



Australian Government

Department of Education, Employment and Workplace Relations

CPPDSM4002A Apply knowledge of state or territory legislative and regulatory framework to complete agency work

Release: 1

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Modification History

Not Applicable

Unit Descriptor

Unit descriptor

This unit of competency specifies the outcomes required to apply knowledge of state or territory legislative and regulatory framework to real estate agency operations. The unit is directed at licensed real estate agents, real estate representatives and agency support staff members who move between States and Territories and need to be aware of the legislative and regulatory frameworks that apply to real estate operations in different jurisdictions. It includes sourcing and applying information on the real estate industry and the relevant legislation and regulations affecting agency operations in one or more States or Territories. The unit may form part of the licensing requirements for persons engaged in real estate activities in those States and Territories where these are regulated activities.

Application of the Unit

Application of the unit

This unit of competency supports the agency work of licensed real estate agents, real estate representatives and agency support staff. It is particularly relevant for licensed real estate agents, real estate representatives and agency support staff who seek to relocate and resume practice in a different State or Territory of Australia.

Licensing/Regulatory Information

Refer to Unit Descriptor

Pre-Requisites

Prerequisite units Nil

Employability Skills Information

Employability skills The required outcomes described in this unit of competency contain applicable facets of employability skills. The Employability Skills Summary of the qualification in which this unit of competency is packaged, will assist in identifying employability skills requirements.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.

Performance criteria describe the required performance needed to demonstrate achievement of the element. Where ***bold italicised*** text is used, further information is detailed in the required skills and knowledge and/or the range statement. Assessment of performance is to be consistent with the evidence guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1 Source and apply information on real estate industry in relevant State or Territory.	<p>1.1 <i>Sources of information</i> on the real estate industry in relevant State or Territory are identified and accessed.</p> <p>1.2 <i>Information</i> is obtained to assist effective work performance within the industry.</p> <p>1.3 Information on <i>related industries</i> is sourced.</p> <p>1.4 Knowledge of the real estate industry is applied in the correct context to enhance <i>quality of work performance</i>.</p> <p>1.5 Current <i>issues of concern</i> to the industry are monitored.</p> <p>1.6 Updated knowledge is shared with clients and colleagues as appropriate and incorporated into day-to-day work activities.</p>
2 Source and apply relevant state or territory legislation and regulations affecting agency operations.	<p>2.1 Sources of information on state or territory legislation and regulations affecting agency operations are identified and accessed.</p> <p>2.2 Relevant state and territory <i>legislation and regulations</i> are obtained to assist effective work performance.</p> <p>2.3 Day-to-day <i>real estate industry activities</i> are conducted according to relevant legislative and regulatory requirements.</p>

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the essential skills and knowledge and their level, required for this unit.

Required skills:

- ability to communicate with and relate to a range of people from diverse social, economic and cultural backgrounds and with varying physical and mental abilities
- analytical skills to interpret documents such as legislation, regulations and codes of conduct
- application of risk management strategies associated with applying legislation, regulations and codes of practice relevant to real estate operations
- computing skills to access agency databases, compose electronic documents and complete standard and statutory forms online
- decision making and problem solving skills to analyse situations and make

REQUIRED SKILLS AND KNOWLEDGE

- decisions consistent with state or territory legislative and regulatory requirements
- literacy skills to access and interpret a variety of texts, including legislation, regulations and codes of practice; prepare general information and papers; prepare formal and informal letters, reports and applications; and complete standard and statutory forms

REQUIRED SKILLS AND KNOWLEDGE

- planning, organising and scheduling skills to access and maintain copies of legislation, regulations and codes of conduct
- research skills to identify and locate state and territory legislation, regulations and codes of conduct relevant to real estate operations.

Required knowledge and understanding:

- ethical standards
- real estate codes of conduct
- relevant federal, and state or territory legislation and local government regulations relating to:
 - anti-discrimination and equal employment opportunity
 - consumer protection, fair trading and trade practices
 - employment and industrial relations
 - environmental issues
 - financial services
 - franchises and business structure
 - OHS
 - privacy
 - property sales and management
 - real estate licensing
- risks and risk management strategies
- sources of information on state or territory legislation and regulations affecting real estate operations
- sources of information on the real estate industry at state or territory level
- statutory records
- written communication, such as letters and emails.

