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# Contents

**MARCH 2013** 

#### **REGULARS**

05 President's message

05 CEO's message

06 In brief

40 Training calendar

44 New members

45 Research

46 Last word

**NEWS** 

Super changes

need to know.

There are superannuation changes

afoot for the real estate sector.

REI Super summarises what you

08

#### **INDUSTRY FOCUS**

LO

A time for renewal

Is spring the best time to auction?

12

Under the hammer

NSW Fair Trading has put real estate agents on notice.

14

Stellar trajectory

D'Leanne Lewis shares life guidelines.

#### **IN BUSINESS**

16

How to get a business loan

So just how do you get the money from the bank?

34

Watch your Ps

How LJ Hooker boosts efficiency.

**LEGAL** 

18

Hidden danger

Real estate agents have an important duty of care relating to the presence of asbestos.

#### **TECHNOLOGY**

31

Best business tools

Apps to help you spend less time on admin and more time selling.

#### **DIVISIONS**

35

Passing the torch

The Illawarra Division boasts a proud history and the new Chair plans to carry on the good work.

#### **CHAPTERS**

36

An international flavour

Overseas investors continue their love affair with Australian property

37

Focusing on the investor

How to help advise your investor clients.

38

Guidelines for rental increases

Make sure rental increases are notified correctly.

#### ON THE COVER

20

Recognition and reward

Ways to keep your staff passionate about their work.

22

COVER STORY
Man of the community

What makes eco-warrior and community champion Jeremy Martin tick?

26

Best foot forward

Tips to build investor relationships that last.

28

Don't let bad reviews derail you

How to handle negative comments on social media.

32

The power of persistence

Determination helps you bring your dreams alive.

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#### **PRESIDENT**



### Green thoughts

Featuring in this month's edition is a story on sustainability. Certainly not a new concept; energy management and sustainability programs are now widely recognised as benefiting a business' bottom line, as well as our planet.

The real estate industry is one with opportunities to contribute. We should be looking for areas to make energy improvements within our own businesses, and we should disseminate the information about green credentials of properties to potential buyers and landlords.

Within your own businesses, 'being green' can mean many things, as there are numerous ways in which we can reduce our company's carbon footprint. Consider your business' emissions. Are there ways in which you can reduce your gas, water and electricity usage? Are you recycling? What about your overall waste - can it be reduced? What energy ratings do the appliances in your offices have? How do you feel about your travel emissions?

I have been asking myself some questions with regard to my own agency. How does my team benefit from our sustainability practices? Is ours a safe workplace? Do we offer flexible working arrangements? How is our team giving to the wider community? Do we encourage it? It's important to remember that sustainability initiatives

that complement your core business strategies will help you attract and retain staff, as well as providing significant cost savings.

#### What's on the horizon?

Cost benefits also exist in environmentally savvy homes. Conveying these savings to the market is the responsibility of the agent and it's in our best interest. Long-term cost benefits of reduced utility bills and greenhouse gas savings are one thing, but the human and health comforts associated with efficient and eco-friendly homes should also be highlighted.

It's been proposed that providing this type of information to consumers is mandatory at point of lease or sale, so now is the perfect time to brush up on your knowledge of sustainability concepts in residential properties.

With rising water and energy costs, the homes and businesses being 'future proofed' using environmental design features and energy management will undoubtedly improve the quality and comfort for the buyer and for your team.

£ y

Christian Payne
REINSW President

#### **CEO**



### Homebuyer incentives

Figures recently released by the Australian Bureau of Statistics show a sharp decline in the number of loan approvals for first homebuyers. There is no doubt that there is a direct correlation between this and the decision by the NSW Government to remove the incentives for first homebuyers purchasing existing properties.

The NSW Government's strategy of directing first homebuyers towards new property in an attempt to solve the housing shortage is fundamentally flawed because it assumes that demand is creating the problem. In reality, the real issue facing the market is supply and, from a first homebuyer's perspective, affordable housing, particularly in and around Sydney.

So what are the inhibitors of supplying more housing to market? The answer is simple. A convoluted, time-consuming and expensive planning system, and a taxation regime at all levels of government that disproportionately burdens property when compared with other assets traded in the market.

The combination of these two factors burdens property so that an insufficient number of properties find their way to market and those that do are artificially inflated in price due to the inclusion of planning costs and unjust property taxation.

Importantly it should also be understood that first homebuyers are often the catalyst for other property activity in the market. When this link in the chain is removed, it has adverse flow-on effects throughout the rest of the market.

The recent ABS figures clearly show the removal of the first homebuyers' incentives has most certainly disturbed the market, which ironically has reduced the volume of property transactions from which the NSW Government derives stamp duty revenue.

There are also far greater issues for the future of NSW. If we do not get this right there could be major implications for everyone. It would be a travesty if first homebuyers found it so difficult to buy a property in NSW that they were enticed to another state. The lack of affordability means that we could be losing the best and brightest young people, and this must be of grave concern.

It is imperative that the first homebuyers' incentive for the purchase of existing property be reintroduced and that the NSW Government acts quickly to resolve this issue before it gets out of hand. We will continue to lobby for the re-introduction of these incentives as their importance should not be underestimated.



Tim McKibbin REINSW CEO

### Keep your finger on the pulse with The Hub@REINSW

New in 2013 is REINSW's fortnightly member email newsletter: The Hub@REINSW.

To make life easier for members, we have now centralised all of the updates and information we send to you via email into a single newsletter. Now there'll be no more clogging up your inbox.

