can be said, and regrettable actions taken. Wounds opened that

can't be healed.

Making time now and having the uncomfortable conversations now, might just be the best prevention.

One of REIQ's key pillars of service is support and advice for our members and in coming weeks we'll be holding workshops to help you in this planning. We'd like to get you thinking about the issue and we'll offer some tools to assist. Regardless of where you're at in the building of your business, succession planning is a key step and we'd love to help.

Please take the time to work on that plan today. It's important for you and the future of your business. And that next appraisal or landlord email can wait!

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# We are asking for your views

WORDS BY ANTONIA MERCORELLA, REIQ CEO

*As a membership organisation and peak body for the real estate profession, the REIQ plays a critical role in ensuring that the voices of our membership are heard and that the interests of the profession are protected and promoted.*



Much of the lobbying and advocacy work the REIQ does happens behind the scenes, and through relationships developed over many years.

Frustratingly, the wheels of legislative and policy change turn stubbornly slowly. As a result, the important work we do in this area often takes many months, or even years, to bear fruit and the significance of our work is sometimes overlooked.

For example, the review and eventual repeal of the Property Agents and Motor Dealers Act was one of the most significant legislative reforms to impact the Queensland real estate profession. For years the REIQ fought to establish stand-alone real estate legislation separating motor dealers and debt collectors from the legislation governing our profession.

As a result of our resolve (and fair degree of tenacity), we now have the Property Occupations Act; a real estate-specific piece of legislation. The new Act contains less administrative burden for real estate practitioners and simplifies many aspects of the appointment and contracts process. It's a significant win for real estate practitioners and consumers alike. But more than a year on, it's easy to forget its significance and the years of lobbying

that culminated in its introduction.

As the CEO of the REIQ, a large part of my day is spent representing the Institute and its membership at conferences, advisory groups and industry consultation forums. Much midnight oil has been burned developing and drafting complex and critical REIQ submissions in relation to legislative and policy issues impacting the real estate profession.

As CEO, I am also involved heavily in consultation groups including the Housing Affordability Expert Reference Group, the Livable Housing Design Stakeholder Working Group and the Industry Development Forum (a quarterly forum hosted by the Residential Tenancies Authority) to name just a few.

The feedback from these submissions and industry groups is always positive, and I'm proud to report that the REIQ's voice is having a direct impact on the decision-making of Government and industry groups. To ensure we continue to reflect the views of our membership, we always seek the feedback and input of our member representatives - our 17 Zone Chairs and Chapter Chairs (also known as the REIQ Council). We meet and consult with this group on a regular basis to develop policy and seek feedback on legislative reforms when necessary. We also regularly ask the broader membership for their views through member communications and events.

On that note, **we are seeking your views on two important issues.**

The first is a housing discussion paper recently released by the Minister for Housing and Public Works about a new housing strategy

for Queensland. The paper is seeking views on how to create sustainable communities and a responsive housing system. It also focuses on housing affordability, with particular emphasis on improving access to both rental and home ownership markets. The REIQ will prepare a submission in response to the paper but the Minister and the REIQ are seeking your views.

To have your say on the paper, go to <https://www.getinvolved.qld.gov.au/gi/consultation/2851/view.html>

You can send your feedback to us, by no later than 20 May, at [jtindal@reiq.com.au](mailto:jtindal@reiq.com.au). The Minister is also holding consultation sessions throughout the State in relation to the paper. We will let you know the dates and times so keep an eye out.

The Minister has also confirmed that a review of the Residential Tenancies and Rooming Accommodation Act is imminent. In anticipation of this, the REIQ has been asked to provide our views on required changes to the Act. So, property managers and principals, now is the time to speak up about what you want to see removed, changed or added to this legislation. You can send your views to the same email (and by the same date) as above.

Please take the time to participate in this important consultation process. The REIQ is your membership body so make your views heard loud and clear!

Best wishes and I look forward to seeing you at the next REIQ event.

**Antonia**



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# Tenancy database law amendments passed in Parliament

## *Property managers take note!*

On 18 March, tenancy database amendments were passed as part of the *Plumbing and Drainage and Other Legislation Amendment Bill 2015*.

The amendments include:

- limiting the time a listing can be kept on a database to three years
- requiring property managers/owners to disclose which databases they use to check the rental histories of prospective tenants
- if there is a listing, requiring property managers/owners to disclose to the prospective tenant:
  - that they are listed on a tenancy database

- how they can obtain a copy of the listing
- how they can seek to have the listing amended or removed if they believe it is inaccurate, out of date or unfair
- requiring the database operator or owner/manager who made the listing to provide a copy of a requested listing to a tenant (a reasonable fee for this service may be charged.)

A Parliamentary Committee had reviewed the legislation and reported back to Parliament on 1 March. You can view a copy of the report at: [http://www.parliament.qld.gov.au/work-of-committees/committees/TUC/inquiries/past-inquiries/05\\_PDOLA-Bill-2015](http://www.parliament.qld.gov.au/work-of-committees/committees/TUC/inquiries/past-inquiries/05_PDOLA-Bill-2015).

These new laws have **not yet commenced**.

It is expected that the new tenancy database requirements (which will be contained in the *Residential Tenancies and Rooming Accommodation Act 2008*) laws will commence on 1 July 2016.

Keep an eye out for more information on a commencement date in future REIQ email updates. A more detailed article about new tenancy database laws will be featured in the next edition of the Journal.

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# Research reveals top super funds

*New data from ratings agency SuperRatings shows that super funds that return all profits to members delivered stronger results over the past decade than large retail super funds.*

The data also found that the largest super funds don't always deliver the best results, with smaller funds – those with total assets under \$2 billion – performing better than the largest funds over the 10-year period to January 2016 (4.2% over 10 years for funds over \$50 billion, compared with 5.1% for smaller funds), according to the SuperRatings analysis.

REI Super CEO Mal Smith said funds with an all-profits-to-members model

often came out ahead because of a high quality investment strategy, which was more important than the size of investment.

“Strong long-term performance is the result of an agile and rigorous investment strategy,” Mr Smith said.

“And contrary to conventional wisdom, when it comes to superannuation funds, this data confirms that size doesn't always deliver economies of scale.

“We believe a virtue of our size is that we can be quite active in our asset allocation in volatile markets, and we are not so big that we will move the markets in which we invest.

“The funds that are performing well are in fact the ones with a high quality investment strategy and process.”

Mr Smith said that in the present volatile investment environment REI Super had adopted a relatively cautious asset allocation strategy over the past 12 months, which had delivered a top quartile performance in the SuperRatings surveys.



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# Cut down time for entry inspection

*Did you know you can reduce the time it takes you to create an inspection report by using the really handy features in the Realworks Inspect app?*

RE/Max Platinum property manager Linda Gould said the technology had dramatically improved her time management for inspection reports.

"Realworks Inspect really has made a difference to the way I work, and the amount of work I am able to achieve in a day," she said.

"For me, the ability to capture every detail of a property during an entry inspection is fantastic. I sometimes take up to 800 images, and, of course, write notes to accompany many of them. I have found this to be much quicker using Realworks Inspect."

With Realworks Inspect, writing notes is quicker because it recognises key words and creates notes based on your previous input. This means you often only have to type in one or two words to create an appropriate note.

"And the thing I really like is that I

don't have to finalise a report on-site. I can save it and then tweak it when I get back to the office. It gives me much more flexibility and allows me to work on the run," Ms Gould said.

Realworks Inspect is simple to manage, and information transfers easily from your tablet or phone to your computer. Linda's 800 images can be downloaded onto a computer and put on a USB stick within 15 minutes. And each image is automatically labelled by the software. So, when she hands the USB to her landlord, it's a very impressive and comprehensive record.

"Each entry inspection is taking me half the time it used to. Basically, it's giving me an extra entry inspection, or a couple of routine inspections, each day. And that's a huge difference."

The technology used in Realworks Inspect is continually being updated and improved, making it even more user-friendly and efficient. And help is on hand to help with any training or problem solving.

"Even though the app is very intuitive, there were a couple of problems I had when first setting up," Ms Gould said.

"Both times, the support team were onto it straight away – I received a call back within five minutes and the issues were resolved."

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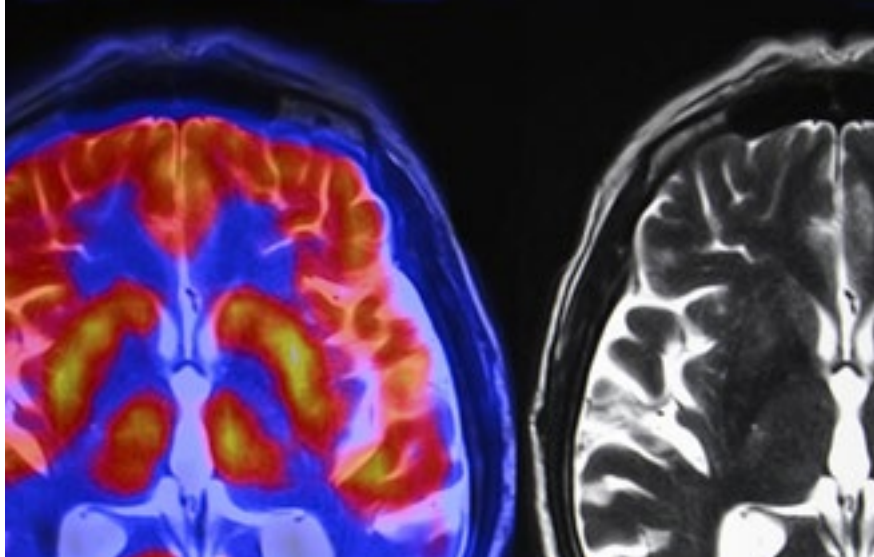
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# Use neuroscience to convert more leads and improve negotiation success rates

*The newly created Buyer's Agents' Chapter is hosting a breakfast open to all real estate professionals who want to learn how neuroscience can help close more sales and increase business.*

CleverMinds managing director Dr Diane Harner is a consultant neuroscientist at EnHansen Performance and will deliver the keynote address, explaining how the brain functions, how people process information, and how emotions impact on decision-making.

REIQ Buyer's Agents' Chapter Chair Meighan Hetherington said recent advances in neuroscience had led to an increase in interest as professionals look to understand how the brain functions and makes decisions.

"Diane will offer insights into how influence works, how collaboration works and how to tap into this process. This knowledge can give a real estate professional an advantage in the marketplace."

Ms Hetherington said Dr Harner was a world-leading expert in this field and the breakfast would offer valuable tips for those interested in improving their professional skills.

"Diane is a published neuroscientist who has spent the past 11 years working for a global sales organisation in sales management, sales training, sales recruitment and leadership coaching," Ms Hetherington said.

"She has developed and delivered training programs to educate sales professionals on how neuroscience can be applied to create high levels of performance – this is going to be a really inspirational event!"

The Buyer's Agents' Chapter has established goals for the coming two-year term and those goals include creating professional development opportunities that are tailored specifically for exclusive buyer's agents.

"This breakfast is the first of two events that we have planned for this year and we're really excited about creating a program that will help exclusive buyer's agents develop their professional skills and network with each other," she said.

"It's also an opportunity for the Chapter to introduce itself to the buyer's agent community and create a network that will help us grow the sector and improve our support structure."

**When:** 9 June, 2016

**Where:** Queensland Cricketers Club, 411 Vulture St, East Brisbane (The Gabba)

**Cost:** \$30


**CPD:** 20 points

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REIQ BUYER'S AGENT CHAPTER EVENT

# NEUROSCIENCE FOR BUSINESS

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# Add Users responsibly

WORDS BY ANITA O'CONNOR, THE FORM GURU

*Using Realworks – your forms and agreement creation tool – puts the power of adding and removing users is in your hands, but don't let it go to your head!*

This functionality is very handy for example, when a new employee starts and you need them to have access to Realworks. The best option is to add them as a New User. Conversely, when an employee leaves, remember to mark them as inactive, because Realworks is available online 24/7 to your users.

Like everything, there's best practice and then there's the opposite of best practice. Sometimes, we hear some scary stuff from User abusers, such as:

"Why can't I just let them use my profile and password?"

"Everyone in the office uses the same account."

Besides the sound of screaming from

the IT community, there are some very compelling reasons to give users their own account:

- With each New User profile created in Realworks, forms are populated with the New User's details. Now that's a time saver!
- Principal Users (affectionately known as Form Gurus or Form Jockeys) are additionally able to populate forms with the details of any user in the agency. Now that makes life a lot easier!
- When a user emails a form via Realworks, the recipient can reply directly to the user! No disappearing into the great email void. Now that's service!
- If an agent leaves, you can transfer

their portfolio of forms to another agent with a few simple clicks. Now that's smart!

- No need to create multiple templates for the same form! A single template will service your whole agency. When your users login and use a template, their details are populated into the created form. Now that's efficiency!

No need to talk to a computer geek.\* For further information on how to create users, see our help guide here: <http://help.realworks.com.au/#users>

\*Our computer geeks are genuinely nice people and are more than happy to assist if you really need them.

Name	Member No	Principal	Active	Created	Updated
Anita O'C		Yes	Yes	30/10/2014	30/10/2015
David Howell	123	Yes	Yes	26/11/2015	26/11/2015
Jack Daniels		Yes	Yes	08/06/2015	25/06/2015

# CPD top earners and learners!



**Name:** Robyn Opperman

**Agency:** Noosa Real Estate

Meet our star CPD earner and learner, Robyn Opperman. Robyn is a principal in a Noosa real estate agency and is a strong believer in maintaining professional skills.

