

Consultation on continuing  
professional development for

# PROPERTY AGENTS IN QUEENSLAND



Industry Consultation Guide  
**SEPTEMBER 2022**

The Queensland Government is seeking stakeholder feedback about proposed **mandatory continuing professional development (CPD) for property agents in Queensland**. Mandatory CPD may increase the knowledge, skills and professionalism of those working in the industry, and assist with consumer protection while promoting consumer confidence in the real estate industry.

If mandatory CPD is implemented, it will apply to the following occupations: **real estate agents, real estate salespeople, real estate property auctioneers and resident letting agents** (collectively referred to as ‘property agents’).

The Office of Fair Trading will be responsible for the administration and enforcement of any mandatory CPD requirements. It will also chair an Industry Advisory Panel that will advise the government on acceptable CPD sessions or activities each year.

## The purpose of this guide

This guide provides an overview of **four options** relating to mandatory CPD, including a ‘no change’ option, as well as information on the consultation process and how you can have your say.

*“...real estate agents, real estate salespeople, real estate property auctioneers and resident letting agents...”*



# Options

The four options relating to mandatory CPD are:

## Option 1: Status Quo

Under this option, mandatory CPD for property agents would **not** be introduced in Queensland.

## Option 2: Light regulatory model (session based)

Under this option, property agents would be required to complete **two CPD sessions** annually:

- One session from the national property services training package, and
- One session from a list approved by the government.

## Option 3(a): Heavy regulatory model (points based)

Under this option, property agents would be required to complete **10 CPD points** annually:

- 6 points from mandatory activities, and
- 4 points from elective activities.

## Option 3(b): Heavy regulatory model —variation of Option 3(a)

Under this option, property agents would be required to complete **5 CPD points** annually:

- 3 points from mandatory activities, and
- 2 points from elective activities.

Further information on each option is provided below. A more detailed assessment of the options is available in the *Mandatory CPD for property agents in Queensland Consultation Regulatory Impact Statement (RIS)*.

# Option 1: Status quo

No mandatory CPD for property agents to be introduced in Queensland.

ESTIMATED ANNUAL COSTS FOR PROPERTY AGENTS FOR OPTION 1	
Direct annual costs for property agents	\$0
Overall annual costs for property agents: direct costs (as above) plus estimates re lost time and productivity from staff away from work	\$0

**Status quo!**



## Option 2: Light regulatory model (session based)

Option 2 would involve the following key elements:

- Property agents would be required to complete **two CPD sessions** annually:
    - One session from the national property services training package and
    - One session from a list approved by the government (published on the OFT website).
  - A particular session may be mandated—for instance, a session on family and domestic violence awareness and training.
  - New property agents would be exempt from CPD requirements for the first 12 months following the grant of their licence or certificate, given the initial training requirements required to obtain the relevant licence or certificate.
  - On renewal, property agents would be required to make a declaration on whether they have completed the CPD annual requirements for each year of their licence or certificate (1 or 3 years).
  - Property agents could be excused from complying with the requirements in exceptional circumstances. If this option was chosen, the OFT would provide guidance and examples of what constituted ‘exceptional circumstances’.
  - If the OFT determined there were no exceptional circumstances applying to an agent, renewal of the licence or registration certificate upon expiry could be refused.
- Property agents would be able to seek an administrative internal review of a decision to refuse renewal of the licence or certificate due to non-compliance with CPD requirements. This would be available prior to an agent exercising their right to seek external review of the decision by QCAT.

### ESTIMATED ANNUAL COSTS FOR PROPERTY AGENTS FOR OPTION 2

<b>Direct</b> annual costs for property agents	\$200–\$500
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Overall annual costs for property agents: direct costs (as above) plus estimates re lost time and productivity from staff away from work	\$842
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*The analysis in the Mandatory CPD for property agents in Queensland Consultation Regulatory Impact Statement concludes **Option 2** is the recommended option.*

# Option 3(a): Heavy regulatory model (points based)

Option 3(a) would involve the following key elements:

- Property agents would be required to complete **10 CPD points annually**:
  - **6 points** from mandatory activities (list published on the OFT website)
    - › The list of ‘mandatory activities’ can only encompass certain training offered by Registered Training Organisations (RTOs) either from the Property Services Training Package or recognised by the government as training relevant to the property industry; or particular training mandated by the government.
  - **4 points** from elective activities (list published on the OFT website)
    - › The list of ‘elective activities’ can encompass other industry or government-run information or training sessions. Agents may also choose to do additional ‘mandatory activities’ to fulfil this requirement.
- Points would be allocated as follows:
  - Mandatory activities:
    - › **3 points** for any RTO delivered competency from the Property Services Training Package
    - › **3 points** for any particular training mandated by the government (including mandatory OFT information or training sessions)
    - › **2 points** for RTO delivered activity outside of the Property Services Training Package but recognised as relevant to the property industry.
  - Elective activities:
    - › **2 points** for industry-run or government-run information or training sessions on the list of elective activities.
- Particular training mandated by the government could include, for instance, a session on family and domestic violence awareness and training.
- There would be a standard CPD year (for example, 1 April to 31 March each year), with property agents required to submit proof of completion of annual CPD requirements within three months of the end of each CPD year. CPD points could not be carried over from one CPD year to the next.
- New property agents would be exempt from CPD requirements for the first CPD year from the issuing of their licence or certificate, given the initial training requirements necessary to obtain that licence or certificate.
- Non-compliance with annual CPD requirements for two years or more would be a ground for suspension of a licence or certificate.
- Property agents would be able to seek an administrative internal review of a decision to refuse renewal of their licence or certificate. This would be available prior to an agent’s right to seek external review of the decision by QCAT.

ESTIMATED ANNUAL COSTS FOR PROPERTY AGENTS FOR OPTION 3(A)	
Direct annual costs for property agents	\$800–\$2,000
Overall annual costs for property agents: direct costs (as above) plus estimates re lost time and productivity from staff away from work	\$5,184

# Option 3(b): Heavy regulatory model

(points based)—variation of Option 3(a)

Option 3(b) is mostly the same as Option 3(a), with two key differences:

- Property agents would be required to complete **5 CPD points annually**:
  - **3 points** from mandatory activities (list published on the OFT website)
  - **2 points** from elective activities (list published on the OFT website).
- Each year, the OFT would assess property agents complaints data to help formulate its advice to the Chief Executive regarding CPD sessions for the coming year.

## ESTIMATED ANNUAL COSTS FOR PROPERTY AGENTS FOR OPTION 3(B)

Direct annual costs for property agents	\$400–\$1,000
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Overall annual costs for property agents: direct costs (as above) plus estimates re lost time and productivity from staff away from work	\$2,555
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# More information

You can find a deeper analysis of each of the options in the Consultation Regulatory Impact Statement (RIS).

## Have your say

To have your say, consider the information on each option and nominate your preferred option in one of three ways:

### Online survey

There is a short **online survey** where you can nominate your preferred option and provide reasons why you prefer that option. The survey also includes a few questions for industry members to help us analyse industry responses.

### Email or post

You can tell us your preferred option via email or post (details below). You can provide reasons for your preferred option.

### Respond to the Consultation RIS

You can send a written response to the **Mandatory CPD for property agents Consultation RIS**, either via email or post (details below). Please nominate your preferred option in your response. You can also answer the questions contained in the Consultation RIS.

## Contact details:

### Email:

propertyagentsCPD@justice.qld.gov.au

### Mail:

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Submissions are due by  
**5pm, 30 September 2022.**