

Joint Sole Agencies

Information Sheet for Licensees

This information sheet outlines the Real Estate Agents Disciplinary Tribunal's (The Tribunal) view of best practice for the industry when dealing with joint sole agencies¹.

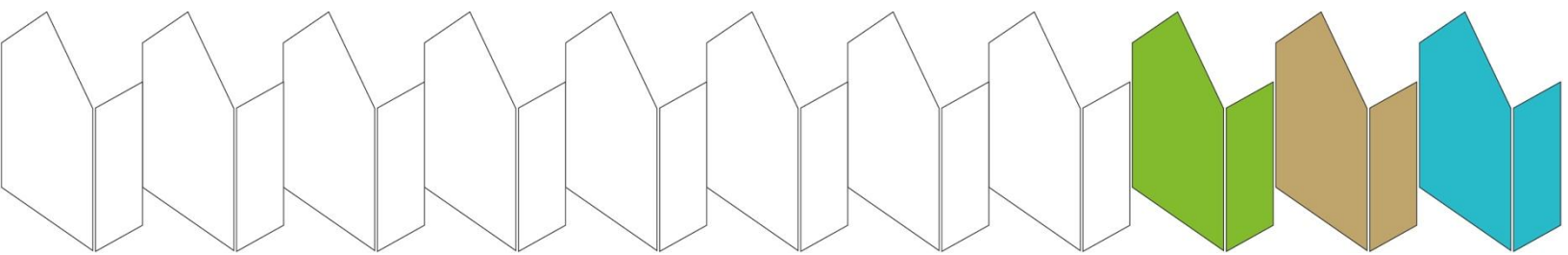
What should I do?

- You must give the vendor/client a copy of the Real Estate Agents Authority's booklet "New Zealand Residential Property Agency Agreements Guide."
- Record, in writing, the arrangements between the agencies at the time the listing agreement is signed. The arrangements are to include:
 - Commission sharing, who receives what and on what basis
 - Open home times (if sharing open homes)
 - Marketing information
 - Signage (shared signage or separate)

This is to avoid any misunderstanding and to ensure that the marketing and commission sharing arrangements are transparent, and to avoid the vendor/client being placed at risk of paying two commissions.

- You must give a copy of the conjunctional arrangements to each party including the vendors.
- If the property is being sold as a result of a separation, the agent listing the property should ensure that they get the signature, or at the very least email or written confirmation, from the other party that they are happy for the property to be sold by that agency.

¹ Gary Murphy v The Real Estate Agents Authority(CAC 10060) and Venita Posa ([2012] NZREADT 11)



This information has been prepared by the Real Estate Agents Authority (the Authority). This information is a guide only and is not intended to form professional legal advice or legal opinion on any particular matter. Version 1.0 24 April 2012.

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To the best of the Real Estate Agents Authority knowledge, the information in this guide is accurate at the date shown below. However, the requirements on which this information is based can change at any time and the most up-to-date information is available at www.reaa.govt.nz [Version 1.2, 22 March 2012].