## What are the three main reasons CPD is so important?

1. CPD or Continuing Professional Development is so important because it ensures that we, as an independent office, have a full understanding of legislation and industry changes, enabling us to operate within the parameters of a seller's instructions, compliant with all legislation and Acts relating to the business of real estate.
2. As an office principal we have a responsibility to ensure best practice policies and procedures are adhered to within the office.
3. Responsibility to clients to be able to confidently represent them in a professional manner throughout

their business transaction within the legal boundaries of the Act.

## What do you value most about CPD?

As an independent it is critical to continually gather updated information related to the real estate profession.

**Do you prefer face to face CPD sessions, online webinars or a combination?**

Having the choice of interpersonal contact or webinars is fantastic in today's time-poor business world. As a regional agency, physical attendances at training sessions can be challenging for all staff. Webinars allows the principal to review content and train the appropriate staff without everyone having to attend a full training session.

## CPD and zone breakfasts/lunch dates for April 2016

Date	Zone	Breakfast/Lunch	CPD	Venue
13 April	Western	7.30-9.00am	9.15-11.00am	The Nook
20 April	Fraser Coast	7.30-9.00am	9.15-11.00am	Hervey Bay Boat Club
21 April	Bundaberg	7.30-9.00am	9.15-11.00am	The Waves Sport Club
27 April	Southern	7.30-9.00am	9.30-11.00am	The Glen Hotel
28 April	Ipswich	7.30-9.00am	9.30-11.00am	Brothers League Club



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# Keeping it in the family – our oldest real estate families share secrets

WORDS BY FELICITY MOORE  
IMAGES BY INDUSTRIE MEDIA

*Few professions lend themselves to the family business model the way real estate does, with some of the oldest Queensland businesses not only real estate agencies, but multi-generational, family-owned businesses.*

## The Whites

Ray White is one of the most prominent examples of a Queensland family real estate business, with founder Ray starting his business in 1902 in Crows Nest, near Toowoomba. More than 110 years later the business is a global franchise with the fourth generation now working in the business.

The history of Ray White and the REIQ are closely intertwined in those early years, with Ray White taking a leadership role within the organisation. In 1934 he began his “record presidency – he was to be president in two stints totalling six years” it was reported in *Deeds, Dreams and Dedications: A History of the REIQ*.

It was also written of Ray White’s presidency: “He liked being president of the REIQ and off and on he served for longer than any other president at any time so far in the Institute’s history. One of the things he was very good at was organising our monthly meeting and it was also a lunch... You got the opportunity to mix around and talk with other people.”

But for every Ray White success story there’s a cautionary tale and in Queensland AV Postle serves as that tale.

AV Postle and Company was a mainstay of the Queensland real estate industry for 75 years. AV served on the Board of Directors as a vice-president of the REIQ in the 1950s and was one of the industry’s leading lights, before the business became unsustainable and closed.

Some family businesses succeed, others do not. Three of Queensland real estate’s longest-serving families open their history vaults and share some insights.



THE DEAN FAMILY.  
L-R: TONY, JAMES,  
ASHLEY AND ZAC DEAN



THE BLOCKSIDGE FAMILY.  
BRUCE BLOCKSIDGE.



### The Blocksidges

Probably the oldest family business in Queensland (if not Australia) is Blocksidge Real Estate, founded in 1888. Also a founding member of the REIQ, George Blocksidge is the great-grandfather to current REIQ Board Director Jonathan Blocksidge and grandfather to former REIQ Director Bruce Blocksidge.

Four generations of Blocksidges have worked in the real estate business, and if, (as it is hoped), Jonathan's daughter Georgia takes up the mantle, the Blocksidge family will join the Dean family as a record-equalling five-generation real estate business.

Former REIQ Board Director Bruce Blocksidge, grandson to George, said the key to building a family business was to offer the opportunity without forcing anyone to join.

"My father, (Henry Norman Blocksidge), played the game with me very well, to the extent that I thought he really didn't want me. But that wasn't true," he said.

"I had a career in law before I joined (my father's business). I was an article clerk to Leo Williams, the solicitor, then I was a judge's associate for five years in the Supreme Court.

"I realised that the law wasn't for me and I had the opportunity to come into the office, so I (joined the family business) in 1959," he said.

Bruce's son, Jonathan, also worked in a different career before deciding to join his father in business.

Jonathan worked in management at Woolworths for eight years before making a decision about joining the family agency.

"It got to the point where he needed to make a decision about making a lifelong commitment to Woolworths or make a decision to come into the family business," Bruce said.

"He decided to come into the business and I'm happy that he did," he said.



THE 1934-35 BOARD OF MANAGEMENT OF THE REIQ INCLUDES FROM LEFT BACK ROW: J HOARE, K HENZELL, G.A.L. UHL (SECRETARY), FROM LEFT MIDDLE ROW: F.R. HAM, H.N. BLOCKSIDGE, A.C. DEGN, L.G. NEILL, FRONT ROW: R.S. MELLO, F.G. PEARCE (VICE PRESIDENT), RAY WHITE (PRESIDENT), G. T. BENNETT (PAST PRESIDENT), COL. DUNWORTH (TREASURER). INSET: JAMES THORPE (VICE PRESIDENT).



FOURTH GENERATION BLOCKSIDGE AND CURRENT REIQ BOARD DIRECTOR, JONATHAN, WITH HIS FAMILY, DAUGHTER LYDIA, PARTNER JANYE GRAHAM, AND DAUGHTERS THEA AND GEORGIA BLOCKSIDGE.





L-R: TONY, JAMES, ASHLEY AND ZAC DEAN

## The Deans

The Dean family has been running a Queensland real estate business for five generations, beginning almost a century ago, in 1920, when Edwin Clayton Dean started his business, trading as EC Dean and Sons.

Edwin Dean's eldest son Harding took over from his father and Harding was also a president of the REIQ in the early 1960s. The third generation Dean was James, followed by fourth generation Anthony Dean, who stepped into the family business when his grandfather Harding died in 1983.

The Deans are a family steeped in tradition with each eldest son of all five generations inheriting the family middle name of Clayton as well as stepping into the family real estate business.

However, even with the weight of history behind them, the Dean family isn't trapped by tradition.

"It's not a certainty that every generation will join the business and there has been no pressure put on anyone to come into it," said fourth generation Dean, Tony, who is currently in charge of James Dean Real Estate.

*Each generation grew up seeing their father and grandfather clearly loving their work and their business.*

"It crosses your mind that perhaps your sons won't want to come into the business, but we don't worry about it," he said.

Right now, it looks like the fifth generation will buck the trend with eldest son Ashley choosing to live in Melbourne and work for Colliers in commercial real estate, while younger son Zac, at just 21, steps into the family's residential real estate agency.

"Right now, Zac's definitely got the drive and the ambition to be in the business, whereas Ashley is living it up in Melbourne and doing his own thing, which is fine," Tony said. "Who knows, maybe one day the pair of them will be working in the family business together?"

Tony said one of the reasons why real estate made for a good family business was that each generation grew up seeing their father and grandfather clearly loving their work and their business.

"If we're good at what we do there's no limit to what we can earn and that's an attractive option, especially when compared with a job where you earn, say, \$60,000 a year and it won't go up no matter how good you are," he said.





THE MATTHEWS FAMILY.  
L-R: TREVOR, KERRY, RUSSELL,  
MICHELLE AND LYNN MATTHEWS.

### The Matthews

The Matthews' business began in the 1920s when father and son team Robert and Leslie were selling real estate for John Coleman. R Matthews & Son Pty Ltd was registered in 1933 and the family business remains in Chardon's Corner to this very day, although they moved from their first location to 653 Ipswich Road and then to 678 Ipswich Road, where they are today.

The third generation, Trevor (grandson of Robert Matthews and son to Les), stepped into the business at just 21 years of age when his father Les died. He was joined in the business a few years later by his brother Ken.

Today, Trevor's son Russell, his daughters Kerry and Michelle, along with Ken's son Darren and daughter Melissa make up the fourth generation of Matthews in the family business.

Kerry said the business catered to family members who wanted to work and it didn't require a direct interest in real estate.

"There's a lot of opportunity for people, no matter what their education level or interest. Even if you're not particularly interested in

real estate there are other areas that you can work in," she said.

A family business brings with it many benefits, but also some risks. For example, while you can hire cheap labour (some of the Matthews girls worked in reception on weekends from their teen years) you can't easily fire a relative.

All three patriarchs – Bruce Blocksidge, Tony Dean and Trevor Matthews – revealed the importance of talking an issue out when disputes arise.

Trevor could not recall an impasse where both sides were intractable, but son Russell shed a little more light.

"(When disagreements arise) you would state your case and if you couldn't come to an agreement, in most cases, the hierarchy settled the dispute!"

It's true that family businesses can be recipes for disaster, and on a larger scale this is evident with family dynasties such as the Murdochs and the Packers. However, the key to success and ensuring the longevity of the business is remembering that you are family first, business partners second.

*The key to success  
and ensuring  
the longevity of  
the business is  
remembering that  
you are family  
first, business  
partners second.*

The Editor would like to thank all families involved in this piece for being so generous with their time and

*Deeds, Dreams and Dedication: A History of the REIQ* is available for purchase from the REIQ Shop for \$19.99. **Email Sita Sullivan: [Ssullivan@reiq.com.au](mailto:Ssullivan@reiq.com.au).**



# Family business is the best

BY FORMER CABOOLTURE ZONE CHAIR ROBYN LACHMUND

*Our family real estate business began 22 years ago as a small team of four, and it has grown to now being a large family-run team of 25.*

Daughter Karen George joined the business as a receptionist 22 years ago, and today is the director of a property portfolio in excess of 700 rentals. Son Scott, a signwriter by trade, helps in the management and daily operations of the business, while son-in-law Danny George quickly established himself as the sales manager of an eager and growing team. And granddaughter Emily George is also now working part-time at the office while attending university.

Working in a family business has not always been easy, especially when the market has been challenging and relationships within the family have been tested from time to time.

But we stick to the philosophy that the door closes at the end of the day and the next day is a new beginning.

As a family we meet each week to discuss where we're heading as a business. Karen, Scott and Danny have different views to mine on the future of real estate and use of the emerging technology but we always find a way to compromise.

We have been asked many times how we work together all day and then come together as a family at night. Our answer is that over the years we've gained a sense of when we need time out and when we just need family time – no real estate talk allowed!

We have all grown personally as part of a family business and value everybody's contribution.

We believe strongly in serving our community also and over the years we have raised almost \$1 million for local schools, clubs and charities.

We have collected some awards along the way, which is humbling recognition for our contributions to the Caboolture and real estate communities.

In 2007 I was named the Shire Citizen of the Year; last year our agency was awarded the Richardson & Wrench Directors Award and earlier this year, as part of the Australia Day Awards for Moreton Bay Region, Scott was nominated for Shire Citizen of the Year.

All in all, running a family business comes with challenges, but it brings great rewards also and we have found it to be enormously gratifying.

We love being part of this business and we love the community we're part of. I'm looking forward to the next generation joining the business as we transition to retirement!





# Zone chair profiles



**Name:** Amber Werchon

**Zone:** Sunshine Coast

**Agency:** Amber Werchon Property

## How long have you been in real estate:

I have been in the industry for more than 15 years.

## How did you get your start in real estate and what led you to this point:

I have always had a life-long passion for property (starting with buying my first investment property at 16 years of age) and therefore chose to pursue a career in real estate rather than a tertiary education (despite getting a good OP). So as soon as I finished school I approached Ray White and they employed me!

I started as a receptionist, quickly progressing to supporting property management and then sales by the age of 18. I got so busy and went from employing my first part time PA through to becoming an independent contractor with 20 employees in my team during my eight years with the national franchise.

I then went onto opening my own independent real estate agency in 2008, Amber Werchon Property.

## Why did you choose to nominate for a zone chair role?

I chose to nominate for a zone chair role as I wanted to be involved at a level where I could represent my fellow agents and give something back to a profession that has given so much to me. Being Sunshine Coast Zone Chair is a role that I have really relished.

## What are your hobbies?

I'm passionate about health and wellbeing. I do yoga/meditation daily, get regular acupuncture and massage and am continually increasing my knowledge and awareness of health and nutrition. In my spare time I love to go to dinner/movies with my hubby/friends or spend time with the kids.



## Tell us about your family:

My parents came from South Australia, they moved here for business when they purchased the Woombye Pub 37 years ago. So I have always been lucky enough to live on the Sunshine Coast my whole life (all 33 years of it!).

My parents and grandparents have always been a great inspiration to me – they always worked hard, took risks and instilled a great work ethic into me. My mum has played a pivotal role in my success and has always been 100% supportive to me, both in my business (she works in the office) and in my home life. My dad bought his first investment property at the age of 18, so the importance of getting into the market early was instilled in me from a young age.

My close late uncle (sadly passed away with MND) was in the industry for over 30 years, who was and continues to be a massive inspiration for me.

My wonderful husband Paul and my two boys Max and Sam bring me such joy and are my number one priority! I'm very blessed to have such a supportive, extended family unit that assist me with the challenges of motherhood and being the sole director of a large business.

## Do you have any pets and if so, what type and what are their names?

No pets... just the regular visitors including: "Lizzie" the blue tongue lizard and "Nikki" the bird. The boys love them!