Exclusive to REINSW members, The Hub features the latest lobbying and legislation news, industry updates, information about member benefits, and links to key research and data – all accessible in one central location and delivered straight to your inbox each fortnight.

You'll also find links to upcoming training courses, webinars and more, so you can plan your professional development throughout the year.

In short, The Hub is your source for all things REINSW!

We're sure you'll find The Hub useful, and that it will quickly become essential reading for you and an important reference tool.

Let us know what you think by emailing thehub@reinsw.com.au





# Housing construction recovers

According to the latest *Business Outlook* report from Deloitte Access Economics, it is forecasted that there will be a 9.7 per cent rise in private housing investment in NSW in 2013–2014, followed by annual rises of 9.3 per cent, 8.4 per cent and 11.1 per cent in the three subsequent years to 2016–2017.

The lift in housing construction, part of a national recovery sparked by lower interest rates, is expected to drive an overall improvement in the state's economy – something we can all look forward to.

# First homebuyers could leave NSW

ABS figures show that property sales for first homebuyers have plummeted to a 20-year low since the NSW Government removed incentives last year for first homebuyers purchasing existing properties.

"The strategy of the government to direct first homebuyers towards new property is flawed because it suggests demand is the issue, when in fact *supply* is the issue," said REINSW President Christian Payne.

The lack of affordability or incentives, Christian said, means that NSW could be losing the best and brightest young people.

"First homebuyers are an essential link in the chain of the entire market and by excluding them it causes a great disturbance," he said.

REINSW has long argued that more needs to be done to stimulate the property market. We will continue to lobby the government for reform.



# Proposal to repeal protected tenancy laws

As part of its ongoing commitment to reduce administrative red tape, the NSW Government is proposing to repeal the Landlord and Tenant Act 1899 and the Landlord and Tenant (Amendment) Act 1948.

The Landlord and Tenant (Amendment) Act was enacted to provide legal protection for war veterans returning home.

The legislation created special rights for a small number of protected tenants, which also meant that landlords were not responsible for maintaining and repairing 'protected' premises as they could not charge market prices for rent.

"While it is possible that no protected tenancies remain, some stakeholders have expressed concern that, if there are some, removing the legislation would put these tenants at risk of significant rent increases or eviction," said a representative from NSW Fair Trading.

"The absence of accurate and reliable data on protected tenancies makes it impossible to contact and consult with affected parties. It is proposed that the Act be repealed, with transitional provisions giving any remaining protected tenants a 12-month grace period to secure alternative affordable housing."

The second Act that is proposed to be repealed is the Landlord and Tenant Act, which now only contains a small number of provisions, mainly dealing with eviction processes in the Local Court. The modern day tenancy laws (most recently updated in the Residential Tenancies Act 2010) provide for eviction processes through



The modern day tenancy laws provide for eviction processes through the Consumer, Trader and Tenancy Tribunal (CTTT), rather than through the courts.

the Consumer, Trader and Tenancy Tribunal (CTTT), rather than through the courts. "The Act has no practical application or relevance in today's society," the proposal reads.

"The Chief Magistrate of the Local Courts has advised that cases under the Act are very rare; the Courts have details of only three matters under this Act in the last five years ... with none proceeding to hearing and all being settled out of court."

REINSW made a submission in response to the proposal to repeal these Acts. If you would like to download a copy of the REINSW submission, please visit reinsw.com.au/lobbying

### New Graph Search on Facebook

Social media has become more than a buzzword: it is now an integral part of any savvy business strategy – and that applies to real estate agencies as well.

If you are not making use of social media, dozens of potential vendors and buyers could be slipping through your grasp.

Facebook recently announced a new social search feature called Graph Search (facebook.com/about/graphsearch), which allows users to search the content on their friends' Facebook platform.

This feature could revolutionise the way personal recommendations for all things real estate are shared.

The new search tool gathers results from your own network and public profiles, meaning anyone looking for a new home could find real estate agents that their friends recommend quickly and easily, agents who might be friends of friends, or who have been 'liked' by their network, for example.

Word-of-mouth recommendations – one of the most powerful marketing tools available – will become much more accessible with this new Facebook feature.

If you don't have a social media strategy in place, there are experts who can advise you on how to make best use of this powerful medium.

# Super changes



There are superannuation changes afoot for the real estate sector in 2013. REI Super explains what employers need to know.

#### MySuper

MySuper is part of a larger set of changes to the superannuation system that are collectively known as 'Stronger Super'. The Stronger Super reforms are designed to strengthen the Australian retirement system. It is one of the most significant reforms to the superannuation industry in almost 20 years.

One of the main components of the Stronger Super reforms is 'MySuper', a low cost and simple superannuation product that will replace existing default funds – that is, the nominated super fund into which employers pay super for employees who do not select a superannuation fund.

Under the new arrangements, contributions made to a default fund (MySuper products) must be free from commissions to financial advisers.

### MySuper products will replace all existing default funds by 1 July 2013

The superannuation regulator (APRA) is presently receiving applications from funds wishing to offer a 'MySuper' category from this date.
All funds wishing to offer MySuper vehicles are required to be specially licensed by

Importantly, REI Super has already submitted an

application and expects to offer a MySuper category from 1 July 2013.

REI Super supports the government's new measures, which are designed to enhance the transparency, security and value of super for Australians.