Evidence Guide

EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, the range statement and the Assessment Guidelines for this Training Package.

Overview of assessment

This unit of competency could be assessed through case studies and practical demonstration of knowledge and application of legislative and regulatory requirements relevant to real estate operations in relevant State or Territory. Targeted written (including alternative formats where necessary) or verbal questioning to assess the candidate's underpinning knowledge would provide

additional supporting evidence of competence. The demonstration and questioning would include collecting evidence of the candidate's knowledge and application of ethical standards and relevant federal, and state or territory legislation and regulations. This assessment may be carried out in a simulated or workplace environment.

Critical aspects for assessment and evidence required to demonstrate competency in this unit

A person who demonstrates competency in this unit must be able to provide evidence of:

- knowledge of legislative and regulatory framework applying to real estate agency operations in relevant State or Territory
- knowledge of real estate industry required to work effectively in relevant State or Territory
- sourcing and applying information on the real estate industry in relevant State or Territory
- sourcing and applying legislation and regulations affecting agency operations, particularly property sales and management, in relevant State or Territory.

Context of and specific resources for assessment

Resource implications for assessment include:

- access to suitable simulated or real opportunities and resources to demonstrate competence
- assessment instruments that may include personal planner and assessment record book
- access to a registered provider of assessment services.

Where applicable, physical resources should include equipment modified for people with disabilities.

Access must be provided to appropriate learning and/or assessment support when required.

Assessment processes and techniques must be culturally appropriate, and appropriate to the language and literacy capacity of the candidate and the work being performed.

Validity and sufficiency of evidence require that:

- competency will need to be demonstrated over a period of time reflecting the scope of the role and the practical requirements of the workplace
- where the assessment is part of a structured learning experience the evidence collected must relate to a number of performances assessed at different points in time and separated by further learning and practice with a decision of competence only taken at the point when the assessor has complete confidence in the person's competence
- all assessment that is part of a structured learning experience must include a combination of direct, indirect

and supplementary evidence

- where assessment is for the purpose of recognition (RCC/RPL), the evidence provided will need to be current and show that it represents competency demonstrated over a period of time
- assessment can be through simulated project-based activity and must include evidence relating to each of the elements in this unit.

In all cases where practical assessment is used it will be combined with targeted questioning to assess the underpinning knowledge. Questioning will be undertaken in such a manner as is appropriate to the language and literacy levels of the candidate and any cultural issues that may affect responses to the questions, and will reflect the requirements of the competency and the work being performed.

Range Statement

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. ***Bold italicised*** wording in the performance criteria is detailed below. Add any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts.

Sources of information may include:

- agency principals
- colleagues, supervisors and managers
- government agencies
- industry and government websites
- industry and professional organisations and associations
- industry conferences and seminars
- industry consultants, contacts, mentors and advisers
- industry journals
- information services
- libraries
- licensed real estate agents
- media
- personal observation and experience
- reference books
- training programs
- training providers
- written correspondence, such as letters and emails.

Information may include:

- career opportunities within the industry
- environmental issues and requirements
- industrial relations issues and major organisations
- industry expectations of staff
- industry working conditions
- new products, technology, techniques and services
- organisation of the real estate industry
- quality assurance
- relationships between the real estate industry and other industries
- work ethic required to work in the industry.

Related industries may include:

- banking
- business
- construction
- finance
- retail
- rural
- sales.

Quality of work performance may include:

- client service
- compliance with codes of conduct
- compliance with legislative and regulatory requirements
- ethical standards
- knowledge of property sales and management environment.

Issues of concern may include:

- emerging markets
- employment issues
- environmental and social issues
- government initiatives
- industry expansion or retraction
- new services and products.

Legislation and regulations may include:

- relevant federal, and state or territory legislation and local government regulations relating to:
 - anti-discrimination and equal employment opportunity
 - consumer protection, fair trading and trade practices
 - employment and industrial relations
 - environmental issues
 - financial services
 - franchises and business structure
 - OHS
 - privacy

Real estate industry activities may include:

- property sales and management
- real estate licensing.
- business broking
- property development
- property management
- property sales.

Unit Sector(s)

Unit sector Property development, sales and management

Competency field

Competency field Real estate