## If you could host a dinner party with four famous – dead – celebrities, who would you invite?

Not sure if I can change the question, but I'd prefer to have dinner with living people haha like... Ricky Gervais, Steve Carrell, Will Ferrell, Rebel Wilson. I love to have a laugh!



# Downpat Laundromat V Jones – The reality of the Retail Shop Leases Act

WORDS BY MICHELLE DAVIS, SENIOR PROPERTY MANAGER COLLIERS INTERNATIONAL



*Like a lot of legislation, sometimes we don't understand the true meaning until it is tested in Court. The Retail Shop Leases Act (RSLA) is no different. Although it dates back to 1994, agents have "rolled" along with a general understanding of how it works, comfortable in the knowledge solicitors have it all "down pat", (excuse the pun!)*

Often we don't understand all aspects of legislation until it is tested. The case of Downpat Laundromat V Jones [2013] QCAT 534 highlights inconsistency in the way we discuss outgoing, gross leases and the Retail Shop Leases Act (RSLA).

The RSLA has been in force for over 20 years. Agents have generally "rolled" along with a basic understanding of how it works, comfortable in the knowledge solicitors have it all "down pat", (excuse the pun!). After recent experience with tenancy disputes at QCAT, I have reviewed many lease documents that have fallen short of providing support to the property owner, when most needed. This case has been published by QCAT to educate. It is a "game changer" for those working with retail tenants.

The case is straightforward – a commercial property owner seeks to recover trade waste charges from the tenant who operates a Laundromat.

## The Case

Mr Jones (the Lessor) owns the strata title shop located in Eagleby Central. Mr Wolfe (the Lessee) is the tenant who operates the Laundromat. Mr Jones has issued a Notice to Remedy breach for failure to pay trade waste charges amounting to approximately \$4,000.

Both parties use clause 4.4 of the lease as evidence, which states:

*"in the event of any local or other authority providing any cleansing or refuse service for the demised premises (whether it be at the request of the lessee or by direction of any such authority) **the lessee shall pay the costs to the assessing authority**".*

Both parties agree the lease states no outgoing are to be paid by the Lessee. Mr Wolfe (the Lessee) states the trade waste charges are part of the Lessors outgoing. Both parties agreed on the concept that outgoing are expenses attributable to the operation, maintenance and repair of the BUILDING.

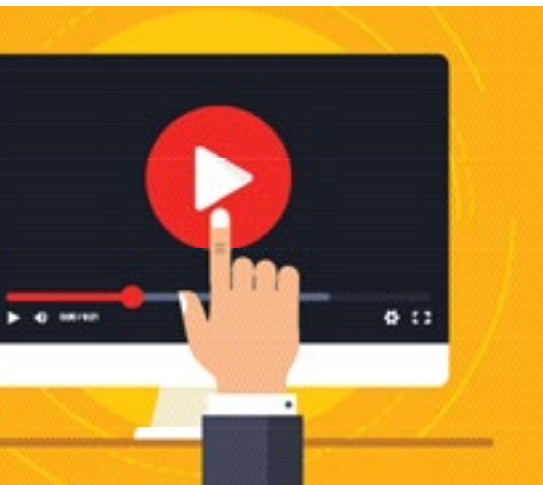
Mr Jones (the Lessor) submits "the trade waste removal is a service charge for the sole use of the Laundromat, not a cost which can be shared by other tenants. Clause 4.4 was retained in the lease to address the provision of services not associated with the building".

Mr Jones provided evidence that he had paid the Logan City Council and Allconnex accounts. Non payment would have resulted in the Laundromat business being shut down. Both Authorities referred to the Laundromat business on the invoices. Mr Jones paid the accounts in good faith and was seeking reimbursement from Mr Wolfe. To be clear, had the shop operated as say a newsagency, these expenses would not exist.

## The Ruling

QCAT ruled in favour of the Lessee, Mr Wolfe. Mr Wolfe was not required to pay the trade waste charges and the Notice to Remedy Breach issued was void.

The ruling refers to a number of specific clauses in the Retail Shop Leases Act, including:



*The Tribunal ruling in this case is a “game changer”. It serves as a reminder, that relying on standard lease documentation is not enough to protect the Lessor.*

- Section 20 states *if a provision of this Act is inconsistent with the provision of a retail shop lease, the provision of the Act prevails and the provision of the lease is void to the extent of the inconsistency.*

Clause 4.4 of the lease was deemed inconsistent with the Retail Shop Leases Act and therefore unenforceable.

- Section 7 (2) states *an outgoing mentioned in subsection (1) may be either an apportionable outgoing or a specific outgoing and the sum of the apportionable outgoing and specific outgoings is the lessor’s outgoings.*

The Schedule in the RSLA defines specific outgoings as the lessor’s outgoings that are attributable to a lessee because of the lessee’s direct use of the services or facilities incurring the outgoings.

#### **Where to from here**

If you work within the legal parameters of the Retail Shop Leases Act, you should download this case and review it thoroughly, Retail Shop Leases Act in hand. The website is [www.sclqld.org.au/caselaw/QCAT](http://www.sclqld.org.au/caselaw/QCAT).

The case changes the focus from leases to the statutory disclosure statement by the lessor. The disclosure document must reflect the RSLA and not the lease. Commercial agents need to change the way they think about outgoings. Leasing agents should be mindful of referring to a gross rental or negotiating leases inclusive of all outgoings. It would be wise to avoid terms like “no outgoings” as this could leave the client, substantially out of pocket and paying for some operating costs of the tenants business in the future.

#### **For further information**

The REIQ has recently conducted a webinar on this case and its practical implications. To obtain the recording of this webinar for your agency or to be part of upcoming live web seminars contact Jill McGuire on [jmcguire@reiq.com](mailto:jmcguire@reiq.com) or 07 3249 7315.

# Make the most of 2016 – boost your skills!

*April brings an interesting variety of specialised courses. Many REIQ members have purchased the new Ultimate Access Package so far this year, allowing them to access unlimited Specialised Courses including property management feature days and webinars for six months for just \$550 (some exclusions apply).*

## **‘Retirement and Seniors Lifestyle Sales – Become a retirement property specialist’**

Selling retirement properties to Australia’s ageing population is a specialised segment of the market and the REIQ now provides a short course that offers agents insights and tips for getting into this area.

The Federal Government Intergenerational Report 2015 revealed the extent of how quickly Australia’s population is ageing. The report revealed that not only are Australians living longer but thanks to medical advances they are active for longer. This has important implications for the demand for health and aged care services and retirement living.

There will be a significant increase in the number of older Australians seeking a living environment that suits their changing needs, a place where they can enjoy their retirement years in security and comfort.

For retirees and seniors, downsizing from the family home to move into a retirement-suitable home is often an emotional time. The decision to purchase in a retirement living village can also be a daunting one for many retirees, and the structures or schemes that govern retirement living communities can be confusing to many who are encountering them for the first time.

The REIQ has responded to this growing need in the real estate market, and has worked with a specialist in retirement living to develop a short course which educates agents about this very specialised area of the real estate market.

The course gives agents insight into the considerations of catering to the seniors market (both in terms of downsizing from family homes and the purchase of retirement property), and how to improve the services they provide in this niche area.

**Dates:** Brisbane 20 April and Sunshine Coast 31 May

**Cost:** \$150 for REIQ members

## **Property Management Webinars**

April’s property management webinar topic is Tenant Selection: Privacy and Anti-Discrimination Legislation and practical considerations (19 April).

## **A-Z of Property Management Maintenance**

This course takes attendees through the key property maintenance issues they will be facing during the year. Incorporating sessions on how to get an owner to commit to maintenance, educating your tenants on maintenance, troubleshooting, routine inspections; preventative maintenance systems and natural disaster management, this half day session is a must for all hands on property managers and rent roll owners this year.

**Dates:** Cairns 22 April and Hervey Bay 4 July.

## **There’s an App For That**

2016 - The Year of the App? 2015 was the year that mobile search activity surpassed desktop search activity, and that upward trend looks to continue in 2016. But search isn’t the only thing people use their mobile devices for - 85% of time spent on smartphones is spent in apps. From productivity to work to

email to social use to notifications... there really is an app for that. We’ll talk about the most popular apps in several categories for both Apple devices and Android devices (sorry, no Blackberries), and we’ll even touch on why you should or shouldn’t have your own app.

**Dates:** Brisbane 20 April.

## **Starting an Agency**

This course will provide the foundations for a successful business. The session focuses on practical considerations of operating a new office including location, agency structure, roles and responsibilities, and corporate support. It also highlights legal considerations, operating a trust account, risk management strategies, practical process (software, signage, website, communications and marketing) and business planning, market demographics and KPIs.

**Dates:** Sunshine Coast 21 April, Gold Coast 10 May and Brisbane 20 June.

## **Trust Accounting for Agency Principals and Managers**

Use basic accounting skills coupled with knowledge of your real estate business to accurately manage the trust account records and eliminate the risk of trust account misappropriation and errors.

**Dates:** Toowoomba 22 April

To book in for any of these courses, contact REIQ’s Professional Development team on 32497347 or email [jmcguire@reiq.com.au](mailto:jmcguire@reiq.com.au)



## Registration and Licensing Courses

Apr - May 2016

BRISBANE	
26 - 29 Apr	9.00am - 4.30pm
9 - 12 May	9.00am - 4.30pm
17 - 20 May	9.00am - 4.30pm
31 May - 3 Jun	9.00am - 4.30pm
16 May	Registration evening classes commence 8 evenings (6-9pm Mon and Tues)

GOLD COAST	
26 - 29 Apr	9.00am - 4.30pm
17 - 20 May	9.00am - 4.30pm
31 May - 3 Jun	9.00am - 4.30pm
9 May	Registration evening classes commence 8 evenings (6-9pm Mon & Tues)

SUNSHINE COAST	
19 - 22 Apr	9.00am - 4.30pm
24 - 27 May	9.00am - 4.30pm

IPSWICH	
26 - 29 Apr	9.00am - 4.30pm

TOOWOOMBA	
18 - 21 Apr	9.00am - 4.30pm
24 - 27 May	9.00am - 4.30pm

TOWNSVILLE	
24 - 27 May	9.00am - 4.30pm

CAIRNS	
18 - 21 Apr	9.00am - 4.30pm
31 May - 3 Jun	9.00am - 4.30pm

## Resident Letting Agents Licence

GOLD COAST	
23 - 27 May	9.00am - 4.30pm

BRISBANE	
9 - 13 May	9.00am - 4.30pm

## Career Networking Lunches

BRISBANE	
18 May	12.30 - 1.30pm

GOLD COAST	
28 Apr	12.30 - 1.30pm

SUNSHINE COAST	
11 May	12.30 - 1.30pm

## Specialised Courses

Apr - June 2016

PROPERTY MANAGEMENT	
Property management documentation and legislation refresher	BRISBANE: 26 May (1.00pm - 4.30pm)
	GOLD COAST: 9 May (1.00pm - 4.30pm)
	SUNSHINE COAST: 18 May (1.00pm - 4.30pm)
	TOOWOOMBA: 23 May (1.00pm - 4.30pm)
	CAIRNS: 30 May (1.00pm - 4.30pm)
QCAT Know How for residential property management	TOWNSVILLE: 23 May (1.00pm - 4.30pm)
	ROCKHAMPTON: 6 Jun (1.00pm - 4.30pm)
Job ready property management	MACKAY: 13 Jun (1.00pm - 4.30pm)
Property management IQ	SUNSHINE COAST: 23 May (1.00pm - 4.30pm)
	CAIRNS: 18 - 19 May (9.00am - 4.00pm)
	BRISBANE: 9 May (9.00am - 4.00pm)
A-Z of property management maintenance plus	GOLD COAST: 13 May (9.00am - 4.00pm)
	SUNSHINE COAST: 11 May (9.00am - 4.00pm)
Property management thought leader growth	CAIRNS: 22 Apr (9.00am - 12.30pm)
	BRISBANE: 10 May (9.00am - 12.30pm)
Property management #3	SUNSHINE COAST: 12 May (9.00am - 12.30pm)
Property management #4	WEBINAR: 19 Apr (11.00am - 12.00pm)
	WEBINAR: 24 May (11.00am - 12.00pm)
	BRISBANE: 19 May (7.15am - 8.45am)
	GOLD COAST: 26 May (7.15am - 8.45am)
	TOWNSVILLE: 26 May (7.15am - 8.45am)
Property management breakfasts	CAIRNS: 2 Jun (7.15am - 8.45am)

AGENCY MANAGEMENT AND ADMINISTRATION	
Starting an agency	SUNSHINE COAST: 21 Apr (9.00am - 3.00pm)
	GOLD COAST: 10 May (9.00am - 3.00pm)
Trust account for agency principals and managers	TOOWOOMBA: 22 Apr (9.00am - 12.30pm)
Team goal setting, KPIs, KPTs and measurement tools for success	BRISBANE: 11 May (9.00am - 12.30pm)

COMMERCIAL AND BUSINESS BROKING	
Commercial webinar series #1	WEBINAR: (11.00am - 12.00pm)
Commercial webinar series #2	WEBINAR: (11.00am - 12.00pm)
Commercial sales series: Part 2	BRISBANE: 18 - 20 Apr (9.00am - 4.00pm)

SALES AND AUCTION	
Retirement and seniors lifestyle sales - becoming a retirement property specialist	BRISBANE: 20 Apr (1.00pm - 4.30pm)
	SUNSHINE COAST: 31 May (1.00pm - 4.30pm)
Selling investment property	BRISBANE: 27 May (9.00am - 12.30pm)
	BRISBANE: 26 May (9.00am - 12.30pm)
Sales and auction documentation and legislation refresher	GOLD COAST: 9 May (9.00am - 12.30pm)
	SUNSHINE COAST: 18 May (9.00am - 12.30pm)
	TOOWOOMBA: 23 May (9.00am - 12.30pm)
	ROCKHAMPTON: 6 Jun (9.00am - 12.30pm)
	MACKAY: 13 Jun (9.00am - 12.30pm)
	TOWNSVILLE: 23 May (9.00am - 12.30pm)
	CAIRNS: 30 May (9.00am - 12.30pm)
Job ready sales	CAIRNS: 16 - 17 May (9.00am - 4.00pm)

TECHNOLOGY	
Is the real estate profession immune from uberfication?	BRISBANE: 25 May (9.00am - 12.30pm)
There's an app for that	BRISBANE: 20 Apr (9.00am - 12.30pm)

# Spot the difference!

## Entry condition reports and exit condition reports are not the same!

WORDS BY KIM COFFEY, PROPERTY MANAGEMENT SUPPORT SERVICE

*At a glance the RTA Form 1a Entry Condition Report and the RTA Form 14a Exit Condition Report look almost identical in terms of format - apart from the lessor/agent and tenant sections being reversed.*

However the information a lessor/agent records on an exit condition report is not automatically a reprint of the same information that was on the entry condition report. Both should be completed based on a physical inspection of the property at the time. A comparison of the two reports should effectively distinguish any variance where the vacated tenant has not left the property as it was at the start of the tenancy, fair wear and tear excepted.