In fact, REI Super is ahead of the game. REI Super already operates essentially as a MySuper fund in terms of cost, efficiency, and other basic features.

As the Industry Super Fund for property professionals, with over 31,000 members and more than 6,500 employers, REI Super has *always* been run only to benefit members and is designed to maximise their retirement savings.

### How does this affect real estate agencies?

REI Super is approved for employers to nominate as their default fund under *both* the Modern Real Estate Award 2010, and the Clerks Private Sector Award 2010. REI Super does not pay commission to financial advisers.

For employers, the new government measures will mean that your default fund must be a 'MySuper' fund from 1 October 2013.

Specifically, what this means is that employers

will be required to make contributions to a MySuper fund for employees who haven't specifically chosen an alternative super arrangement.

REI Super will be licensed before 1 July to provide a MySuper category, and employers can continue to offer REI Super if they are currently doing so.

If an employer is currently using a default fund that does charge commissions or high fees then they will need to look at changing to a MySuper compliant super fund.

Note: Employers also need to ensure that their chosen super fund is named in the applicable modern award (for real estate agencies this includes the Modern Real Estate Award 2010, and the Clerks Private Sector Award 2010). REI Super is named in both awards as a default fund.

#### Superstream

Superstream is another part of the Stronger Super reforms



and affects how employers pay their super contributions.

### **Employer Superannuation Contributions**

By July 2014, all large and medium employers will have to send their contributions to their super funds electronically in a format prescribed by the Australian Tax Office.

In addition, by July 2015, all other employers will have to send contributions electronically in the new format. This means no more cheque payments. The best way to pay contributions electronically will be through a 'clearing house'.

The two best options for real estate offices are either the free clearing house facility

Overall, all super fund members will stand to benefit from these reforms, as greater importance is being placed on members' interests.

available through REI Super offered to all real estate employers (for any number of staff) or, alternatively, the Small Business Superannuation Clearing House (operated by Medicare; available only for businesses with less than 20 staff). Both already comply with this new data format. So if you already use these payment methods, then you are already covered.

Overall, all super fund members will stand to benefit from these reforms, as greater importance is being placed on members' interests.

Employers will benefit from more streamlined and efficient processes around administration of super and a reduction in paper.

### How do I stay up to date on this issue?

Principals and agency staff who are interested in receiving more information can subscribe to REI Super's bi-monthly newsletter at reisuper.com.au and refer to the ATO website ato.gov.au for updates. ◆

If you have any concerns or queries, please contact REI Super on 1300 13 44 33 or via email to: bdm@reisuper.com.au

#### Disclaimer

The information contained in this article does not constitute financial product advice. However to the extent that the information may be considered to be general financial product advice, REI Super advises that REI Super has not considered any individual person's objectives, financial situation or particular needs. Individuals need to consider whether the advice is appropriate in light of their goals, objectives and current situation. Members should obtain and read the Product Disclosure Statement for REI Super before making any decisions. REI Superannuation Fund Pty Ltd ABN 68 056 044 770 AFSL 240569. BSF I 0000314 BFI Super ABN 76 641 658 449 RSE R1000412 January 2013.



### A time of renewal

Is spring the best time to auction a property? It's a question that many have asked and here are the statistics that answer it.

Spring isn't just the time for daffodils and the start of warmer weather – REINSW's latest figures show that the best auction clearance rates last year were seen in September.

"Across NSW, 2233 properties were reported as being up for auction in September 2012, with a clearance rate of 62 per cent," REINSW President Christian Payne said.

"Spring is a time of renewal in the property industry. The warmer weather means people can really show off the positive parts of their homes and many are ready to pound the pavement to look for a new place to live.

"Importantly from a buyer's perspective they are able to take possession of the property well before the Christmas and New Year period if they take a standard 42-day contract.

"The government's decision to cut first homebuyer incentives for existing property from 1 October 2012 may also have played a role in the solid clearance rates for September."

During April 2012, 2241 properties were up for auction. However, fewer properties were sold in the month than in September resulting in a lower clearance rate of 58 per cent.

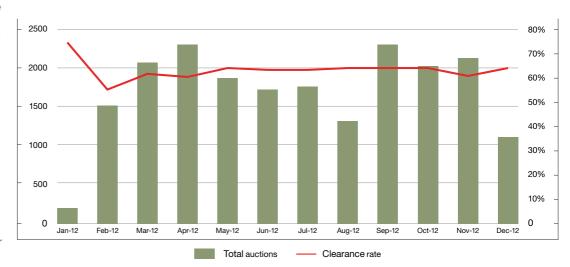
The figures show the worst time of year to sell a property was over the Christmas and New Year period. Most people are too involved with the many demands of the festive season.

"it's no surprise the least popular time of year to sell a property was during the festive season. There were just 217 properties up for auction in January 2012, with a clearance rate of 76 per cent and December saw only 1110 properties up for auction, with a clearance rate of 61 per cent. But these figures aren't really an indicator of how the market was

performing, as these months always see far fewer auctions.

"Looking outside the Christmas period, August had 1377 auctions with a clearance rate of 62 per cent," Christian said.

