

**Tara Cheyne MLA**

Assistant Minister for Economic Development

Minister for the Arts

Minister for Business and Better Regulation

Minister for Human Rights

Minister for Multicultural Affairs

Member for Ginninderra

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**RESPONSE TO QUESTION ON NOTICE****Questions on Notice Paper No 32****30 June 2023****Question No. 1307**

Asked by Mr Parton MLA –

- (1) In relation to the requirement for licenced real estate agents to annually renew their licences with the ACT, how are the notices of renewal being communicated to real estate agents.
- (2) How much notice are licensees being given in relation to the renewal of their licence/licenses.
- (3) What is the percentage of licensees that fail to renew their licence before the renewal date.
- (4) Is the Government aware of any licensees who fail to renew their licence/licenses because of failure by Access Canberra to notify them of pending renewal.

**MS CHEYNE MLA** - The answer to the Member's question is as follows:

- (1) In the ACT real estate agents have a common expiry date – 30 June. On application, real estate agents can select a licence term of either 1 or 3 years. The expiry date is printed on the real estate agent's certificate. Courtesy renewal reminders are transmitted via email.
- (2) Courtesy renewal reminders for real estate agents are usually transmitted a few weeks prior to expiry. Due to technical issues, the recent renewal reminders were emailed to real estate agents on Tuesday, 27 June 2023.



- (3) Access Canberra has advised that the information regarding licensees who failed to renew their licence before the due date is not in an easily retrievable form and would require a manual process to check individual licensee files. The effort to collect and assemble the information sought to respond to the question would require an unreasonable diversion of resources.
- (4) Licence expiry has been communicated to real estate agents, and the *Agents Act 2003* (the Act) makes provision for situations where someone has not renewed prior to the expiry of their licence.

The Act provides for continuation of existing licences until a renewal application is decided.

Additionally, if a real estate agent does not renew before expiry but submits a renewal application within 3 months after the day the term of the licence ends (30 June), when the application is decided, the licence is backdated to the day after the licence expired. In essence real estate agents have a 3-month window after a licence expiry date to lodge their renewal application.

Access Canberra will monitor renewal applications received over the next 6-week period to identify whether licensees are actively lodging an application to ensure their continued renewal. Should there be a significant lack of renewal applications, Access Canberra will send a second renewal reminder and engage with the Real Estate Institute ACT (REIACT) to assist in reminding licensees to do so.

This is the same process undertaken by Access Canberra in January 2023. Following amendments to the Act in 2022 which, among other things, stratified real estate agents into class 1 and class 2 agents and introduced assistant agents (formally salespersons), it was identified that there was a significant decline in assistant agents submitting applications to renew. To ensure that the lack of renewals was not caused by any misunderstanding caused by the new regulatory arrangements, a second mail out was undertaken. This was successful in having registration holders submit renewal applications.

**Approved for circulation to the Member and incorporation into Hansard.**



**Tara Cheyne MLA**

**Minister for Business and Better Regulation**

**Date:** 12/7/23