### **Entry Condition Report**

An entry condition report should be completed to describe the condition of the property and inclusions at the start of the tenancy, based on a physical inspection of the property that is completed just prior to the tenant moving in. It should be current, rather than a reprint of a previous report where it is simply being assumed to still reflect the current property condition, tenancy after tenancy. It should also be thorough, detailed, clear, and legible. Photos and video are useful additional evidence. Of course the intention is to create a report that both parties agree does accurately reflect the condition of the property at the start of the tenancy. A vacating tenant is required to leave a property as it was at the start, fair wear and tear excepted, so this entry condition report becomes the benchmark for comparison when the tenant vacates. That makes it a critical document in terms of reducing risk for the lessor-client.

### *What are the requirements?*

The lessor/agent must complete the entry condition report, sign it, and provide a copy to the tenant no later than the day they move in. The RTRA Act requires the tenant to make notes on the report about any aspects they don't agree with, sign, and return the report within 3 days. Upon receiving it, the lessor/agent must send a copy back to the tenant within 14 days. It is best practice to provide the lessor with a copy of the entry condition report on their property.

### *What happens if the report contains conflicting information?*

An entry condition report where the lessor/agent has noted items as clean, and the tenant has noted those same items as dirty, really defeats the purpose. If the parties did not agree on the property condition at the start, it is going to prove almost impossible to reach agreement about the tenant's obligations in six months time when the tenant is moving out. In that situation, in the event of a bond dispute where a tenant is denying their obligation to clean or repair something, the lessor/agent would be left without reliable supporting evidence that could be confidently presented to a tribunal.

### *What action is taken if the tenant adds comments the lessor/agent doesn't agree with?*

The lessor/agent should check the returned report and ensure that the tenant has not added inaccurate contrary descriptions. If this has happened, it is a priority to resolve the issue. The agent should promptly communicate further with the new tenant until agreement is reached about the entry condition report, retain appropriate records, and send a Form 16 to the RTA to request mediation if the matter cannot be resolved.

### *Can the parties complete the report together?*

As an alternative to completing the entry condition report separately, the agent and tenant might complete the entry inspection and report together, no later than the day of the commencement of the tenancy agreement. This method can facilitate the communication process because both parties are viewing the property at the same time, any concerns can be addressed, and appropriate wording agreed upon. It alleviates lessor concerns regarding a tenant causing damage during the move-in process, and adding the damage to the report. It also provides the agent a great opportunity to properly introduce the tenant to the property and to provide helpful instruction on matters; for example how to operate appliances or alarm systems, which switches operate which lights, and so on.

*The information a lessor/agent records on an exit condition report is not automatically a reprint of the same information that was on the entry condition report.*

*What if the tenant does not return the report in the 3 days?*

If a tenant does not complete and return the report it means that they agree with the agent/lessor's description of the property. The lessor/agent will want to ensure that if the report is not returned within the 3 days, that this is acknowledged in writing to the lessor and tenant, and a record retained. This will reduce any concerns about the tenant later adding comments to the report they hold, but claiming to have returned the report at the start of the tenancy with those comments added. Under the RTRA Act it is an offence if the tenant does not complete and return the report in accordance with section 65(3).

### **Exit Condition Report**

An exit condition report should be completed by the tenant to describe the condition of the property and inclusions at the end of the tenancy.

*What are the requirements?*

The tenant completes their section of the report, signs it, and returns it to the agent as soon as possible – generally with the keys on handover. The lessor/agent must make notes on the exit condition report about those aspects of the tenant's report that they do not agree with, sign, and return a copy to the tenant within 3 business days of receiving it from the tenant.

*What happens if the report contains conflicting information?*

When the lessor/agent conducts a vacate inspection of the property they will refer to what the tenant has written on the exit report in order to determine if there are any aspects they don't agree with. For example, the tenant might have indicated the kitchen window is clean on exit, whereas the agent indicates on the exit condition report their observation that the kitchen window track is actually filled with dust and insects. Then, a comparison of the exit report with the previously signed entry report, where the window tracks are recorded as being clean, effectively demonstrates that the tenant has not met an obligation to leave the property as it was at the start. So the information the lessor/agent records on an exit report is not a description of how the property should be left (which is really the purpose of the entry report) but how it actually is left.

*Can the parties complete the report together?*

The exit inspection might be completed together with the tenant once they have handed over the property. This approach creates an opportunity for both parties to view any concerns at the same time, which can facilitate the communication process and help reduce the likelihood of a dispute arising.

*What if the tenant does not provide a completed exit report upon vacating?*

In cases where a tenant chooses not to return a completed, signed exit condition report on handover, best practice is for the lessor/agent to still complete their section of an exit condition report and provide a copy to the tenant and lessor.







# Why would I list properties for sale by auction?

WORDS BY RAY MILTON, REIQ AGENCY ADVISOR

*We often get asked about the auction process by new agents. Auction is one of the most universally accepted methods of sale. This is because auction best serves both parties in a sales transaction; that is, the seller and the buyer.*

For salespeople who aren't familiar with auction sales, we have listed below some of the key benefits for both the seller and buyer in marketing a property for sale by auction.

## Benefits for the seller

When discussing auction as a preferred method of sale with a seller it is important to identify the major benefits as outlined below.

- Auction tests the market for the highest price possible. The seller can be satisfied that the auction process has determined the market value for their property at a given time and place.
- By taking the price away from a property the seller is reassured they have not undersold the property.
- Buyers are compelled to act within a given timeframe. The auction process converts lookers into genuine buyers within a short period of time.
- The seller does not have to deal with the price issue immediately. A reserve can be set any time

during the auction campaign, and feedback received from purchasers during open inspections can be used to help with this decision.

- The seller stays in control: auctions are on the seller's terms and conditions.
- The auction sale is a cash unconditional transaction.
- Once a contract is signed, the property is sold. There are no conditions to be fulfilled and no cooling off period.
- There is a time limit, that is, a definite date and time of sale.

## The high profile marketing campaign:

- Is a proven and successful marketing strategy.
- Provides effective promotion of the property to targeted buyers.
- Provides priority attention and feedback from the market place (this is because auction must be more sensitive to market feedback than other methods of sale).

- Culminates in a professional auction day presentation.

## Benefits for the buyer

- The buyer can be satisfied that the property is being purchased at true market value.
- The buyer is dealing with a genuinely committed seller who will sign a contract on the fall of the hammer.
- The pre-auction lead up period allows time for necessary building inspections, finance approvals, legal arrangements, etc.
- Everyone has a chance to bid and back their personal opinion of market price.
- The buyer can remain unknown to the general public and nominate another party to act on their behalf.

In summary, selling property by auction can lead to an outcome which is positive for all parties to the transaction. We'll discuss the auction process in greater detail in future Agency Advice columns.

# How to get aerial photos after CASA's rule changes

*As aerial photography and aerial video becomes more popular in real estate marketing, recent changes to the law around drones will impact how agents gather this material.*



From September 29 this year anyone can operate a drone for commercial purposes without holding an operator's licence or filing flight plans with the Civil Aviation Safety Authority, as long as the drone weighs less than 2kgs.

But before you rush out and buy a cheap, light drone to add some punch to your marketing material, you should know a couple of things.

You can't fly your drone within 5.5km of controlled airspace, so that rules out any suburb within a 5.5km radius of the Brisbane Airport, of the Mater Hospital, of the Royal Brisbane and Women's Hospital, and Archerfield Airport. That is a significant number of Brisbane suburbs.

Also, most drones capable of capturing high-quality aerial photography and video weigh a

minimum of 6kgs-8kgs. So buying a smaller drone just to get around the legal requirements may compromise the quality of photos and video that you capture. Even a small drone costs thousands of dollars.

It's also difficult, if not impossible, to get insurance for drones without a drone/UAV licence and the requisite paperwork, flight manuals and so on.

Droneworxs director Tony Cook said safety around drones was paramount and CASA's new rules didn't ensure safety standards were maintained.

"UAV operators are sending up drones into airspace that could include other drones or planes and helicopters and so safety is very important."

Some certified UAV operators, including Droneworxs, hold a special exemption to fly within three nautical

miles of any airdrome, other than an aerodrome controlled by Airservices Australia or the Defence Force.

CASA's rule change means drone operators without proper aviation training can launch drones into the air without understanding aviation rules.

"It's an accident waiting to happen and if a drone falls out of the sky – which can happen, especially when radio interference plays a part – then your name and your business's name will be in the news for all the wrong reasons."

So in order to capture the best photos and videos, it's still likely that agents will need to hire a professional drone operator who is fully compliant with CASA requirements and all regulations. They will be fully insured and will also have the professional-standard equipment that will capture the truly magnificent photos and video.



## The Aerial Photography Experts

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We utilise the latest technology and most sophisticated Drone and camera systems, we deliver the highest quality and best value aerial photography services available in Australia. Our specially designed Drones capture high resolution stills and motion video images and are capable of flying at altitudes of up to 120 meters. We are CASA certified and we are fully insured.



For your next real estate marketing campaign call Tony Cook on 0488 033 938 | [droneworxs@gmail.com](mailto:droneworxs@gmail.com) | [www.droneworxs.com.au](http://www.droneworxs.com.au)

# What to Do When the Tax Office Comes Knocking on Your Door

WORDS BY EDDIE CHUNG, PARTNER, BDO, REIQ BOARD DIRECTOR

*No matter how diligent you are with your tax affairs, you could easily become the focus of the Australian Taxation Office. Tax expert Eddie Chung offers some helpful tips.*

Most people are fundamentally honest citizens who are happy to pay their fair share of tax. However, we are also keen to legally minimise our tax bill as much as possible!

Regardless of how honest you are, it is likely you will attract the attention of the Australian Taxation Office (ATO) either as a result of random sampling or submitting information in Income Tax Returns or Business Activity Statements that may appear out of ordinary.

If the ATO does come knocking, there are ways to minimise potential problems, whether any potential wrongdoing is deliberate or accidental. If you have deliberately evaded tax, heavy-duty advice from a professional tax advisor is a necessity to minimise potential penalties.

## **Initial contact**

Depending on the seriousness of the matter and the contact details listed on your tax office account, the case officer from ATO may contact either you or your tax agent directly.

If the ATO makes direct contact with you and the matter relates to an irregularity identified by the case officer that can easily be rectified, such as a form completion error, it may simply be dealt with over the phone and the matter will be considered resolved and closed.

If the matter is more complex, the case officer may request further information and you should agree to provide it within a reasonable timeframe.

If the case officer requests a list of information, it is, in my view, both prudent and reasonable to

ask the case officer to email their request. This will help you provide exactly what they have asked for and minimise opportunity for misunderstandings.

Remember, you are dealing with another person, not some evil force that is out to get you. Establish a friendly rapport with the case officer as this could be helpful.

You could also consider asking the ATO to contact your tax agent directly. Provided your tax agent is an experienced tax advisor well versed in dealing with the ATO, they should be able to handle your matter competently and in your best interest.

Initial contact from the ATO is usually an informal review but this may escalate at any time to an audit. Such escalation does not necessarily mean that you are in trouble. All it means is that the ATO wants to understand the matter in more detail before they are satisfied that everything is (or is not) in order.

Further, if you are deemed to be a high wealth taxpayer by the ATO, it is common practice for the ATO to conduct a periodic Comprehensive Risk Review on you and (and your family's business and investments). This usually happens every few years, so it is not a matter of if you are chosen but when.

## **Information request**

How you package the information you provide to the ATO is an art form. While it is obviously important that you provide everything requested of you, it is also important that you do not volunteer information that is not requested, unless it has

material bearing on and supports your case. This is not a matter of not being upfront or honest – irrelevant information can muddy the water and unnecessarily prolong the ATO's investigation, which is not in anyone's interest.