Overall in 2012 there were more than 20,000 auctions in NSW with an average clearance rate of 62 per cent. The total value of properties sold was almost \$8 billion. •



#### **2012 AUCTION RESULTS**

**Total auctions for 2012:** 20,037

Total value sold via auction in 2012: \$7,903.18M

Average clearance rate in 2012: 62%

	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12
Total auctions	217	1497	2022	2241	1856	1695	1731	1377	2233	2001	2090	1110
Average clearance rate	76%	55%	59%	58%	61%	61%	61%	62%	62%	62%	60%	61%

NOTE: The figures are compiled from sales results reported to REINSW and propertyDATA.com.au

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BY ROD STOWE, NSW FAIR TRADING COMMISSIONER

### Under the hammer



Although most real estate agents are fully compliant with the relevant legislation, some have been found to follow irregular practices.

NSW Fair Trading has put real estate agents on notice, following a blitz on property auctions in late 2012.

Five teams of NSW Fair Trading investigators visited 18 agents in the northern, inner west and south-west suburbs of Sydney to check 58 sales files related to auctions.

The investigators also monitored property auctions across Sydney's inner west to ensure that real estate agents were complying with the requirements set out under the *Property Stock and Business Agents Act 2002*.

The investigators were on alert to detect the illegal practices of deliberately underquoting to potential buyers, over-pricing to vendors and dummy bidding.



While the majority of agents were found to be fully compliant in relation to the representations they made to vendors and buyers about selling prices and had kept thorough records to substantiate their estimated selling prices, eight agents were found to be non-compliant.

A total of 17 properties (30 per



cent of property files inspected) were connected with the non-compliant agents, with all eight failing to keep paper records of their estimated selling prices.

Fair Trading is now investigating two of the eight non-compliant agents as a result of allegations of false representations made to either the seller or the prospective purchaser over the estimated value of a property.

While most real estate agents are doing the right thing by their vendors and buyers, Fair Trading will continue to weed out the maverick players who persist on dodging around the laws.

Homebuyers have the right to know that when they attend an

auction with the intention to buy a property, the price range the agent has given them previously is honest and realistic.

They also have the right to feel confident that all bidders at the auction are genuine.

Fair Trading will continue to focus on the real estate industry in 2013, following a significant increase in the levels of noncompliance and fraud being uncovered by Fair Trading investigators.

Given that 59 of the state's 23,000 real estate licensees were disqualified last year, the rate of non-compliance in the industry remains a serious concern to Fair Trading.

While Fair Trading will continue to work with the industry to educate agents about their statutory responsibilities, the agency will not hesitate to take enforcement action where warranted.

Real estate businesses caught operating without a licence face fines of up to \$22,000, while individual agents can be fined as much as \$11,000 for trading without a licence. ◆

NSW Fair Trading's regular Journal column gives REINSW members insight into areas of compliance, investigation and other hot topics facing the real estate industry.















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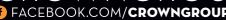


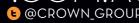
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Multi-award winning agent D'Leanne Lewis is one of Laing+Simmons' highest performing talents. Here D'Leanne outlines her path in the real estate industry and the guidelines she lives by.

# Stellar trajectory



My entry into real estate started at the ripe old age of 20. I had been working in the legal field, but wanted to save some money and travel overseas for a year.

I saw the job advertised as a PA to the Director of Sales at Laing+Simmons Double Bay, and I thought I could probably make some good travelling money by working for such a prestigious firm. My plan was to take off within six to 12 months, travel and have some fun.

My application was successful, but that plan to travel overseas for 12 months never eventuated!

#### On the march

After a year working in this role, I asked the Principal if I could

move into sales. I was told I was too young. I never believed I was too young, so I left the firm and worked for another agency in Double Bay for two years. In my mind, my age was never a barrier, although in hindsight I was very inexperienced and had so much to learn!

I suppose I was lucky because I was then so naive and excited about being 'in sales' I didn't realise how much I didn't know – and how much I had to learn.

I didn't grow up in the eastern suburbs – my family came from South Africa – so I didn't have a database of clients, friends of family or local school contacts that I could utilise. Soon after starting at this other agency, I realised that in order to succeed I had to work longer and harder than anyone else. What helped was that I loved real estate, and after 20 years of selling real estate I still do.

So I worked long and hard and it was difficult. But it was rewarding. After two years working for this agency, Laing+Simmons Double Bay asked me back to work for them.

Within two years I had become an Associate Director. By the age of 30, I became a Principal and owner of the agency along with my four business partners, who included the original owner of the agency who had hired me as a personal assistant 20 years ago.

#### Rules to live by

My six guidelines by which I live my life are:

- Behave with integrity. As I am in life, that is who I am in work. I believe in karma. If you are a good person, good things in life and business will come to you. If you are a bad or dishonest person, then sooner or later it will catch up with you.
- 2 Treat everyone how you would want to be treated.
- 3 Never judge a book by its cover. Always give people the benefit of the doubt.
- 4 Always be the best you can be. If you are always learning, you are always growing.
- Never, ever give up.
- Be thankful!

#### Positive change

I believe that we now have a great opportunity in this industry to make a positive difference to how the general public views real estate agents. In the past, there has been a negative slant about agents and I believe this is changing for the better and has been for a few years.

It is only through agents dealing and acting with the highest level of integrity that public opinion will change. I believe our industry is constantly moving towards better and brighter things.

I am excited to be a part of it! ◆

# NSW pool safety law changes

New safety requirements for pool owners

#### Changes to the Law

The NSW Government introduced changes to the Swimming Pools Act 1992 (NSW) ('SPA') as of 29 October 2012. These changes have also updated the Conveyancing (Sale of Land) Regulation 2010 (NSW) and the Residential Tenancies Authority 2010 (NSW). The new laws apply to backyard residential pools and spas, portable pools and pools associated with tourist accommodation, moveable dwellings and unit blocks. These changes aim to improve pool safety by preventing the number of children drowning.

