



Government of **Western Australia**  
Department of **Commerce**  
Consumer Protection

## Application for a Real Estate and Business Agent's Licence - (Individual)

Please use a pen and write neatly using BLOCK LETTERS. Tick  where appropriate

### Application Requirements

This form must be completed and signed by the applicant.

**Your application can not be assessed unless ALL sections are completed and ALL information is provided. It is essential that you DO NOT LEAVE ANY SECTION BLANK – Use 'N/A' or 'Nil' where appropriate.**

This application **must** also be accompanied by the prescribed fee and those additional items listed in the form.

The list of current fees is available at [www.commerce.wa.gov.au/CP/licensingfees](http://www.commerce.wa.gov.au/CP/licensingfees).

### Notice of application and objections

A notice of your intention to apply for a licence will be placed in the public notices section of *The West Australia* newspaper. Any person may object to the grant of a licence within 7 days of the notice being published.

### 1. Details of applicant

Title: Mr  Mrs  Miss  Ms  Other

Last Name:

Given Name(s):

Date of birth:  /  /

Residential Address:

Postal Address:   
(If different from above)

Address for service of notices: (Cannot be a PO Box)  
See section 36 of the *Real Estate and Business Agents Act 1978*

Work phone: (  )  Mobile:

Email address:

Note: Your nominated email address will be used for contact purposes, please ensure that the email address provided in this application is correct and that you notify the Department of any future changes.

Department of Commerce  
Consumer Protection  
Ground floor "Forrest Centre"  
219 St Georges Terrace  
PERTH WA 6000

Locked Bag 14  
Cloisters Square WA 6850

Licensing Advice Line  
8:30am to 5.00pm  
Monday to Friday  
Tel: 1300 30 40 64

Overseas Callers  
+61 8 9282 0459

Email  
[licensingenquiries@commerce.wa.gov.au](mailto:licensingenquiries@commerce.wa.gov.au)

Web Site  
[www.commerce.wa.gov.au/CP/licences](http://www.commerce.wa.gov.au/CP/licences)

Consumer Protection Advice Line  
Tel: 1300 30 40 54

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## 2. Character

Please answer the following questions about yourself.

	Yes	No
(a) have you ever been convicted of, or found guilty or, ANY offences anywhere? (include all traffic offences that went to court but do not include spent convictions)		
(b) are you presently under a probation order, good behaviour bond, on parole, released on licence or subject to periodic detention?		
(c) are you aware of any proceedings pending against you for an offence, including proceedings by way of appeal or review?		
(d) have you ever been disqualified from holding a licence by any occupational licensing Board, agency, other Departments or authorities anywhere?		
(e) had any occupational licence or application refused, cancelled or suspended?		
(f) Have you ever been, known by any other names?		

If the answer to any of the above items was 'Yes', full details must be provided on a separate attached sheet of paper.

## 3. National Police Certificate

The *Real Estate and Business Agents Act 1978* requires any applicant applying for a real estate and business agent licence to be of good character and repute, and a fit and proper person to hold a licence. Please attach to this application **an original or duly certified copy of a National Police Certificate** which is **no more than three months old**. Original document will not be returned.

Please see [www.commerce.wa.gov.au/cp/authorisedwitness](http://www.commerce.wa.gov.au/cp/authorisedwitness) for a list of occupations authorised to certify documents.

The National Police Certificate can be obtained through participating Australia Post outlets in Western Australia (please see [www.police.wa.gov.au](http://www.police.wa.gov.au) for further information).

## 4. Business Details

**A)** If you are seeking a licence for the purpose of operating in the real estate industry on behalf of a different entity/agency, what is the name of the entity/agency and please outline your role within that business?

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**B)** If you intend to operate as a sole trader, please provide the following:

**Business Name** (if applicable):

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NOTE: Every applicant who intends to carry on business under a business name must have that business name registered under the *Business Names Registration Act 2011* with the Australian Securities and Investments Commission. For information about business names registration requirements visit [www.asic.gov.au](http://www.asic.gov.au).

**Principal Place of Business:**

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**Branch Address(es)** (if applicable):

See section 37 of the *Real Estate and Business Agents Act 1978*

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**Name of Branch Manager:**

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**Triennial Certificate No of Branch Manager:** RA

Attach additional sheet if necessary

Do you intend to operate under a **franchise agreement**? Yes  No

If you answered yes, please provide a copy of the franchise agreement.

## 5. Financial and Audit Information

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The Commissioner for Consumer Protection cannot grant a licence unless (s)he is satisfied that the applicant has sufficient material and financial resources available to comply with the requirements of the Act.

