

## Licensing, Regulation and Alcohol Strategy

### Dealing with a Real Estate Agent

**If you are looking to sell a property, chances are you will deal with a real estate agent or an agent's representative. This fact sheet provides a guide to choosing and appointing an agent.**

#### Licensed To Deal

A property transaction can be undertaken directly between a buyer and seller without the services of a real estate agent.

Chances are however, if you are looking to sell a property, that you will deal with a real estate agent or an agent's representative.

Anyone who is in the business of buying, selling, leasing or otherwise dealing with real estate on behalf of any other person must hold a real estate agent's licence or registration as an agent's representative and follow a Code of Conduct.

Before dealing with an agent or an agent's representative you should establish that they are licensed or registered in the Northern Territory. You can conduct a check of the public register by telephoning Property Agents Licensing on 8999 1800.

Agents who are members of the Real Estate Institute of Northern Territory Inc. (REINT) must also follow the REINT's Code of Conduct. To find an REINT Member Agent, visit [www.reint.com.au](http://www.reint.com.au) and follow the prompts to find a member in your local area.

Dealing with a licensed agent provides consumer protection if things go wrong.

#### Appointing a Real Estate Agent

An agent acts in your own interests and delivers a range of crucial services, for a fee. In relation to the sale of a property, the agent has a duty to sell your home for the best price possible, as quickly as possible.

To find the right agent for your needs, you should shop around. It is important to deal with an agent you know you can trust and one that will best serve you. It may be worth your while to:

- find out if the agent has a sound knowledge of your area and what properties the agent has recently sold and at what price;
- check that the agent has a good reputation with clients and the real estate industry;

#### LICENSING, REGULATION AND ALCOHOL STRATEGY

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##### Katherine

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##### Alice Springs

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- discuss the agent's service and professional standards; and
- get a list of the agent's fees.

### **Signing Up With an Agent**

Before an agent can sell a property, a sales agency agreement must be signed with the client. This agreement authorises the agent to sell your property. As it is a legally binding contract, it is important that you read and understand it. If you do not understand the terms and conditions or if you are unsure of anything, ask for clarification or seek legal advice. You have the right to negotiate with the agent about the terms and conditions of the agreement and to ask for any legally permitted changes to be made.

An agreement will specify the services the agent will provide for you and the amount of any fees or commission you agree to pay for those services. It should also cover the extent of the agent's authority to act for you and the estimated selling price of the property.

Commission rates are not set under the *Agents Licensing Act*. You can negotiate the amounts of any commissions, fees or other expenses that you may be required to pay the agent.

Before signing an agreement you should talk to a few agents and compare their services and fees.

### **What the Seller Can Expect From the Agent**

When you appoint an agent to sell your property you can generally expect the agent to:

- provide an estimated selling price of the property;
- recommend the best method of sale;
- advertise and market the property and provide a marketing plan;
- organise and attend "open inspections" and individual inspections by potential buyers;
- attract prospective buyers;
- organise an auction, if applicable;
- communicate offers; and
- arrange for the formal acceptance of an offer to purchase or the preparation of a contract of sale.

### **Ending the Agreement**

The agreement usually has a specified period during which the agreement cannot be ended, unless both parties agree. If the agreement is open ended, that is, it does not specify a fixed term, it must state how the agreement can be ended.

If you are not happy with an agent's service, it is important to properly end the agreement before signing up with another agent. Otherwise, you may be charged commission by both agents when the property is sold.