



Australian Government

CPPREP4503 Present at hearings in real estate

Release: 1

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Modification History

Release 1 This version first released with CPP Property Services Training Package Release 8.0.

Supersedes and is equivalent to CPPDSM4020 Present at tribunals.

Updated to meet industry currency.

Application

This unit specifies the skills and knowledge required to appear effectively before a hearing.

It includes preparing for hearings, using hearing etiquette, participating in conciliation hearings and presenting a case to a hearing.

The unit applies to industry professionals acting on behalf of principals in real estate.

State or territory licensing requirements may apply to this unit.

Pre-requisite Unit

Nil

Unit Sector

Real estate

Elements and Performance Criteria

Elements describe the essential outcomes.	Performance criteria describe what needs to be done to demonstrate achievement of the element.
1. Prepare case for hearing.	1.1 Examine the process for making an application for a hearing. 1.2 Access and interpret decisions and precedents relevant to the matter to be heard. 1.3 Prepare and analyse evidence and other documentation required for the hearing. 1.4 Seek advice from appropriate professionals to assist in preparing for the hearing. 1.5 Determine the need for expert witnesses and explain their role in the hearing.

	1.6 Participate in pre-hearing briefings.
2. Prepare documents and coordinate attendees for hearing.	2.1 Complete documentation required for application accurately. 2.2 Prepare documents for presentation to hearing. 2.3 On receipt of hearing details, coordinate documents and attendees.
3. Participate in conciliation process.	3.1 Determine purpose and role of conciliation in the hearing process. 3.2 Explore opportunities to resolve the matter through conciliation. 3.3 Disclose documented evidence to be used in the hearing. 3.4 Assess offers of conciliation against the likely outcome of continuing with the hearing. 3.5 Record relevant information during the conciliation process.
4. Use hearing etiquette.	4.1 Use appropriate protocols for entering, participating in and leaving the hearing. 4.2 Use appropriate manner and relevant language when addressing the hearing.
5. Present case at hearing.	5.1 Apply hearing rules and procedures. 5.2 Outline the case clearly and concisely. 5.3 Respond appropriately to submissions from respondents. 5.4 Respond appropriately to hearing questions and directions.
6. Complete hearing processes.	6.1 Request statement of reasons for hearing decision. 6.2 Notify and explain hearing outcome to interested parties. 6.3 Complete documentation and reports, and store according to agency practise.

Foundation Skills

This section describes the language, literacy, numeracy and employment skills essential to performance in this unit but not explicit in the performance criteria:

- planning, organising and scheduling skills to prepare for and participate in conciliation and hearings
- oral communication skills to clarify procedures and respond to questions in conciliation and hearing processes.

Unit Mapping Information

Supersedes and is equivalent to CPPDSM4020 Present at tribunals.

Links

Companion volumes to this training package are available at the VETNet website -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b>

Assessment Requirements for CPPREP4503 Present at hearings in real estate

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Performance Evidence

To demonstrate competency in this unit, a person must prepare and present one case for a simulated conciliation session and one case for a simulated hearing in real estate.

In doing this, the person must meet the performance criteria for this unit.

Knowledge Evidence

To be competent in this unit, a person must demonstrate knowledge of:

- Commonwealth and state or territory legislation, and local government regulations relevant to presenting at hearings in real estate
- disclosure requirements relevant to presenting at hearings in real estate
- ethical standards relating to presenting at hearings in real estate
- protocols to follow when presenting at hearings in real estate
- purpose and role of conciliation in the real estate industry
- role and jurisdiction of hearings of matters relating to property operations
- key features of the rules of evidence
- powers and role of property-related hearings
- hearing procedures and requirements
 - documentation required for applications to hearings
 - procedure to be followed for presenting a case to a hearing
 - procedure to be followed where a matter has been settled prior to hearing
 - process for making an application to a hearing
 - role of expert witnesses
- hearing etiquette.

Assessment Conditions

Assessors must satisfy the requirements for assessors listed in the Standards for Registered Training Organisations.

Assessment must be conducted in a simulated workplace environment.

Assessors are responsible for ensuring that the person demonstrating competency has access to:

- detailed scenario and associated documentation for a complex real estate matter that is sufficient to provide a realistic simulation of a conciliation process and a hearing
- relevant policies, procedures and associated documentation meeting the full industry standard for a mid-size real estate agency
- role descriptions for people participating in role-play exercises
- equipment, communication and data access and storage technology required for research and documentation.
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