### Confidential Statement of Assets and Liabilities

<b>Assets</b>	<b>\$</b>
<b>Liabilities</b>	<b>\$</b>
<b>Net Worth</b>	<b>\$</b>

Do you intend to receive or hold trust monies? Yes  No  If you answered **yes**, complete the following:

### Details of Auditor

Name of auditor appointed to audit trust account(s):

Address of auditor:

This auditor is a duly registered company auditor: Yes  No

**Please attach a letter of consent from the nominated auditor** (a pro forma consent letter is available on the Department's website). Please note that the auditor cannot be your accountant and must be fully independent of your business. The independence policy extends to any employee of the agency or audit firm, partner of the agency or audit firm, and relative of either party.

In accordance with section 68 of the Act, if you intend to hold trust money, you must maintain one or more trust accounts, designated or evidenced as such in the prescribed manner and maintained exclusively for the purposes of the Act, with an authorised financial institution and, as soon as practicable, pay to the credit of that account or those accounts all moneys received on behalf of any other person.

## 6. Qualification and Experience

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### Qualifications

To apply for a real estate and business agent licence you must have one of the following prescribed qualifications from a registered training organisation:

- Diploma of Property (Real Estate) together with the examinations conducted by a registered training provider in the following three units:
  - (i) 15826 — Rural Sales;
  - (ii) 15825 — Selling Businesses; and
  - (iii) 15892 — Real Estate Law.
- Diploma of Property Services (Agency Management) CPP50307
- Bachelor of Commerce (Property and Marketing) or a Bachelor of Commerce (Property) by Curtin University of Technology;

Please note that proof of having a qualification includes a statement of examination results and a copy of your certificate or verification letter from the educational institution.

### Experience

Under the *Real Estate and Business Agents Act 1978* you are required to have **at least two years continuous full-time experience** in the real estate industry immediately preceding your application.

Please provide a signed, dated and detailed list of your real estate activities and transactions including:

- details of business transactions such as the sale of businesses;
- sales transaction details such as the date, address of property, value/price, and whether it was a conjunctional sale;
- property management transaction details such as a description of properties managed (e.g. house, flat or shop);
- leasing transaction details such as a description of properties leased (e.g. retail, commercial or residential); and
- a current resume which details your prior employment history for two years preceding this application.

## 7. Business References

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You must provide two business references. The references must be in the pro forma (see Appendix 1). References from relatives or partners will not be accepted and at least one reference must be from a person external to your current place of employment.

## 8. Declaration of Applicant and Authorisation to the Commissioner

You are advised that permitting another person to use your licence or triennial certificate attracts penalties and the possibility of cancellation of the licence.

I, ....., sincerely declare as follows: -

1. That the particulars and answers given in respect of this application, are to the best of my knowledge and belief, complete, correct and true and that the attachments hereto are what they purport to be.
2. In order to assess of this application, I give authorisation to the Commissioner, or persons (s)he directs, to obtain on my behalf copies of:
  - (a) current or historical criminal records relating to any offence committed by me or an associated person/entity;
  - (b) any statements of fact for proceedings to which I, or an associated person/entity, have been a party;
  - (c) any court transcript or records for proceedings to which I, or an associated person/entity, have been a party;
  - (d) any decision in proceedings before any Board to which I, or an associated person/entity, have been a party;
  - (e) any other document or file relating to another occupational licence/registration that I have held or for which I, or an associated person/entity, have applied; and/or
  - (f) any other document or file that may be necessary to assist the Commissioner with assessment of this application.
- 3 I agree, during the currency of this application, to do all things necessary to assist the Commissioner in obtaining the above records upon request.
- 4 I confirm I understand fully the duties and obligations imposed on myself under the *Real Estate and Business Agents Act 1978*, Regulations, and associated Code of Conduct.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Declared at (address)

Dated this

day of

20

Applicant's Signature

In the presence of:

Witness' Signature

Print Name of Witness

Qualification as such a witness (e.g. JP, Public Servant, etc)

Refer to section 12 and schedule 2 of the *Oaths, Affidavits and Statutory Declarations Act 2005* for the list of Authorised Witnesses or visit [www.commerce.wa.gov.au/CP/authorisedwitness](http://www.commerce.wa.gov.au/CP/authorisedwitness)

**Any person who knowingly makes a statement that is false in a material particular in a statutory declaration is guilty of a crime and is liable to imprisonment for 5 years and a fine of \$24,000.**