Where possible, try to put the information in a format that is easy to understand. Make the case officer's job as easy as possible so they can tick all the boxes and close your case. I often put information in a table format with clear references to the attached source documents that makes information leap off the page. This approach has yielded great results time and time again.

Be mindful that the ATO has multiple sources of information such as public records, data-matching programs, and access to other government agencies. For instance, the ATO often cross checks property sales records through the Titles Office so they know who previously owned the property, when it sold, and its sale price. You need to ensure that what you provide to the ATO is consistent with those records.

If you find an error in information previously submitted to the ATO in the course of compiling the information that is under review or an audit, there is no need to panic. You should consider disclosing the error to the ATO because the ATO has policies that minimise penalties associated with honest mistakes. The earlier you voluntarily disclose the error, the lower the potential penalty (if imposed at all). This is where being upfront and honest will definitely help you. The ATO charges a General Interest Charge (GIC) to compensate



for the time value of the tax owing but a lower GIC rate may apply if you voluntarily disclose the error upfront.

Your main objective at this stage of the process is to cooperate with the ATO's request within agreed timeframes. If you encounter problems that may delay your response to the ATO beyond the originally agreed due date, promptly contact the ATO to agree on a later due date. Keeping the communication channels open is the key.

### Amended assessment

Once all the information requested has been provided to the ATO and the case officer has gone through the details, they may come back to you with an 'all clear'. If this is the case, congratulations! You may now return to your business.

However, if the tax office is of the view that you have omitted something or reported something incorrectly, they may issue a Notice of Amended Assessment, which will detail any changes to your previous taxable income and the additional tax owing as a result of the review.

At this point, decide whether you agree with the amended assessment. If so, simply pay the outstanding tax, penalties (if any), and GIC. If not, you are entitled to object to the amended assessment. The objection process is reasonably formal and your objection needs to include a number of prescribed details for it to be valid and considered by the Commissioner of Taxation. You also need to ensure that your grounds for objection are clear and complete.

Once the objection is lodged, the Commissioner is obliged to consider your objection through a different case officer from the one who originally investigated your case. The Commissioner will usually respond to your objection within 60 days. If the Commissioner has not issued a decision within 60 days, the ATO may contact you to let you know why the decision has been delayed and they may estimate when the decision will be issued. If the ATO does not contact you (which does happen), you can write to the Commissioner

and request a decision. This will give the Commissioner an additional 60 days (from the end of the original 60 days) to respond. If a decision is not forthcoming after the additional 60 days, your objection is automatically deemed to be unsuccessful.

### Appeal process

The next avenue of appeal is either the Administrative Appeals Tribunal (AAT) or the Federal Court. The rule of thumb is – appeal the matter to the AAT if you disagree with the ATO on the facts of the case while any disagreement on the interpretation of the law should perhaps be escalated to the Federal Court. Having said that, the cost of running a case at the Federal Court is substantially higher than that at the AAT, so the AAT is generally the next sensible avenue for appeal.

As an administrative practice, once you lodge an appeal, the ATO would generally ask that you pay half of the disputed tax as a matter of good faith. Any tax you pay now will reduce the GIC on any tax owing should your appeal be unsuccessful; if you are successful, the ATO will pay you interest in addition to any overpaid tax. However, the interest rate on any interest payable by the ATO is generally lower than the GIC rate, albeit GIC is tax-deductible to the taxpayer. Paying half of the disputed tax also shows that you have the financial capacity to pay the disputed amount in case your appeal is unsuccessful, which would usually provide sufficient assurance for the ATO to suspend any tax debt recovery action on the outstanding amount during the course of the appeal.

If your case has been appealed to the AAT, engaging a professional tax advisor is critical. The process from here on must comply with formal tribunal rules and procedures, including the attendance of AAT conferences with the AAT Registrar and legal representatives from the ATO. Arguing your case in this environment is not for beginners!

Sometimes, your tax advisor may recommend that legal representation be concurrently engaged if the technical issues involved are

complex. This will naturally be costly, which is why every step of the appeal process should be weighed up from a cost benefit point of view before you proceed. Having said this, there is a process known as 'neutral evaluation' at the AAT, which is essentially a non-binding ruling process that may give you an idea of your prospect of winning the case without going through the full tribunal decision-making protocol and is therefore invaluable in informing whether you should appeal the case further.

If the matter is advanced to the Federal Court, expect that your costs will go up astronomically, which is not surprising because the legal system discourages cases appearing in courts when they are not warranted. Not having legal representation at this stage of the appeal is risky in my view.

### Last words

Having the ATO review your affairs puts even the most honest person into a state of panic but it does not have to be that way. Remember that you are dealing with human beings who happen to work for the ATO and deserve respectful treatment. Working cooperatively and collaboratively with them at the outset with a bit of emotional intelligence could go a long way in resolving issues early in the piece.

Also, bear in mind that at any stage of the appeal process, you reserve the right to withdraw and settle with the ATO, especially when the stakes get too high and it is no longer sensible to continue from a cost benefit perspective – your tax advisor should be able to help you make that call.

Having said all that, the ATO does have wide powers and has the prerogative to take a more aggressive approach, such as showing up at your work place or accountant's office demanding information. However, this kind of aggressive treatment is generally reserved for people who are equally aggressive with their tax affairs, so you should perhaps think twice about setting up that offshore company in the British Virgin Islands or Hong Kong as recommended by your mate at the pub!

# Bring the next generation into the business

WORDS BY SUSANNE BRANSGROVE,  
FOUNDER AND CEO OF FAMILIES IN TRANSITION

*Empire building doesn't always go smoothly so what are the keys to successfully transitioning to the next generation?*

Family businesses are the world's oldest and most dominant type of business. Often, these businesses represent more than 70% of the economy and they do play a key role in workforce employment.

In Australia, family businesses are most certainly the backbone of the economy and their commitment to their community, their staff, their clients and suppliers is what sets them apart.

There are several studies, including research by Denis Leach and John Leahy, that show that family owned businesses have the potential to outperform their non-family peers in terms of profitability, sales and various other growth measures.

While this might surprise many, there are actually some good reasons why this is the case.

According to the International Finance Corporation Family Business Governance Handbook family businesses have some inherent strengths that contribute to this strong performance:

## **1. Commitment to the business**

There is an unwavering commitment of family members to see their business grow, prosper and then stay within the family in future generations. Often, the family members identify with the brand closely and are willing to reinvest and work harder to allow it to grow.

## **2. Keeping knowledge in the business**

Unlike non family companies, where a change of leadership brings a change of direction and having long standing employees is unusual, families in business tend to retain and pass on their accumulated knowledge and skills to the next generation.

## **3. Pride**

The family's name and reputation is generally very closely associated with the company's product or service offered. It is just not possible to 'run away' from problems. Family businesses strive to constantly improve the quality they deliver and take their responsibilities to staff, clients and suppliers seriously.

So being a family in business is certainly worth celebrating and something to be proud of.

However, on the flip side - and there is always a flip side, isn't there - there are factors that can undo all of the strengths and can greatly detract from business performance or even see the business fail to be sustainable in the long term.

Sixty-five per cent of businesses do not make it to the second generation, despite the family's aspirations and only around 10 per cent actually succeed to survive into the third generation.

Naturally, there are general weaknesses that can undermine any business however the specific risks for family businesses include:



FAMILY BUSINESS ENTREPRENEUR AND A CAPTAIN OF THE REAL ESTATE INDUSTRY, RAY WHITE. READ ALL ABOUT THE FOUR-GENERATION WHITE FAMILY EMPIRE, AND THREE OTHER LONG-STANDING REAL ESTATE FAMILIES ON PAGE 16.

*While it is a plus being a family in business, it is important to create frameworks that can support and build on the strengths the family element adds to the business.*

### 1. Complexity the family component adds

Governing and managing a business is a complex enough task, even without the emotional layer the family will bring to it. Families tend to bring their relationship issues and expectations of each other into the business, rather than separating the two. This can place significant strain on the business and focus attention on conflict, rather than business issues.

### 2. Lack of formality

Setting clear business processes, good decision-making frameworks and articulating a strategy is often not a priority for family businesses. While this may not be a problem in the early stages, as the business grows and the family complexity increases with more members working in the business, this can lead to significant problems.

### 3. Lack of discipline

As mentioned above, a commitment to strategic areas is often not a priority. Neglecting areas such as senior management succession planning, rules of employing family members in the business, as well as the consideration of appointing external talent over family if necessary can lead to significant performance issues.

The above detractors pose a significant risk and this is the case for business performance as well as for family harmony.

Luckily, not all is lost!

It is possible to support the strengths that exist whilst mitigating the weaknesses these businesses are faced with and to set the business up for strong performance and succession for today and tomorrow.

Admittedly, compared to their European counterparts, Australian family businesses are not very experienced in setting up succession plans with longevity in mind. We are such a young country! I am the third-generation of our German family business and being a third generation business is not very exciting when compared with the fourth, fifth and sixth generation family businesses. Those businesses are expert in the transition process.

Of the 80% of business owners looking at transitioning to the next generation in Australia over the next 10 years, most are dealing with these issues for the first time.

It is crucial to overcome weaknesses and set up strong framework but it's not always clear how to do that.

About 10 months ago, a client wanted help with succession planning and implementing a framework.

When the client, "Peter" started his business in 1984 his focus was on creating a company that would sustain his family, his employees and his community, and for more than 30 years he has been successful.

Now Peter is thinking about retirement and he has realised that none of his three children, who all work in the business, are suitably skilled to take on the leadership role. In addition, the conflict between his children is putting strain on the business and the family.

In recent years studies show that less than 30% of businesses will be successful in transitioning to the next generation, mostly due to a lack of common vision, failure to communicate and not building a strong enough business to endure.

To get Peter and his family on the right path, we spent considerable time establishing good communication among the family and aligning their vision and values to provide ethical guidelines, rules for tough decisions and around conflict, as well as building family harmony and cohesion.

It was a revelation for the sons to understand that their 'inheritance' was more than just running the business.

Once we aligned the family's values, we assisted in developing stable business processes and good frameworks to ensure a sustainable return on investment to the family to deliver on their needs.

We implemented good governance principles for the family and for the business which serve to map the direction and future plans for the organisation.

Naturally, establishing a solution can't be done overnight, so the sooner business owners can start putting a plan in place for their retirement, the better their chance of successfully transitioning.

So, all in all, while it is a plus being a family in business, it is important to create frameworks that can support and build on the strengths the family element adds to the business as well as to mitigate the factors that can bring the family and business undone.

The sooner you can start the process, the better it will be for family harmony and a stronger future for all.



# Ageing population brings opportunity to agents

WORDS BY GREG ASPELING, RETIREMENT LIVING PROPERTY SPECIALIST

*An ageing population that is both active and healthy for much longer than ever before bring some unique housing needs, including transitioning to a home that can be adapted over time to suit a retiree's needs.*



This provides agents with opportunities to sell twice – firstly to sell the family home and secondly to sell the retiree the new retirement dwelling. Two transactions!

Selling retirement property is a highly specialised and niche area of the market and some training is required to learn about the legislation and regulations that cover this sector.

The REIQ has developed a short training course on Retirement Living Property that gives agents an opportunity to learn about this unique way to get “two bites of the cherry”.

The Retirement Living Property short course provides agents with a real insight into the workings and legislation of this ever-increasingly popular topic. The course will also give you the ammunition you'll need to quickly capitalise on the situation when it arises and may even give you the tag of “Retirement Property

Specialist” amongst your older demographic clients.

The Government's 2015 Intergenerational Report reveals the extent of our ageing population and projections indicate current trends will continue. HSBC has also conducted a global report titled The Future of Retirement. It's a wakeup call to every Australian to start planning for retirement as early as possible. We're simply just not saving enough.

People wanting to transition to more affordable retirement housing will become more and more prevalent. Set yourself up now and be prepared for when, not if, it happens.

REIQ conducts the Retirement Property Course periodically. Please check and book on our Specialised Courses Page (Sales & Auctions) <http://www.reiq.com/courses-training/specialised-course-sales>



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## Zone Focus

*The final in our three-part sweep through the state will look at Cairns, Mackay, Gladstone, Toowoomba, Ipswich, and Brisbane's northern suburbs.*

### ZONE: CAIRNS

WORDS BY ZONE CHAIR TOM QUAID  
(QUAID REAL ESTATE)

The tropical northern city of Cairns is gaining strength and all indicators are pointing to a positive 2016. A significant level of construction has begun or is about to begin and the local economy is ticking along steadily.

A tightening in residential housing supply has fanned the growing interest from both owner occupiers and investors, who are re-entering this market after a considerable break.

As vacancy rates reach the critical 2.5% mark and rental returns outpace southern markets, new development is again becoming viable. New estates are being developed, including the 1000-plus lot Mount Peter project.

Closer to the CBD, the Aquarium,

the highly anticipated Nova8 development and the newly approved C3 development are among many projects bringing cranes back to the Cairns skyline. A multibillion dollar expansion to Metro Mining's Weipa Bauxite mine is also welcome news.

Last year produced a record number of flights into the Cairns region and tourism numbers were up. So far 2016 looks to be following a similar trend and everything suggests it will be a busy year.

### ZONE: MACKAY

WORDS BY ZONE CHAIR PETER MCFARLANE (MACKAY PROPERTY AND MANAGEMENT SERVICES)

Mackay and the surrounding areas of Isaac and Whitsunday have experienced some challenges over the past 24 months. A snapshot of

available stock in Mackay shows 1200 available rental properties and 3000 properties for sale.