#### Requirements

The changes to the SPA include a staged implementation process as follows:

- Pool owners must register each pool by October 2013 on a new Statewide register which will become available in April 2013;
- The local authority or an accredited certifier will conduct mandatory inspections every 3 years on pools located at tourist and visitor accommodation and a certificate of compliance will be issued where applicable. The certificate of compliance will be valid for 3 years from the date on which it is issued. Inspections for pools at residential premises can be conducted upon request;
- The first installments of mandatory inspections for pools situated on tourist accommodation, visitor and multi-occupancy developments will commence from 29 October 2013 and must be completed by 29 April 2014. Thereafter a mandatory inspection must be conducted every three years;
- A property with a pool or spa being sold or leased after 29 April 2014 must have a certificate of compliance.

#### **Property Rentals**

As of 29 April 2014, it will be the landlord's responsibility to ensure that at the time a property with a pool is leased, the pool will be registered and have a compliance certificate. The landlord must issue a copy of the compliance certificate to the tenant.

Under the Residential Tenancies Act 2010 (NSW) a landlord is required to comply with the requirements of the SPA. Tenants as occupiers of the property also have obligations under the SPA and under their general tenancy agreement to ensure that a child-resistant barrier is at all times maintained in a good state of repair.

If you are concerned about any of the pools you manage or require any help understanding the new law, contact your local PoolWerx or download our home pool safety checklist from our website!

#### Exemptions

Different legislative requirements may apply to pools that were constructed before 1 August 1990 or pools located on small properties of 230m² or less; pools constructed before 1 July 2010 on waterfront properties or large properties of 2ha or more may also attract different requirements. However, the exemptions will not apply to such pools where a childresistant barrier has since been erected.

### A CPR sign must be clearly displayed in the pool area.

#### Penalties

Failure to register a swimming pool will incur a penalty of up to \$2,200. Non-compliance with other requirements stipulated in the SPA may attract a penalty up to \$5,500. Further information relating to the registration process will become available as the legislative amendments are implemented.







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# How to get a business loan

BY NAOMI BULGER

You have a vision for your real estate business and you have the drive, the determination and the expertise to make it a success. All you need to get started is the cash from the bank.

Banks look for three things in every business loan applicant:

- Character: Will you pay the loan back?
- Cashflow: Can you afford to pay the loan back?
- Security: Do you have a backup plan to pay off the loan?

Build a business plan
To reassure the bank that you
will be able to pay the money
back, in your business plan show
them documented factual figures
and how your strategies will get
cashflow into the business.

"Outline exactly what you want the finance for. How the money will be spent and over what timeframe? Explain why you are choosing to borrow money, and the impact the loan will have on your forecast sales and profits," said Adam Beasley, Chartered Tax Adviser at Interactive Tax Consultants.

In addition, Adam said a good business plan should include:

- Marketing aims and objectives
- Operational information (for example, the premises needed)
- Current financial information and full financial forecasts
- · Business objectives
- An exit plan (include this if



yours is an owner-managed business)

- The skills and qualifications of those in management
- Information about your service.

#### Be prepared

Before meeting with the bank manager for the first time, make sure you have the right documents with you.

"Plan ahead and ask yourself how much (if any) equity you have in your property," Simon Plummer, Business Banking Manager at the Commonwealth Bank advised.

"This will directly relate to the term and cost of the loan.
Consider how much you can afford to borrow, and do your calculations *before* seeing the bank to show you are serious."

Various finance models include an overdraft facility, a line of credit, a fully drawn advance and mortgage chattel.

In selecting a loan model, consider what you need the money for and whether or not you can provide security against the loan and the flexibility you need for making the repayments.

#### Crunch the numbers

When reviewing the business you want to buy or expand, include documents from the past three years such as:

- Tax returns
- · Profit and loss statement
- Balance sheets
- · Cashflow figures
- Bank statements
- Business Activity Statements
- Balances of accounts receivable and payable.

Develop financial forecasts for the term of the loan, too.

"Include best and worst case scenarios and state any assumptions you have made," Adam said.

"New businesses will need solid cashflow forecasts and commentary of how they will reach the numbers projected," added Simon. "And also three months' worth of statements for all other loans, credit cards and savings accounts."

You need to continually work on fresh strategies to keep your business healthy. The loan is only the beginning of the story. ◆



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#### **LEGAL**



BY ANTHONY MORRISSEY, PARTNER, ACCREDITED SPECIALIST, PERSONAL INJURY LAW AT HUNT & HUNT

# Hidden danger

Real estate agents have duties of care, not just to their employees, but also to others in relation to asbestos.

Once lauded as a wonder product, the sinister nature of asbestos is now well documented. From the early 1980s, as knowledge of the danger of inhaling asbestos dust and fibre became widespread, asbestos was withdrawn as an additive in the manufacture of building products.

It is reasonable to assume that residential and industrial buildings constructed after 1983 do not contain asbestos products, but if there is any uncertainty the product should be sampled and tested. Awareness of the dangers associated with asbestos use has led to widespread removal of asbestos insulation products and textiles, and substitution with asbestos-free products. If a barrier is used to cover the asbestos surface to seal it, this should only be a temporary measure pending full replacement, not a permanent solution to the problem.