## 9. Application Checklist

Prior to submitting your application, please complete this checklist, attaching your application and supporting documentation in order set out below:

Prescribed fee (Please complete credit card details below or make a cheque payable to the Commissioner for Consumer Protection)	
An original National Police Certificate (not more than three months old);	
Two references (see Appendix 1 pro forma);	
Statement of experience (curriculum vitae);	
List of transactions;	
Certificate of completion for educational qualifications;	
Letter of consent from the nominated auditor (if applicable);	
Copy of franchise agreement (if applicable)	

Your completed application may be forwarded by post to:  Department of Commerce, Consumer Protection Licensing Branch Locked Bag 14, Cloisters Square PERTH WA 6850	Or delivered in person to:  Department of Commerce Ground Floor, Forrest Centre 219 St Georges Terrace PERTH WA 6000
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**An incomplete or inaccurate application can not be assessed. If you need help completing this form please contact the Licensing Advice Line on 1300 30 40 64.**

## 10. Application Fee

A Triennial Certificate is granted for a three (3) year period. The total fee payable includes a triennial certificate/licence fee, an application fee and a contribution to the fidelity guarantee fund.

A list of current fees is available on our website at [www.commerce.wa.gov.au/CP/licensingfees](http://www.commerce.wa.gov.au/CP/licensingfees).

Cheques should be made payable to the Commissioner for Consumer Protection. For payment by credit card, please complete the details below:

## 11. For Credit Card Payment – applicant to complete

Card Type      Visa       Mastercard

Card Number                          

Expiry Date        /

Card Holder       *Please print*

Signature/Authorisation



Government of **Western Australia**  
Department of **Commerce**  
Consumer Protection

**REAL ESTATE AND BUSINESS AGENT  
BUSINESS REFERENCE TEMPLATE**

- References from relatives/partner, subordinates, business partners or co-directors will not be accepted.
- At least one reference must be from a person external to the applicant’s current place of employment.
- **References should be as detailed as possible but include only information that is relevant to the applicant’s suitability to hold a real estate agent’s licence. Any additional relevant information should be attached.**
- Applicants must have a minimum of two years’ full-time relevant experience in the preceding five years. References should outline the applicant’s relevant experience within this period.
- Where Consumer Protection is unable to determine the applicant’s suitability to hold a real estate agent’s licence due to insufficient information being provided in support of the application, the reference will not be accepted.

The information provided will assist the Commissioner for Consumer Protection in determining whether the applicant is of good character and repute, and a fit and proper person to be granted a real estate agent’s licence, pursuant to section 27 of the *Real Estate and Business Agents Act 1978*.

**Individual for whom reference provided:** \_\_\_\_\_  
(the applicant)

**Questions** (to be completed by the referee)

1. How long have you known the applicant? .....
2. Are you related to the applicant in any way? .....
3. What is the capacity and extent of your business relationship (and social relationship, if any) with the applicant?  
.....  
.....  
.....  
.....
4. Please indicate, to the best of your knowledge, the type, scope and extent of the applicant’s real estate experience in the last five years .....

**General fitness of applicant to hold a real estate licence:**

I consider the applicant to be a person of good character and repute and a fit and proper person to hold a licence.

I believe that the applicant reasonably understands the duties and obligations imposed on them by the *Real Estate and Business Agents Act 1978*.

I am not aware of any reason why the applicant would not be eligible for, or should not be granted, a real estate agent’s licence.

I am not aware of any reason why the applicant may not have sufficient material and financial resources available to comply with the requirements of the *Real Estate and Business Agents Act 1978*.

I believe the applicant to be capable of carrying on the business of a real estate agent with the general public without supervision.

**Referee’s Name** (please print) .....

**Job title/Place of Employment** .....

**Contact Number** .....

**Declaration**

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I, .....(referee), sincerely declare that the particulars and answers given in respect of this reference are, to the best of my knowledge and belief, complete, correct and true and that the attachments hereto are what they purport to be.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

**Declared at**

**Dated this**  day of  20

**Referee’s Signature**

**In the presence of:**

**Witness’ Signature**

**Print Name of Witness**

**Qualification as such a witness (e.g. JP, Public Servant, etc.)**

Refer to section 12 and schedule 2 of the *Oaths, Affidavits and Statutory Declarations Act 2005* for the list of Authorised witnesses or visit [www.commerce.wa.gov.au/CP/authorisedwitness](http://www.commerce.wa.gov.au/CP/authorisedwitness).

**Any person who knowingly makes a statement that is false in a material particular in a statutory declaration is guilty of a crime and is liable to imprisonment for 5 years.**