A region heavily reliant on the resources sector, the real estate market suffers when the price is low, as it is now. The coal mining industry has gone from a construction phase to production phase and the number of workers has been greatly reduced. While coal shipments off the coast at Hay Point are at record levels the price being achieved is significantly lower than past years, hence the lack of construction and expansion in that industry.

The inevitable downturn that followed has caused many local businesses to close or make significant directional changes. The consequence of a large FIFO workforce means wages are leaving the area and this dramatically reduces



the circulation of wealth.

While we are not seeing any substantial upswing in business activity we feel we have reached the bottom of the cycle and now need to see vacancy rates drop and sales activity increase.

2016 has started well with a noticeable increase in buyers visiting open homes and tenant inquiry. There have even been reports of multiple offers on properties and duelling applicants for the quality rental properties.

A recent visit from the Prime Minister and Deputy Prime Minister did add some confidence with the announcements of significant infrastructure projects. Major road projects, future dam construction and the final stages of approval for the Galilee Basin coal mines (Adani) are among the projects hoped to boost local economies.

The local council is also driving diversification within the region in the areas of education, port activity, health and tourism. We are moving toward an international airport and positioning our industrial sector to provide service and manpower to the development of the Galilee Basin projects.

While these project take time and business will need to ride out a few more tough months we expect a noticeable improvement over the next 12 months.

#### **ZONE: GLADSTONE**

WORDS BY ZONE CHAIR VICKI BROWN (LJ HOOKER BOYNE ISLAND)

The Gladstone region's biggest employer, the resources sector, is in the midst of an unprecedented downturn. Some reports have it as the worst in 30 years and even the addition of the new LNG industry has been unable to absorb those who have lost their jobs in other areas.

Unfortunately most of this is out of our control as the global price and demand for materials had fallen dramatically and is expected to continue to fall throughout 2016.

Given our region is so dependent on this sector, the housing market is



responding in the expected negative way with both sale and rental prices falling back to pre-2008 levels. Also, we are finding a rise in mortgagee sales as home owners and investors who bought during the height of the market in 2011/12 have found they have lost considerable equity and are receiving lower rental yields.

While these trends are not new to us here, the length and depth of this current low is concerning.

But also, those who have been here for any length of time know that just one good industry announcement is enough to turn things around. This is the hope moving further into 2016.

There are several larger projects well into their planning stages and if finance and other contractual obligations can be met then we may see the light at the end of the tunnel sooner.

#### **ZONE: TOOWOOMBA AND DARLING DOWNS**

WORDS BY ZONE CHAIR: DAVID SNOW (PETER SNOW & CO)

Major investment activity in Toowoomba is providing a firm basis for solid optimism in this region.

QIC's \$530 million development of the Grand Central Shopping Centre in the CBD is poised for completion late 2016 and this has added jobs and money to the local economy.

Work has commenced on the \$1.2 billion Second Range Crossing which will bring approximately 2000 workers to the city over the next three years.

The Wellcamp International standard airport continues to grow passenger traffic with direct flights to Sydney, Melbourne and Cairns.

New building activity remains strong and residential sales figures demonstrate a level of confidence across all price levels.

Average time on market has expanded to over 60 days with some price ranges showing a small relaxation of sellers' expectations.

Vacancy rates are still steady around 3% with rental values for new listings requiring keener pricing to attract quality tenants.

Overall, the region is holding values well in spite of the typical conservative buyer behaviour demonstrated prior to an expected federal election.

#### **ZONE: IPSWICH**

WORDS BY ZONE CHAIR  
DARREN BOETTCHER  
(BOETTCHER REAL ESTATE)

The market in Ipswich has definitively recovered from the GFC with market activity back to pre-GFC levels.

There are many projects currently under way in the Ipswich area.

The suburb of Ripley is growing, with hundreds of homes constructed and families now living in the masterplanned community. Tens of thousands of people will call Ripley home over the next 20 years and the town centre currently under construction is due for opening in 2017.

Springfield has been growing at a phenomenal rate. The extension to the Springfield town centre is now complete with more stages planned.

The new water park at Orion Shopping Centre has been a huge hit. The facility is bigger than South Bank and the weekly crowds have been huge over the hot summer months.

The Ipswich Central Business District (Ipswich Mall River Heart Project) will commence shortly a total new masterplanned CBD. This is great news for the people of Ipswich. This has been in the pipeline for many years.

The housing market is very much in an upswing with price growth and rental demand.

I have been calling Ipswich the Parramatta of Sydney for many years and this is never more accurate than today. Ipswich is only 20 minutes to Brisbane and with the Brisbane market continuing to grow, so does Ipswich.

Price growth has been steadily rising for the past five years and the median house price is \$320,000.

The rental market also has seen steady sustainable growth in recent years and the current market is quite balanced in regards to supply and demand.

The future looks very promising. I expect a steady house price increase over the three to five years and the rental market to grow in line with the housing demand.

#### **ZONE: BRISBANE'S NORTHERN SUBURBS**

WORDS BY ZONE CHAIR JASON BOND (ELEVER PROPERTY GROUP)

The northern suburbs of Brisbane are performing very strongly at the moment with the crane index at an all-time high. The inner five kilometre zone has significant levels of high-rise developments popping up in areas such as Newstead, Fortitude Valley and Hamilton.

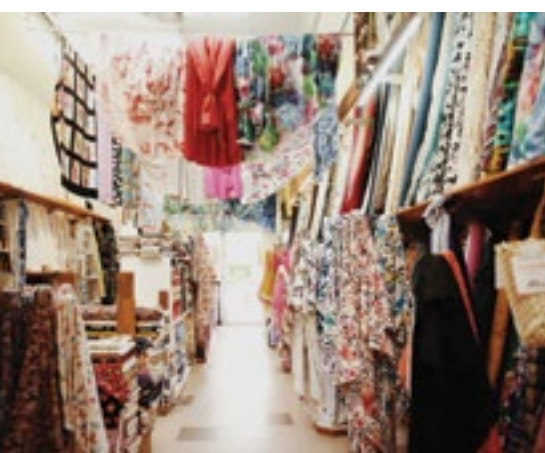
There are also a lot of new medium-density buildings going up in Windsor, Lutwyche, Mitchelton and Chermside, among other suburbs.

In conjunction with the above there are boutique units and townhouse developments scattered liberally throughout the northern suburbs.

The majority of interest in the large scale developments appears to be stemming from overseas (China and Malaysia) and interstate buyers purchasing as investments. This will be a very interesting space to watch in regards to rental returns. With thousands of apartments settling in the second half of this year and into 2017 we will see a lot of stock come onto the market.

Besides the residential sector performing well, exciting infrastructure projects include Westfield Chermside's major expansion, making it the largest Westfield in Australia, and expansion plans for Eat Street Markets, moving to a site approximately 1700m2 larger and the addition of a Container Adventure Park (similar to one that's just opened up in Las Vegas).

The year ahead looks very positive for Brisbane's northern suburbs, and for the southeast corner of Queensland more broadly.



# Is Sandgate emerging as the hipster suburb of Brisbane's north?

*Once the ugly duckling of the Brisbane's northern suburbs, Sandgate is emerging, perhaps not as a graceful swan, but certainly as an interesting waterfowl or perhaps a hipster broilga thanks to significant redevelopment occurring in recent years that has ratcheted up the cool factor.*

This hometown to Kerri-Anne Kennerley and almost-hometown to the Bee Gees (who hailed from neighbouring beachside suburb Redcliffe) is discovering its retro-cool factor and is welcoming trendy new businesses such as Mr Henderson's, a former cobbler-turned-hipster bar.

The changes are having positive impact on business and real estate, with sales

volumes and median house prices rising steadily for the past five years.

Local real estate principal Hanna Bonner, from 4017 Real Estate, said the change in Sandgate over the past five years had been dramatic. Areas that had been dramatically improved and refurbished include the train station and the surrounding retail precinct.

"It's amazing to see these exciting new businesses opening up adding a really vibrant energy to the town.

"Hello Duckie is directly next door to us, selling bespoke homewares, furnishings and clothing, and Cypher Coffee is modern and hip and sells delectable treats and delicious coffee.

"Sandgate locals can now be self-sufficient as we have retail outlets such as hairdressers, beauticians, clothes and shoe boutiques, banks, a large post office, chemists, a butcher, a choice of gyms, gift stores and more," she said.

"There is a small shopping centre, anchored by Woolworths, and let's not forget the ever-popular Full Moon Hotel, which is a fantastic venue."

Real estate agents specialising in this waterfront suburb know that property purchasers buy for the easy walking distance to shops, accessible public transport, and good schools.

"We also have great recreational facilities such as new parks, walking and bike tracks, and a municipal swimming pool on Flinders Parade, by the sea.

"Being in close proximity to cafes, restaurants and bars, Sandgate's "spit and polish" redevelopment activity has opened the property market up to younger buyers," she said.

New buyers being drawn to the area see the area as affordable with good yields and excellent prospects for strong future capital growth. It is also within easy commuting distance of Brisbane's CBD via rail, bus or road.

In the December quarter, the Sandgate median house price was \$592,000, which is 7.3 per cent higher than 12 months ago and 6.6 per cent higher than five years ago.

The median rents for houses in Sandgate, based on 12 months, is \$420 and for units is \$383, which is almost identical to the Brisbane City data.

"There is great value in Sandgate for the real estate buyer," Ms Bonner said. "It's an up and coming area with a lot going for it and somewhere that is worthy of a second look."

# LOOKING TO GROW YOUR BUSINESS IN 2016?

## Still working on the best method to grow?

Betting on what property markets will do in 2016 could be costly. Whatever happens, what's your plan for growth in listings and property managements? Are you going to hire and incentivise a BDM? Incentivise property managers and sales people? Identify and convert sales from your rent roll?

## Strata a new way of thinking about growth

By adding Strata Management to your real estate business **you get access to more owners, more listings and property managements**. Not only can you boost real estate listings, sales and property managements but you can build an asset worth over half a million from just one strata manager.\*

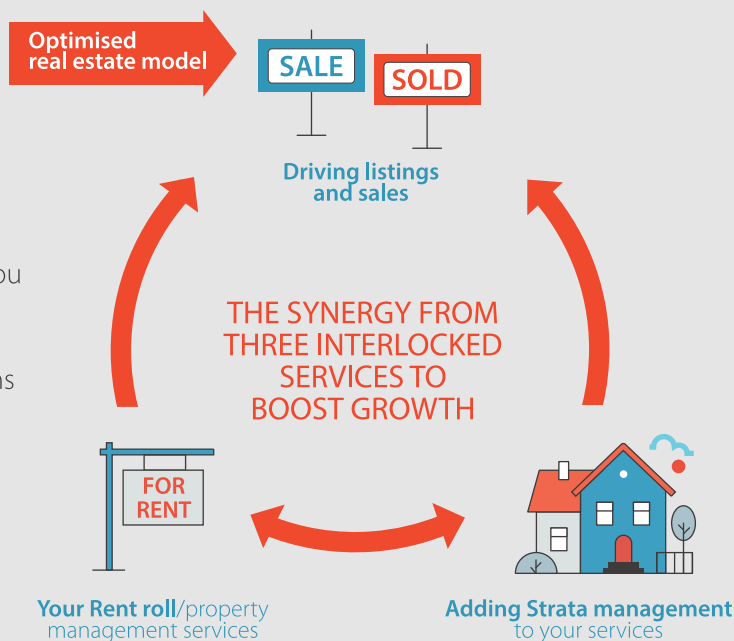
## What Outsourced Strata means for you

When compared to any other business development or marketing activity, adding strata offers a multiplying effect on other parts of your business and more than pays for itself.

1. Build a \$1M asset and additional \$240,000+ annual income for your real estate agency for every 135 strata/body corporate schemes\*
2. Gain access to owners or investors with every Strata/body corporate scheme you win to drive further listings
3. Grow your rent roll and further enhance its capital growth
4. Leverage your existing property management portfolio to build your strata roll
5. Benefit from better cashflow and business security with 1-3 year strata contracts

## The Outsourced Strata advantage

1. An award winning technology interface for you and clients
2. Expert advisory
3. Easy to use, proven systems and processes
4. Online training courses
5. Effective marketing and sales tools



## What's left for you to do:

- Build relationships with clients – this got you where you are today
- Win new strata buildings through existing property management clients – we show you how
- Run face-to-face meetings with Strata owners – we show you how
- Manage repairs and maintenance – you'd be the expert at this

The bottom line is, you own the client, it's your agency agreement and it's your asset to sell at any time. You outsource the hard work to us.

## A business development tool that earns income

If you're interested in using Strata to drive new listings, sales and property managements and generate revenue, cashflow whilst building an additional asset call **Murray Cameron or Peter Huxley on 1300 047 717** or visit [www.outsourcedstrata.com.au](http://www.outsourcedstrata.com.au) for more information.

# OutSourcedStrata

Phone: 1300 047 717

[www.outsourcedstrata.com.au](http://www.outsourcedstrata.com.au)

\*Based on strata industry average scheme size and Westpac Banking valuation on fixed management fee income.