#### Asbestos management

As asbestos products may still exist in older residential buildings and industrial premises, real estate agents should exercise due diligence by having processes in place for considering the asbestos risk and responding in a timely way.

Under the Work Health and Safety Act 2011 (the Act) a

person conducting a business or undertaking has a primary duty of care to ensure, so far as is reasonably practicable, that the health and safety of its workers and other persons are not put at risk from work carried out as part of the conduct of the business or undertaking.

An officer of the person conducting the business or undertaking must exercise due diligence to ensure that the person conducting the business or undertaking complies with that obligation.

Section 27 of the Act prescribes the requirements of "due diligence" as being:

- (a) to understand the business and the hazards and risks associated with it;
- (b) to ensure the person conducting the business or

undertaking has processes for receiving and considering information regarding incidents, hazards and risks and responds in a timely way; and

(c) ongoing verification.

This duty to ensure health and safety requires the elimination of risks to health and safety so far as is reasonably practicable and, if elimination is not reasonably practicable, the



risks must be minimised so far as is reasonably practicable.

#### Risk assessment

To facilitate the identification of asbestos or the presence of asbestos on property, real estate agents should include in their initial inspection of the property proposed for management or sale questions such as:

- the age of the property
- the date of any renovations
- whether the client is aware of the presence of asbestos products.

If asbestos products are identified on the property, then the Principal of the agency

needs to consider what is "reasonably practicable" to ensure the health and safety for their employees and others in the workplace. If the likelihood of asbestos exposure was high, then the Principal should exclude their workers from approaching the site, and should advise the owner to seal off the area and urge them to engage an expert to assess the risk and recommend suitable ways of eliminating the risk.

The likelihood of the asbestos risk may be high for real estate agents involved in strata management or property management because properties might be managed for long periods and there may be a need to put in long-term

Asbestos is of concern to real estate agencies because of their duty of care to employees.

strategies to deal with the risk.
Again, the Principal should
urge the Owners' Corporation
or owner to engage an expert
to determine the level of risk
concerned and recommend
suitable ways of dealing with it.

If the strategy to deal with the risk is long term, then a Risk

Assessment Form may be attached to the initial inspection report containing:

- the date the asbestos product is identified
- its precise location
- a description of the asbestos product and its use
- approximate volume/size
- its condition (good, fair or poor)
- whether dust is visible
- an estimate of the level of risk
- control measures the date the sample was taken, date and type of asbestos confirmed and details of the treatment of the asbestos product showing the date and details or replacement or date and details of sealing.

The presence of asbestos is of concern for real estate agencies because of their duty of care to their employees, particularly if the asbestos is in a friable (damaged or degraded) state. Many properties in NSW are constructed from fibro. Asbestos may not be an issue in those properties if the asbestos is not in a friable state. However, if asbestos is located, removal should be recommended.

The agency is under an obligation to disclose the presence of asbestos to the client as it may impact the property value and its use. •





BY FIONA BLAYNEY, MANAGING DIRECTOR OF REAL ESTATE CAREER DEVELOPERS AND BLAYNEY POTENTIAL PLUS

# Recognition and reward

Well-planned performance reviews can have a positive and energising effect on your staff and your business.

Q: "How do you know if you are doing a good job?" A: "I don't." "I don't get yelled at." "My clients tell me."

During the initial stages of consulting with real estate businesses, we pose this question to their team, only to be met in the majority of circumstances with these less than favourable responses.

According to Time magazine in 2012, the top reason that an employee remains in their employment is based on enjoying the work they do. One can only deduce that a feeling of satisfaction accompanies that enjoyment. An employee's ability to identify that they are doing a good job weighs heavily on this satisfaction. Enter performance management.

While performance management provides opportunity for employee performance recognition and reward, there are additional benefits for the employer and employee as well as the overall team culture. So how to best performance manage?

Formal and informal performance management Managing the performance of your team should be done both formally and informally. Formal performance reviews can occur on a number of levels, perhaps weekly,

fortnightly and monthly. Generally speaking, this more regular performance management is in the form of activity reports and the review of the same. Meeting with an individual regularly allows 'in the moment' management of results, rather than waiting for the annual review process.

An employee's ability to identify that they are doing a good job weighs heavily on this satisfaction. Enter performance management.

Knowing where you stand in real time is crucial to the success of a team member. They won't want to wait until the annual review to know how they are tracking.

An annual review is a means to ensure that everyone receives at least one hour per year to review their performance.

In the main, this is viewed as a chance to examine salary or position.

Perhaps a similarity can be drawn between the annual review and Valentine's Day it's really there to make sure someone says I love you at least once a year.

Ad hoc comments on an individual's achievements or improvement opportunities demonstrate to a team member that they are noticed and valued, even when that comment is reflective of poor performance, signifying that "we are here to help".

#### Individual and team recognition

It can be commonplace to have performance discussions behind closed doors, but there is also a time for team recognition, whether for positive performance or as a point of learning for the team.

Constructed with care and from a perspective of support and development, team recognition can have a great effect on the individual and the group.

