

<b>Title</b>	<b>Demonstrate knowledge of legislation and council compliance applicable for rural real estate</b>		
<b>Level</b>	<b>5</b>	<b>Credits</b>	<b>5</b>

<b>Purpose</b>	<p>This unit standard is for people who are preparing to enter into, or currently working in, the rural sector of the real estate industry.</p> <p>People credited with this unit standard are able to</p> <ul style="list-style-type: none"> <li>– demonstrate knowledge of legislation as applied to rural real estate; and</li> <li>– demonstrate knowledge of council compliance and zoning as applied to rural real estate.</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
  - Consumer Guarantees Act 1993;
  - Fair Trading Act 1986;
  - Goods and Services Tax Act 1985;
  - Health and Safety at Work Act 2015;
  - Human Rights Act 1993;
  - Overseas Investment Act 2005;
  - Overseas Investment Regulations 2005;
  - Privacy Act 1993;
  - Real Estate Agents Act 2008;
  - Residential Tenancies Act 1986;
  - Resource Management Act 1991;
  - Te Ture Whenua Māori Act 1993;
  - Unit Titles Act 2010;
  - and subsequent amendments and replacements;
  
- 2 Definitions
  - Client* – the person on whose behalf an agent carries out real estate agency work.
  - Customer* – a person who is a party or potential party to a transaction and excludes a prospective client and client.
  - Industry requirements* – all actions by licensees and employees which must comply with relevant professional standards, legislation, and rules made under the provision of applicable legislation.
  - Licensee* – salesperson, branch manager, or agent.

*Rural property* – may include but is not limited to lifestyle property, horticultural property, a dairy or a sheep and cattle property, specialised unit property.

*Unsolicited sales* – also known as cold calling.

### 3 Assessment

Assessment against this unit standard must be based on the following criteria: If a candidate holds a current real estate licence, evidence must be derived from a real or a simulated workplace situation. If a candidate is not licensed, evidence must be drawn from a simulated workplace situation. A simulated workplace situation must reflect industry requirements and requires performance that replicates a real working environment.

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## Outcomes and performance criteria

### Outcome 1

Demonstrate knowledge of legislation as applied to rural real estate.

#### Performance criteria

- 1.1 Provide an example of a proposed change to land use of rural properties, explain the process and the implications of changing the land use of a rural property can have on the sale of this property.
- 1.2 Explain how the Resource Management Act 1991 protects Maori land and the implications this has on rural sales.
- 1.3 Explain the legal implications of the Overseas Investment Act 2005 as applied to rural transactions.
- 1.4 Explain sensitive land, in accordance with the Overseas Investment Act 2005.
- 1.5 Outline the process an overseas customer is required to go through to purchase land in New Zealand.
- 1.6 Explain the legal implications of the Fair Trading Act 1986 as applied to rural sales.
- 1.7 Explain the purpose of the five-day stand down period and unsolicited sales, in accordance with the Fair Trading Act 1986.
- 1.8 Explain why the licensee should inform a customer and client to seek expert advice in terms of tax issues with multiple-lot and major subdivision of rural land.

### Outcome 2

Demonstrate knowledge of council compliance and zoning as applied to rural real estate.

**Performance criteria**

- 2.1 Explain the implications of regional water allocations, site controls, roads and access, effluent management, title boundaries in terms of rural property.
- 2.2 Identify an agency's disclosure obligations in respect of council compliance requirements.
- 2.3 Explain how zoning affects land transactions in terms of subdivision rights, creating new titles, and client options.
- 2.4 Explain how zoning changes can alter the value of rural property.

<b>Planned review date</b>	31 December 2022
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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	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	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](mailto:reviewcomments@skills.org.nz) if you wish to suggest changes to the content of this unit standard.