# Preparing and completing property contracts

WORDS BY ANDREW PERSIJN, SENIOR ASSOCIATE,  
CARTER NEWELL LAWYERS

*Preparing and completing contract documentation is a task most agents would perform on a daily basis. It is therefore important for agents to understand the difference between preparing contracts and other legal documents, as distinguished from the creation, drafting or alteration of such documents, the provision of legal advice, and other conduct which may be construed as legal practice.*

## **The Legal Profession Act 2007**

*The Legal Profession Act 2007 (Qld) (the Act) governs the manner in which legal practice is administered in Queensland with a view to protecting the consumers of legal services and the public generally.*

Section 24 of the Act provides that a person must not engage in legal practice unless he or she is an Australian legal practitioner.

Whilst the Act prohibits persons who are not Australian legal practitioners (such as real estate agents) from engaging in legal practice, section 24(3A) of the Act goes on to specifically declare that:

*“neither a POA licensee nor a POA employee is engaging in legal practice*

*only because the licensee or employee provides, prepares or completes a property contract or other document as part of performing either of the following (each of which is a POA licensee’s work) –*

- a) the work of a POA licensee;*
- b) other work ancillary or incidental to the work of a POA licensee and part of the ordinary course of business undertaken generally by a POA licensee.”<sup>1</sup>*

In circumstances where property contracts are legal documents, it is important that agents, irrespective of their level of experience, do not go beyond the scope of their role as agents when preparing and completing contracts and other legally binding documents.

## What amounts to 'preparing' or 'completing'?

Agents must exercise extreme caution if confronted with a proposed property contract or other document which requires alteration, or where additional terms need to be inserted. This is of particular importance when considering special conditions or annexures to those documents.

Pursuant to section 24(3E) of the Act, a POA licensee or POA employee **prepares or completes** a property contract or other document—

- “a) by inserting information in a blank space, or crossing or leaving out an alternative included, in the property contract or other document; or*
- b) by inserting a term into, or altering a term of, the property contract or other document if—*
  - i) the insertion or alteration—*
    - A) is authorised by a party to the proposed property contract or other document as an insertion or alteration; or*
    - B) is given in writing to the licensee or employee by a party to the proposed contract or other document as an insertion or alteration; or*
  - c) was previously prepared by an Australian legal practitioner, whether or not in connection with the property contract or other document; and*
  - ii) the licensee or employee does not change the insertion or alteration except in relation to—*
    - A) changing a detail about the transaction that is the subject of the property contract or other document; or*
    - B) crossing or leaving out an alternative, or changing the grammatical form of words, of the insertion or alteration.”<sup>2</sup>*

In circumstances where an agent intends to insert or alter a term as prepared by an Australian legal practitioner, the Act specifically notes that the use of a precedent is allowed.

## Prohibited conduct

Agents will commonly be asked questions about a property contract by not only their seller clients but also potential buyers. In this situation, agents should always bear in mind the perception of their role and expertise held by the seller client or potential buyer.

It is important that agents avoid performing activities or engaging in discussions which may give rise to a reasonable inference by their seller clients (or other persons, such as potential buyers) that an agent (including an unlicensed employee) is legally trained, qualified and/or holds certain expertise in the law or in respect of such legal documents.

In this regard, pursuant to section 24(3B) of the Act, the role of a POA licensee does not extend to:

- “a) giving legal advice in relation to a property contract or other document; or*
- b) providing, preparing or completing a document prescribed under a regulation.”*

Accordingly, in circumstances where agents deal with property contracts and other documents on a regular basis, caution must be exercised to ensure that no legal advice is inadvertently being provided, or that the agents otherwise go beyond the role of a POA licensee or employee in the preparation and completion of those property contracts and other documents.

## Best practice tips

As a matter of best practice, agents should always ensure that property contracts and other documents are completed in accordance with the parties' (or their solicitors') instructions. Instructions should always be obtained in writing and retained on file.

In particular, agents should never alter a term of a property contract (or other documents), nor insert additional terms, including special conditions, without:

1. First obtaining written instructions from the relevant party; and
2. Ensuring that the relevant insertion or amendment (including special conditions) has been prepared by an Australian legal practitioner (noting that the use of precedents is allowed).

In order to avoid any misconception by clients (and to minimise agents' risk of exposure to claims arising out of, for example, misrepresentation or negligence), agents should always ensure that clients fully understand that proposed property contracts and other documents are in fact legal documents, and that agents are not legally trained and do not hold expertise in the law.

Agents should also always strongly emphasise to clients that they ought to obtain independent legal advice in respect of all matters pertaining to property contracts and other documents.

<sup>1</sup> Property contract, other document, POA employee and POA licensee are all defined in section 24(7) of the Act.

<sup>2</sup> Two useful examples of what amounts to preparing or completing a property contract are set out in section 24(3E) of the Act.

# Formation of contracts where no formal contract – can an email chain constitute a contract?

WORDS BY MICHAEL GAPES, PARTNER, CARTER NEWELL LAWYERS

*In the recent Queensland Supreme Court decision of **Stellard Pty Ltd & Anor v North Queensland Fuel Pty Ltd** [2015] QSC 119, an exchange of emails was held to be sufficient to create an enforceable contract for the sale of a property. In this article, we examine this decision and the requirements of section 59 of the Property Law Act 1974 (Qld) (**PLA**), which requires a contract for the sale of land to be signed and in writing.*

## Background

In late 2014, North Queensland Fuel Pty Ltd (**the seller**) appointed a real estate agent to sell the freehold and business components of The Koah Roadhouse, a service station on the Kennedy Highway (**the service station**).

Stellard Pty Ltd and Sharmen Pty Ltd (**the buyers**), through their employee Martin Hurry, negotiated the purchase of the service station (mostly by email) with the agent during October/November 2014.

A draft contract was issued in early November 2014, but had not yet been signed by either party when the agent sent an email to the buyers stating that the contract was not accepted, and that the seller had entered into a contract for the sale for the service station with another buyer.

The buyers claimed that the emails exchanged between the parties constituted a binding contract. The seller argued that there was no intention to be legally bound by the exchange and that there was no written agreement to satisfy section 59 of the PLA.

## The chronology of events

Following an initial inspection of the property, the parties exchanged a number of emails, including:

1. An email from the agent to the buyers on 30 October 2014 which stated that the seller had indicated it would sign a contract on certain terms which were outlined in the email. The email also included a draft contract in the standard REIQ Contract Commercial Land and Buildings format, with special conditions. One of the special conditions required the buyers' directors to provide personal guarantees.
2. An email from the buyers to the agent on 31 October 2014 (**the offer email**) which:
  - Reiterated the proposed purchase price of \$1.6 million;
  - Confirmed the purchasing entity;
  - Stated that the offer was '**subject to contract** (*emphasis added*) and due diligence'; and
  - Stated that the buyers looked forward to 'receiving your client's confirmation that our offer is accepted as clearly both parties are now going to start incurring significant expenses'.
3. An email sent by the seller on 31 October 2014, 45 minutes after the offer email, accepting the buyers' offer (**the acceptance email**), and noting that the offer would '*be subject to execution of the Contract provided (with agreed amendments) ..., minimal due diligence period...*'.

## What happened next

On 3 November 2014, the buyers' solicitors sent the agent an email attaching a revised draft contract, which, among other things, removed the special condition requiring personal guarantees from the buyers' directors and inserted a '*Due Diligence*' condition which allowed the buyers to conduct due diligence enquiries within 40 days of the contract date (and to bring the contract to an end if not satisfied).

On 7 November 2014, the agent communicated that the seller had decided not to accept the contract due to the changes to the proposed conditions and noted that the seller had entered into a contract for the sale of the service station with another buyer. The buyers subsequently issued an application in the Supreme Court seeking declaratory relief.

## Was this a binding contract?

The buyers argued that the emails exchanged on the 30th and 31st of October 2014, as informed by the conversations between the agent and the buyers on the same days, constituted a '*valid and binding agreement*' between the parties.

The seller, however, sought to counter the buyers' position on the basis that:





1. The 'offer' could not be unconditional and capable of unqualified acceptance because it was expressed to be 'subject to contract';
2. The 'acceptance' in the acceptance email from the agent was not an unqualified acceptance of the terms of the 31st October 2014 email from the buyers;
3. The parties did not reach agreement as to issues material to the proposed transaction, namely:
  - Whether the directors of each of the buyers would be required to execute a personal guarantee in the terms proposed by the seller; and
  - The duration of any due diligence period;
4. The parties did not manifest an intention to become legally bound to a contract and no intention can be inferred 'where the parties did not progress to the point of execution and exchange' of a written contract; and
5. Even if a contract was found to exist, there was no writing sufficient to satisfy section 59 of the PLA.

### The Supreme Court's decision

#### Did the parties intend to become legally bound?

Both the offer and acceptance emails provided that the offer was subject to the execution of a contract.

In the court's view, the broader context of the offer and acceptance emails and the expressions used in them strongly suggested that the parties 'were content to be bound immediately and exclusively by the terms which they had agreed upon whilst expecting to make a further contract in substitution for the first contract, containing, by consent, additional terms'.<sup>1</sup>

The court therefore concluded that the words 'subject to execution of the contract' were more consistent with the parties having agreed on the essential terms with the intention that they would be formally recorded later.

#### Was there agreement as to the material terms of the transaction?

The seller argued that there could be no contract because there was no agreement as to the material aspects of the proposed transaction, including the personal guarantees and due diligence period.

The court, however, took the view that:

1. The provision of personal guarantees was not a condition precedent to the contract formation given the seller did not indicate that to be the case in any communication. The absence of agreement in relation to that issue did not therefore affect the existence of the contract alleged by the buyers; and

2. The due diligence period was agreed as the 40 day period from the contract date nominated by the seller in an email from the agent to the buyers as reflected in the revised draft contract submitted by the buyers' solicitors on 3 November 2014.

The court also noted that the parties had agreed on the main terms of the contract, although that agreement was expressed in informal terms, and that each party knew that the other was going to take steps immediately, which was consistent with there being a contract.

The court therefore concluded that the buyers had successfully established a binding contract between themselves and the seller.

#### Were the writing and signing requirements of section 59 of the PLA satisfied?

The seller contended that even if a contract was found to exist, section 59 of the PLA had not been satisfied.

Section 59 of the PLA provides that contracts for the sale of land must be in writing:

*"59 Contracts for sale etc. of land to be in writing*

*No action may be brought upon any contract for the sale or other disposition of land or any interest in land unless the contract upon which such action is brought, or some memorandum or note of the contract, is in writing, and signed by the party to be charged, or by some person by the party lawfully authorized."*

As there was no physical signature on the emails, the buyers sought to rely upon the following provision of the *Electronic Transactions (Queensland) Act 2001 (the ETQ Act)*.

<sup>1</sup> Sinclair, Scott & Co Ltd v Baulkham Hills Private Hospital Pty Ltd (1929) 43 CLR 310 at 317.



Section 14 of the ETQ Act provides:

*“14 Requirement for signature*

- 1) If, under a State law, a person’s signature is required, the requirement is taken to have been met for an electronic communication if –*
  - a) A method is used to identify the person and to indicate the person’s intention in relation to the information communicated; and*
  - b) The method used was either –*
    - i. As reliable as appropriate for the purposes for which the electronic communication was generated or communicated, having regard to all circumstances, including any relevant agreement; or*
    - ii. Proven in fact to have fulfilled the functions described in paragraph (a), by itself or together with further evidence; and*
  - c) The person to whom the signature is required to be given consents to the requirement being met by using the method mentioned in paragraph (a).*
- 2) The reference in subsection (1) to a law that requires a signature includes a reference to a law that provides consequences for the absence of a signature.”*

The seller argued that the email did not contain a signature which was supported by section 14 of the ETQ Act.

However, the court concluded that the requirements of section 14(1)(b) and (c) had been established given that the identification of the person and the person’s intention could be established by further evidence which was, in this case, the various conversations held prior to 31 October 2014, and the offer and acceptance emails.

The court also noted that in circumstances where the parties had engaged in negotiations by email (and particularly when the offer was made by email), then it was open for the court to infer that consent had been given by the conduct of the other party.

The court ultimately found that there was a properly constituted agreement and gave judgment in favour of the buyers.

### **Conclusion**

The reasoning in this decision underlines the existing and long held position in contract law – to establish whether agreement has been reached, it is essential to objectively look at the substance of what has been agreed in light of all the evidence, not just the form.

The importance of this decision, however, lies in the conclusions reached in respect of section 59 of the PLA, in particular for the contract to be ‘in writing’ and ‘signed’, particularly in light of the ETQ Act. Those conclusions clarify that an email exchange will qualify as ‘writing’, and the ‘signing’ requirement could be met where the requirements of section 14 of the ETQ Act are fulfilled. Those conclusions mean that contracts for the sale of land do not necessarily have to be in writing or signed in the literal sense to be binding on the parties, if the parties evidence an intention to be bound by their communications and/or actions in respect of that sale.

This decision also demonstrates how important it is for all parties, including real estate agents, engaging in negotiations to ensure that any communications between them are consistent with their (or their client’s) intentions. If a party does not intend to be bound until a formal written agreement is entered into, this should be made clear in writing. Parties should also subsequently ensure that any written or emailed communication and their actions are consistent with the stance they take throughout the course of negotiations – a blanket statement that the parties’ agreement is ‘subject to contract’ will not on its own necessarily mean that a binding contract has been formed.

*This decision also demonstrates how important it is for all parties engaging in negotiations to ensure that any communications between them are consistent with their intentions.*



## ***YOUR OBLIGATION***

As a landlord you are required to ensure that your rental property has working smoke alarms installed and maintained as per manufactures specifications. SATS undertake to fulfil all your obligations and requirements to ensure that you, as a landlord, are compliant with legislations in your state.