Consider a scenario where an error occurs; everyone in the team knows it has happened and they understand the repercussions. Keeping emotions low, while recognising the error, may result in a team challenge solved. And shouting from the rooftops or a company email from the business owner celebrating a success

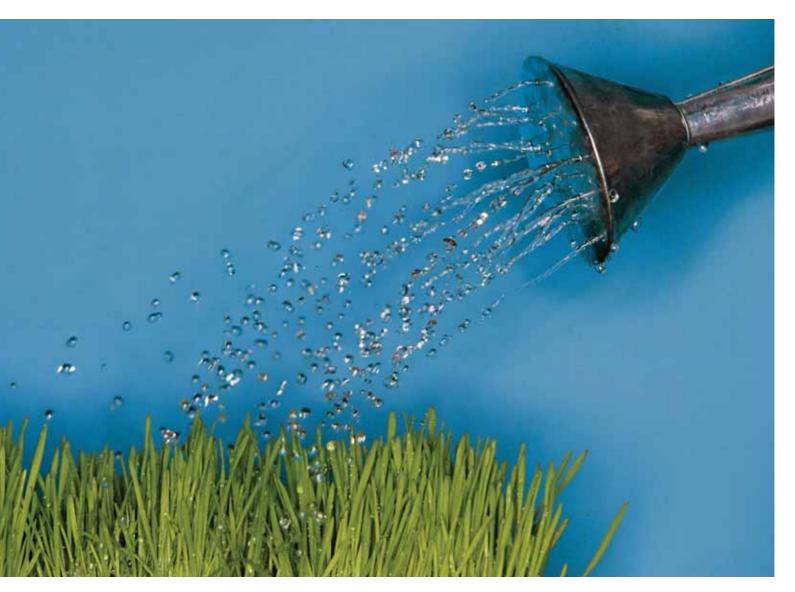
provides great team energy and

motivation.

#### Training and development

With a low unemployment level and a government that has employed a "job ready" requirement into all adult learning courses, our talent pool is regularly re-skilling or up-skilling both in and out of industry.

Mapping out a personal plan with your team member for



their skill and knowledge development provides the opportunity to discuss the individual's desires, as well as the needs of the business, and create a personalised program to complement both.

### Financial incentives and rewards

In a *Time* magazine survey, 59 per cent and 60 per cent of those surveyed identified they agreed or strongly agreed that "the pay" and "the benefits" were reasons for remaining in employment. This demonstrates the importance of remunerating and rewarding your team appropriately.

Just like we conduct rent reviews when there is a shift in the market, so too there is opportunity all year round to reward for performance, and on the flip side to remove reward for poor performance.

Why not work with each individual team member to set

goals that stretch beyond the expected?

If you want to get technical, take a look at Abraham Maslow's hierarchy of human needs. Maslow found that after we meet our physical needs, we are safe and have a sense of belonging in the world, and we look to fulfil our need for esteem, the typical human desire to be accepted and valued by others. As a manager or business owner,

you need to consider
the effect that you have
on the lives of your
team members and how
performance management
in the workplace contributes
positively to a person's
life. As an employee, take
responsibility to find out the
answer to that all-important
question: "Am I doing a good
job?" The results of such
an important question may
change your business and
your life. •





# What makes eco-warrior and community champion Jeremy Martin tick?

BY ALEXANDRA CAIN

The real estate sector is often stereotyped, but if there's one person who has the ability to change the common perception of real estate agents, it's Jeremy Martin, Director of Martin Property in the up-and-coming Sydney precinct of Green Square.

Jeremy has singlehandedly spearheaded a range of community initiatives, such as investing in pushbikes that locals can use to get about.

But his really audacious feat in 2012 was organising a neighbourhood food festival that attracted thousands of residents and the support of top restaurants, including Longrain and the former Danks Street Depot.

So what motivates a busy real estate agent to be so community-minded?

"Like most Principals, in our first two or three years my focus was on keeping the business going. It's hard for people who are just starting out to be conscious of the environment and interested in and interacting with the community because you can only focus on the business," Jeremy said.

"But after a few years I started thinking about my role in the community. Especially as a real estate agent, we engage in our local area more than most. We're a very successful real estate agency in Green Square and our website attracts very high traffic.

"So we're in contact not just with people who are buying and renting, but also with those who are looking to move to the area. It seemed like we knew everyone. Because of that I felt we had a responsibility to the community and the environment we live in," he added.

#### All things green

One of Jeremy's first projects was to get involved in Green Square School – something that at first blush might not have produced a direct business benefit given it will be some time before the kids will be able to buy and rent property.

"I didn't get a head start in life or come from money, so I thought I could go in and talk to the kids who were starting to get off track. When I was at school, I thought there wasn't much to be said for sitting at a desk working. But when you run your own business, you

can create something that's really fun. I wanted to tell the students that work isn't to be feared," he said.

Jeremy has also led a number of environmental initiatives in the community. For instance, he has provided financial support to Green Square Growers, a group of green thumbs who have planted kitchen gardens locally.

"I also had the idea to approach a private operator to run a neighbourhood bus to take people to the Green Square train station – a scheme that has now been taken on by the local council – to reduce the number of people using their cars to get to work."

He maintains a number of bikes the community can use for free and provides shredded paper from his office to pet shop Paw Paws Luxury Pet Care for their pet cages.

Jeremy also changed all the fluorescent lights in the office to more environmentally friendly halogen lights.

Aside from his environmental efforts, Jeremy is also a champion of local businesses. As the area is relatively newly built, many residents return to their former locales to get a haircut or go to the gym, for instance.

So to help drive custom to local outfits he created the 'Martin Card', a discount card that offers locals deals on everything from a cup of coffee to removalist services.

To bring the community together he also hosts neighbourhood barbecues, with the 2012 Christmas barbecue attracting 600 people.

"The idea is to break down the perception of real estate agents and say thank you. We provided beer, wine and champagne and great food, and I cooked," he said.

