

REAL ESTATE CONSUMERS

**156. Mr A.P. O'GORMAN to the Minister for Consumer and Employment Protection:**

What is the minister's response to the comments of a Real Estate Institute of Western Australia spokesman, who was reported as saying that anyone who made a complaint to the institute was fully informed of his or her rights and the course of action that was open to him or her?

**Mr J.C. KOBELKE replied:**

I thank the member for the question. Clearly, REIWA is the professional industry body. It does a good job of representing its members and promoting its industry. However, the problem is that many consumers do not appreciate that it is not the government agency that regulates real estate. The Real Estate and Business Agents Supervisory Board has that function. I was very concerned when the official figures showed that complaints to the Real Estate and Business Agents Supervisory Board in the past four years had increased by some 60 per cent. I was also concerned when I was told that people who went to the Real Estate and Business Agents Supervisory Board said that they had been to REIWA, but were not told that they should go to the Real Estate and Business Agents Supervisory Board to lodge their complaint. I certainly respect the work REIWA does in representing its profession, and I accept that it says that when it receives a formal complaint, it advises the complainant that he or she can go to the Real Estate and Business Agents Supervisory Board. However, it is also evident that when people who ring REIWA are not clear about the appropriate authority to go to, they are not always told that they have the right, as consumers, to take their concerns and complaints to the Real Estate and Business Agents Supervisory Board.

I believe it is incumbent on me to make it absolutely clear that there is a potential mix-up in the public mind between REIWA and the Real Estate and Business Agents Supervisory Board. The board is the regulatory body. It has disciplinary power over real estate agents. Therefore, if people have a complaint, that is the appropriate body to take it to. I have written again today to REIWA to ask if it will change its procedures to simply advise all complainants that, if they so wish, they can take their complaint to the Real Estate and Business Agents Supervisory Board. In fact, I wrote to REIWA in 2002 requesting this. Its reply clearly indicated that it would not advise all those people who went to REIWA to make a complaint that they had the option of going to the Real Estate and Business Agents Supervisory Board. They do and they need to know that, and we hope that REIWA, as a professional industry body wishing to maintain the highest standards in its industry and to maintain public confidence in this very important industry, will accept my request and ensure that all complainants, even telephone complainants, are advised of their right to have their complaint heard by the Real Estate and Business Agents Supervisory Board.