## ***WHY CHOOSE US?***

- ✓ No up front payments
- ✓ 10 Year warranty on alarms
- ✓ Fully identifiable technicians
- ✓ Specialising in landlord compliance
- ✓ Minimal disruption to your tenants

## ***WHAT WE DO?***

We survey the property to ensure that all smoke alarms are the correct type, quantity and placed in the appropriate location to meet legislation.

We clean, test and maintain the smoke alarms as per manufacture's specification. We replace the battery where replaceable.

We record all details of the property including smoke alarm quantity, make, model, expiry date, decibel reading and positioning, and verify the alarms meet current Australian Standards.

We Issue a certificate of compliance.

## ***HOW MUCH DOES IT COST?***

Our annual service is \$99.00 including GST for unlimited visits and including FREE alarms.







# Done Deal

*Every month we feature a luxury property in our Done Deal section and many of them are provided by our members, Dixon Family Estate Agents. In this edition of the REIQ Journal devoted to family business, we asked Jack what it was like working with a titan of the industry, his father Patrick Dixon.*

In 2011, I made the decision to pursue my passion for real estate and partnered with my father Patrick Dixon in Dixon Family Estate Agents.

I was raised in the real estate world so it was no surprise I ended up in the profession. We have modelled our agency on strong family values and business mateship.

Being a family owned business gives us an important advantage in an industry becoming increasingly dominated by large franchise groups. This advantage comes in the form of trust, personal relationships, family know-how, workplace culture and communication – all of which allows

us to do things differently and pass those benefits on to our clients.

We also have the benefit of two generations of valued connections. Our network is built through friends and family, school mates and parents, social and sporting clubs, and hundreds of satisfied clients.

We keep our structure simple – we both list and sell which must be the core of any sales business. We focus on running a light, low-overhead structure focusing on quality people not quantity.

My top tips for running a family business are:

- Make sure you have a shared vision and direction for the business;
- While you grow in size ensure that the family values of the business remain the same;
- Have defined roles in the business and work to your individual strengths;
- Re-define 'family', whether that includes clients or staff, you will raise the bar with the quality of service;
- Seek outside advice. Creative and fresh thinking from someone not inside the business can be beneficial.



#### **Agency**

Dixon Family Estate Agents

#### **Sale Price**

Between \$730,000 to \$750,000

#### **Sale type**

Private Treaty

#### **Where is the house?**

Coopers Camp Road, Bardon. A great location just 200m to the Bardon shops and just over 1km to the Paddington cafe and restaurant precinct.

#### **Tell us about the property:**

The sellers had done a fantastic job on the renovation of this worker cottage. The seller had an unbelievable eye which really helped us achieve a strong result. They used space very well (for additional storage) and added excellent features such as polished concrete floors, feature lighting and window finishes.

It was obviously a hit with the buyers as we received 3 offers within a week. It was a great example of how the little things done well can go a long way with buyers.

#### **How did you secure the listing?**

The sellers were referred to us via their friends.

#### **What were the marketing strategies used?**

Digital marketing works very effectively in the price band. Upgraded listings on the portals and some really sharp photography to show off this little gem. The buyer was from interstate.





# Our Members



**Name:** Felix Reitano

**Membership:** Individual member

## What does REIQ membership mean to you?

REIQ membership means that we have the support of the peak body's resources, that we are keeping up with changes in legislation, and that we have access to training and advice.

## Can you name a person who has had a tremendous impact on your career?

My grandfather, who came from Naples in the 1890s, started out cutting cane, was interred during the war and went on to become a real estate agent and auctioneer. My father and uncle both worked in the real estate profession and were always great role models.

## What characteristics do you believe every leader should possess?

I am a retired Captain in the Army Reserve and am presently President

of the local 31st Bn Association. I believe that a leader should lead by example and possess people skills.

## What do you consider your greatest achievement?

My greatest achievement would be marrying my wife, Judy, a former primary school teacher and now my head property manager. We have raised four sons and two daughters.

## What do you love most about the profession?

I love interacting with people and with my background in school toastmasters, cricket, touch football and Army Reserves, I have come to know most people in our district.

My son Peter is the fourth generation of Reitanos to work in the business and our family is looking forward to celebrating 100 years in business.

## How long have you been in real estate?

I have been a real estate agent and auctioneer for more than 20 years – following in the family tradition. Our business has operated in the Herbert River district since 1923.



**Name:** James McKinlay

**Membership:** Student member

## How long have you been in the real estate profession for?

6 Weeks

## What does REIQ Membership mean to you?

Having a great resource I can rely on at any time I need it has been invaluable. The latest QMM has provided me with great insight into the state of play in the Brisbane property market.

## Can you name a person who has had a tremendous impact on your career?

My father has been a great inspiration for me, in particular supporting me to continue to seek out new opportunities in my career.

In my real estate career my mentor and co-agent Paula Pearce has been instrumental in kicking me off to the best possible start I could have ever imagined, she has an amazing energy about her.

## What is one characteristic that you believe every leader should possess?

Humility, no matter how successful you become the ability to walk in another man's shoes to understand people and to help someone in need to me is not only the characteristics of a great leader, it's also the characteristics of being a good human being.



## What do you consider your greatest achievement?

I've been lucky enough to travel a lot in the last 5 years with friends. I'm incredibly grateful for the memories and experiences it has given me.

## What do you love most about the profession?

Meeting new people every day from all walks of life is one of the best parts of the job to me.



# Member Feature



**Name:** Justin Nickerson

**Membership:** Individual member

*The 2016 Auctioneer of the Year award was won by Justin Nickerson, his second time winning this trophy (following his first win in 2013). Justin offers some advice for anyone considering entering and explains what it can do for your professional life.*

Winning the REIQ Auctioneer of the Year again in 2016 was a huge thrill and a great honour.

The auctioneers' competition that the REIQ runs is a test of our auctioneering skills and performance abilities under pressure, and last year having the opportunity to compete in the final at the REIQ summit was a big thrill.

The training that the auctioneers put in, in the lead-up to the competition is one of the major benefits of entering. It forces you to look and evaluate your auction call critically and compels you to make improvements to keep pace with the best. I would strongly recommend any auctioneers who have yet to enter the awards to do it, because at the very least you will emerge a better auctioneer the other side.

Winning the competition has been validation for the agents that I work with that they are using a high standard of auctioneer. It also offers reassurance to their vendors that they will be well represented on auction day by an auctioneer of award-winning calibre!

Being an award winner is recognition of hard work, persistence and continual improvement throughout my career. I was very fortunate in my early days of auctioneering to have some terrific mentors. They helped me, guided me and challenged me continually to strive to get the best out of myself. The generosity of these people in the time they gave, and the knowledge they imparted is something that shouldn't be taken for granted and these awards are not possible without their support.

I feel fortunate now to be in a position where I can offer the same support and guidance to newcomers in our profession and help them in their own growth and development.

*Being an award winner is recognition of hard work, persistence and continual improvement throughout my career.*

The real estate profession is hugely rewarding for those who work hard and continually seek to improve. I firmly believe that our profession's leaders have an obligation to help and guide the next wave coming through and to leave the profession in a stronger position than they found it.

**Justin Nickerson**  
**Apollo Auctions**  
[justin@apolloauctions.com.au](mailto:justin@apolloauctions.com.au)



# AGENT CONTACT STICKERS



## GENERATE ENQUIRIES 24/7

Available in black print on white vinyl (Black print on clear available, Surcharge applies. POA)

380mm wide stickers			
Sticker size	Pack	AA \$	Retail \$
380 x 35mm	50	65.85	75.95
	100	82.50	91.65
	200	101.25	111.00
380 x 42mm	50	69.50	79.50
	100	86.75	96.95
	200	106.00	117.25
380 x 70mm	50	81.75	90.50
	100	96.50	105.95
	200	129.00	138.50
380 x 78mm	50	86.00	96.95
	100	102.50	112.75
	200	141.25	151.00
380 x 100mm	50	105.95	115.85
	100	147.50	156.50
	200	193.25	201.95

500mm wide stickers			
Sticker size	Pack	AA \$	Retail \$
500 x 50mm	50	76.95	86.50
	100	92.50	103.00
	200	126.50	135.95
500 x 100mm	50	90.75	101.95
	100	119.00	129.75
	200	173.25	182.50
500 x 150mm	50	116.50	127.50
	100	158.95	169.25
	200	201.00	211.00
500 x 200mm	50	173.50	184.50
	100	219.75	228.95
	200	304.95	315.50
500 x 250mm	50	235.50	246.00
	100	279.00	288.95
	200	401.95	416.75

AA = Accredited Agency

**SARA JONES 0412 443 225**  
reshop@reiq.com.au reiq.com

Layout sample (2 lines)

**SARA JONES 0412 443 225**

Layout sample (1 line)

To order, download the order form from the REIQ real estate shop's featured products page at **reiq.com**

## Welcome to our new agencies!

<b>Innov8 Property</b>	CHERMSIDE 4032	Kelly Charpentier
<b>Prestige Property Agents</b>	PARADISE POINT 4216	Amir Mian
<b>Planvista</b>	NORTH LAKES 4509	Kellie Stonadge
<b>Garry Parr Realty</b>	GYMPIE 4570	Garry Parr
<b>Beechmont Mountain Sales</b>	LOWER BEECHMONT 4211	Kay Hamilton

# Real Estate Jobs

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**E: [careers@glynisaustin.com](mailto:careers@glynisaustin.com)**



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**E: [bpope@realestateview.com.au](mailto:bpope@realestateview.com.au)**



## PROPERTY OFFICER

Compass Housing is currently seeking a dedicated & experienced Property Officer to join our talented Woolloongabba team. This is a fantastic opportunity to join our successful organisation & in a role where you can make a difference. All we need now is YOU; a proven Property Management professional to join us.

Full details on this unique opportunity are available on our website **[www.compasshousing.org](http://www.compasshousing.org)**



## LEASING AGENTS

We are looking for Leasing Agents, Property Managers and Property Manager Assistants who are highly motivated, passionate and tenacious! Our approach to clients is the key to our success, so if you have excellent interpersonal and customer services skills, we are looking for you!

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**[sue@disher.com.au](mailto:sue@disher.com.au)**

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# Who's Who at the REIQ?

## Zone Chairs

Zone	Contact	Office	Email
BUNDABERG	<b>Le-Anne Allan</b>	Richardson & Wrench Bargara Beach	l.allan@randw.com.au
CABOOLTURE	<b>James Brown</b>	Ray White Caboolture & Burpengary	James.brown@raywhite.com
CAIRNS	<b>Thomas Quaid</b>	Quaid Real Estate Pty Ltd	Thomas.quaid@quaid.com.au
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IPSWICH	<b>Darren Boettcher</b>	Boettcher Realty	darren@boettcherrealty.com.au
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WESTERN SUBURBS	<b>Colin Hawkins</b>	Elders	colin.hawkins@elders.com.au

## Chapter Chairs

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**Doug Smith - C & I**  
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**Jess Mazzocato - Property Management**  
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**Meighan Hetherington - Buyer's Agents**  
Meighan@propertypursuit.com.au

**Peter Burgin - Auctioneers**  
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**Ron Frank - Business Brokers**  
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**John McSpedden - North East of SEQ**  
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**Les Freeman - Far North Queensland**  
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**Kate Cross - Central Queensland**  
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## Board directors

**Robert Honeycombe**  
Chairman

**Linda Bland**  
Director

**Jonathan Blocksidge**  
Director

**Peter Brewer**  
Director

**Mark Brimble**  
Director

**Deborah Duffy**  
Director

**Julie Boyd**  
Non-Member Director

**Anita Brown**  
Non-Member Director

**Eddie Chung**  
Non-Member Director

## Senior Management

**Antonia Mercorella**  
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**Rod Facey**  
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**Anna MacMaster**  
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**Brad Hay**  
Business Development and  
Sponsorship Manager  
bhay@reiq.com.au

**Felicity Moore**  
Media and Communications Manager  
fmoore@reiq.com.au



# AON/REIQ REAL ESTATE LUNCHEON



KEYNOTE SPEAKER  
ANNOUNCEMENT

**PETER SWITZER**

*Leading business and  
financial commentator*

Peter Switzer is one of Australia's leading business and financial commentators, launching his own business 20 years ago. An award-winning broadcaster and twice runner up for the Best Current Affairs Commentator award for radio, Peter is currently:

- Founder of The Switzer Super Report, an online investment newsletter for trustees of Self-Managed Super Funds.
- Weekly columnist for Yahoo!7 Finance.
- A regular contributor to The Australian newspaper and ABC radio.
- Host of his own TV show, SWITZER, on Sky News Business Channel.
- Host of the Super Show on 2GB and finance commentator on the same station.

Peter's presentation will focus on the property market in Queensland. The economic component of his presentation cuts through the jargon that's rife in the world of business and financial markets and actually explains the charts!

DATE:  
VENUE:  
TIME:

Friday 20 May 2016  
Victoria Park Golf Complex | Marquee  
11.30am | Registration and networking drinks  
12.00pm – 2.00pm | Lunch and presentations  
Members \$125 | Non-Members \$150 (inc GST)  
Thursday 12 May

COST:  
RSVP:



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For more information, please contact the REIQ Events Coordinator  
on 3249 7384 or at [events@reiq.com.au](mailto:events@reiq.com.au).