

Title	Demonstrate knowledge of legislation, best practice and resource management applicable to inspections and appraisals		
Level	5	Credits	4

Purpose	<p>This unit standard is for people who intend to operate as branch managers or agents in the real estate industry.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> – analyse legislation and industry best practice applicable to inspections and appraisals; and – provide resource management information to a client or customer regarding an activity for a property or business.
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Classification	Real Estate > Real Estate Practice and Law
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Available grade	Achieved
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Guidance Information

- 1 Legislation and regulations relevant to this standard include:
 - Building Act 2004;
 - Building (Pools) Amendment Act 2016;
 - Health and Safety at Work Act 2015;
 - Property Law Act 2007;
 - Real Estate Agents Act (Professional Conduct and Client Care) Rules 2012;
 - Residential Tenancies Act 1986;
 - Resource Management Act 1991;
 - Te Ture Whenua Maori Act 1993;
 - Unit Titles Act 2010;
 and all subsequent amendments and replacements.
- 2 References
 - The New Zealand Government list of Territorial Councils*, available at http://www.localcouncils.govt.nz/lqip.nsf/wpg_url/Profiles-Councils-by-type-Territorial.
 - The New Zealand Government Resource Management Act to be Repealed and Replaced, available at <https://www.beehive.govt.nz/release/rma-be-repealed-and-replaced>.
 - The Real Estate Authority Code of Conduct*, available at <https://www.rea.govt.nz/real-estate-professionals/education-and-obligations/the-code-of-conduct/>.
- 3 Definitions
 - Agent* refers to a real estate agent who holds, or is deemed to hold, a current licence as an agent under the Real Estate Act 2008.
 - Best practice principles* refer to industry recognised processes and procedures that are accepted as most effective.

Branch Manager means a person who holds, or is deemed to hold, a current licence as a branch manager under the Real Estate Agents Act 2008.

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

Real estate business refers to a business that conducts real estate agency work as defined by the Real Estate Agents Act 2008 for the purpose of bringing about a transaction.

Territorial Authority is defined under the Local Government Act 2002 as a city or a district council. Territorial plan includes district plans and unitary plans.

4 Assessment

- Evidence provided for assessment against this unit standard must be derived from a real or a simulated workplace situation, provided the simulation reflects industry requirements and requires performance that replicates a real working environment.
- It is expected for the candidate to be familiar with the plans of their Territorial Authority.
- Candidates must be aware of changes to legislation with regards to resource management and reflect on the specifics and implications of those changes.

Outcomes and performance criteria

Outcome 1

Analyse legislation and industry best practice applicable to inspections and appraisals.

Performance criteria

- 1.1 Analyse and determine the requirements for inspections and appraisals to comply with legislation for a real estate business.

Range legislation includes but is not limited to – Resource Management Act 1991, Unit Titles Act 2010, Property Law Act 2007, Building Act 2004, Building (Pools) Amendment Act 2016, Residential Tenancies Act 1986;
legislation may also include – Te Ture Whenua Maori Act 1993.

- 1.2 Analyse principles of industry best practice for inspections and appraisals, to inform quality service and effectively manage risks within a real estate business.

Outcome 2

Provide resource management information to a client or customer regarding an activity for a property or business.

Performance criteria

2.1 Provide resource management information to a client or customer regarding an activity for a property or business, consistent with all relevant legislation and industry requirements.

Range activity may include but is not limited to – permitted activity, discretionary activity, controlled activity, non-complying activity, restricted activity, prohibited activity.

2.2 Provide resource management information that includes activity relevant to a particular property or business as defined in national, regional, coastal or territorial plans.

Range activity may include but is not limited to – permitted activity, discretionary activity, controlled activity, non-complying activity, restricted activity, prohibited activity.

2.3 Explain the implications of current resource consents, change of use proposals, existing use rights, and transfer of ownership or tenancy in accordance with all relevant legislation and industry requirements.

Planned review date	31 December 2026
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Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	26 October 2017	31 December 2021
Review	2	29 July 2021	N/A

Consent and Moderation Requirements (CMR) reference	0003
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact The Skills Organisation reviewcomments@skills.org.nz if you wish to suggest changes to the content of this unit standard.