

<b>Title</b>	<b>Demonstrate knowledge of methods for sale of real estate in New Zealand</b>		
<b>Level</b>	<b>4</b>	<b>Credits</b>	<b>4</b>

<b>Purpose</b>	<p>This unit standard is for people preparing for entry into, or who are currently working in, the real estate industry as licensees.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> <li>– explain the auction method of sale for real estate;</li> <li>– explain the tender method of sale for real estate;</li> <li>– explain other common methods of sale for real estate in New Zealand; and</li> <li>– explain mortgagee sales.</li> </ul>
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<b>Classification</b>	Real Estate > Rural, Residential, Commercial and Business Sales
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<b>Available grade</b>	Achieved
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## Guidance Information

### 1 Legislation

Auctioneers Act 2013;  
 Consumer Guarantees Act 1993;  
 Contract and Commercial Law Act 2017;  
 Fair Trading Act 1986;  
 Human Rights Act 1993;  
 Overseas Investment Act 2005;  
 Overseas Investment Regulations 2005;  
 Privacy Act 2020;  
 Property Law Act 2007;  
 Property (Relationships) Act 1976;  
 Real Estate Agents Act 2008;  
 Residential Tenancies Act 1986;  
 Resource Management Act 1991;  
 Unit Titles Act 2010;  
 Unit Titles Regulations 2011;  
 and all subsequent amendments and replacements.

### 2 Definitions

*Auction form* refers to the Sale of Real Estate by Auction form, approved by the Real Estate Institute of New Zealand (REINZ) and Auckland District Law Society (ADLS) approved form.

*Client* refers to the person on whose behalf an agent carries out real estate agency work.

*Customer* refers to a person who is a party or potential party to a transaction and excludes a prospective client and client.

*Industry requirements* refer to all actions by licensees must comply with relevant professional standards, legislation, and rules made under the provision of applicable legislation.

*Licensee* refers to an agent, branch manager, or salesperson.

*Tender form* refers to the Sale of Real Estate by Tender form, approved by REINZ and ADLS.

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## Outcomes and performance criteria

### Outcome 1

Explain the auction method of sale for real estate.

#### Performance criteria

- 1.1 Explain legal and industry requirements for the auction process.
- Range includes but is not limited to – Auctioneers Act 2013, Fair Trading Act 1986, Real Estate Agents Act 2008, Contract and Commercial Law Act 2017.
- 1.2 Explain requirements for conduct of auction in accordance with the approved auction form.
- 1.3 Explain obligations of the real estate agent, licensee, auctioneer, client, and customer as applied to a sale by auction.
- 1.4 Explain key terminology in the approved auction form in terms of the implications for the real estate agent, licensee, auctioneer, client, and customer.
- 1.5 Explain to a client the advantages and disadvantages of auction as a method of sale, in accordance with industry requirements.

### Outcome 2

Explain the tender method of sale for real estate.

#### Performance criteria

- 2.1 Explain legal and industry requirements for the tender process.
- Range includes but is not limited to – Fair Trading Act 1986, Real Estate Agents Act 2008, Contract and Commercial Law Act 2017.
- 2.2 Explain requirements for conduct of tender in accordance with the approved tender form.
- 2.3 Explain obligations of the real estate agent, licensee, client, and customer as applied to a sale by tender.

- 2.4 Explain key terminology in the approved tender form in terms of the implications for the real estate agent, licensee, client, and customer.
- 2.5 Explain to a client the advantages and disadvantages of tender as a method of sale in accordance with industry requirements.

### Outcome 3

Explain other common methods of sale for real estate in New Zealand.

#### Performance criteria

- 3.1 Explain sale methods in terms of current marketing terminology and industry requirements.
- Range includes but is not limited to – marketing with or without a price, marketing with or without a deadline, private treaty.
- 3.2 Explain the multi-offer process in accordance with industry requirements.

### Outcome 4

Explain mortgagee sales.

#### Performance criteria

- 4.1 Explain mortgagee sales in terms of the identified client and sale process to meet legal requirements, in accordance with industry requirements.
- 4.2 Explain how mortgagee sales differ from other common methods of sale, in accordance with industry requirements.
- Range includes but is not limited to – licensee obligations, vendor warranties, chattels, possession.

<b>Replacement information</b>	This unit standard replaced unit standard 23155.
<b>Planned review date</b>	31 December 2025

**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	12 February 2010	31 December 2013
Rollover and Revision	2	16 August 2012	31 December 2019
Review	3	16 February 2017	31 December 2023
Review	4	28 January 2021	31 December 2023
Revision	5	28 October 2021	N/A
Revision	6	29 September 2022	N/A

**Consent and Moderation Requirements (CMR) reference**

0003

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

**Comments on this unit standard**

Please contact Ringa Hora Services Workforce Development Council [qualifications@ringahora.nz](mailto:qualifications@ringahora.nz) if you wish to suggest changes to the content of this unit standard.