He does point out it took time to garner the support of the local community – only 13 people showed up to his first barbecue.

"There were more staff than residents," he laughed and said it was a lesson in how little the business had done to engage the community previously and how much more it needed to do.

#### Forging bonds

Much has changed since then and he said the reason so many local people know each other now is because they have met at one of his barbecues.

A touching example of the area's community spirit is the agreement made between two dog owners to look after each other's animals. One lady works at night and looks after her neighbour's dog in the day, while the neighbour has her dog when she's at work in the evening.

The success of Jeremy's community endeavours has not gone unnoticed by the local council and last year they approached him to host a community event on a grander scale.

"The council introduced me to Joanna Saville, who is the editor of *The Sydney Morning Herald's Good Food Guide* and the Director of the popular culinary festival Crave Sydney International Food Festival."

The upshot was the creation of a local food festival in October 2012 that was part of Crave and a dinner for 200 locals. Participating restaurants included Longrain and East Ocean restaurant.

The event was a sell out and attracted 6000 people.

As part of the initiative, Jeremy made contact with local Aboriginal elder Aunty Beryl, who runs a hospitality school for young Indigenous people called 'Yaama Dhiyaan'. The school provided wait staff for the dinner event.

"

I didn't get a head start in life or come from money, so I thought I could go in and talk to the kids who were starting to get off track.

"The idea was to draw people to the area and get people to eat locally," he said.

#### Going for gold

Jeremy's efforts have resulted in the business winning a number of awards.

In 2012, Martin Property won the Energy Australia Energy Sustainability Award for the City of Sydney against a field of 200 entrants.

The business also won the professional business and financial services category of the City of Sydney's Business Awards, for which it was nominated by ANZ, so impressed were they with Jeremy's efforts.

Although Jeremy acknowledges his endeavours do have a marketing and commercial benefit, that's not the primary reason why he's so community minded.

"Everything I do is to promote businesses in the area and help the people who live and work here," he said.

"I acknowledge it's not possible for every real estate agency to take this approach. But once we had had a bit of success I was able to reflect on what my role in the community is. We would not be as successful as we are without the support of our community."

This philosophy permeates every aspect of his enterprise. For instance, Martin Property is committed to offering exceptional service to its tenants, so it refers to them in correspondence and marketing materials not as tenants but as clients.

It's a subtle acknowledgement to renters that they are important to the business.

He's also happy to provide locals lots of other support. If a business owner's internet connection is temporarily down, he'll give them access to his office internet.

If someone needs to use the phone, he's happy to provide his. Or if a client needs to have a case of wine delivered to their home, they can have it delivered to his office and pick it up on the weekend.

Jeremy even has great relationships with competitors.

"If my printer breaks down, I can go to another local real estate agency to use theirs. And if they run out of leases, they know they can come and get some of ours."

Plus, when the enterprise changed its name from South Sydney Realty – which no longer reflected the extensive geographic area in which the agency operates – to Martin
Property it didn't have to spend
a fortune on advertising. It
conducted a limited marketing
campaign to let the community
know about the name change
and then relied on word of
mouth to get the new name out.

#### A learning curve

It's worth noting, however, that although Jeremy's approach has multiple benefits, it does not come without certain costs. He estimates he spends roughly 30 per cent of his upwards of 60-hour week on community initiatives, which has cost the business more than \$100,000.

Jeremy also stresses he's no eco-warrior, and he has made plenty of mistakes on his journey.

"I still take on too much myself, and I've had to learn to structure the business properly as we've grown."

As for his tips for other businesses, Jeremy says that it's essential to work on your business every day.

"And although our rent roll grew enormously last year, I still got to the end of the year and felt there were things I could have done better," Jeremy said.

"It's important to be honest about your business, engage with the community and understand what you can do outside your day-to-day work to make your community, the environment and your business better."

Ultimately, Jeremy said his "end goal is helping to create a better place for people to live – it's not about money.

"If you have a community others envy, people will want to live here and landlords will want to buy here, which makes doing business easier." •



#### **FEATURE**



BY CHRIS GRAY, CEO OF EMPIRE

### Best foot forward

What does an agent need to do to improve their relationship with investor clients? Here are some valuable guidelines.

In a healthy property market, many agents think they don't need to concentrate on helping property buyers or being concerned about their needs. But times have been tougher in recent years, so buyers have received more attention.

With indicators pointing to 2013 being a much improved market, it might be worth remembering the following points:

- Buyers remember if you have looked after them.
- Buyers turn into sellers, and they'll look for those who impressed them in the past.
- Everyone talks. Looking after buyers and sellers equally will only enhance your most important sales attribute: your reputation.

So what does an agent need to do to look after an investor? While investors are much the same as all other buyers, here are seven suggestions to ensure that their particular needs are easily satisfied.

#### 1. Rental estimates

Produce a one-page professional overview of the property's anticipated rental return and show how it might vary depending on different market conditions.

#### 2. Comparable properties

Provide a list of genuine comparable properties that have sold in recent months. You need to do it for the vendor, so why not pass this information to the buyer as well? While some agents will argue that uneducated buyers might otherwise have paid above market rate, my thought is that 95 per cent of buyers will have done their research, so giving them confidence to buy can only close a deal. It's a safer strategy to look after this pool of genuine buyers than try to concentrate on the five per cent who might overpay.

#### 3. Property fact sheet

Create a one-page overview detailing all the essential information that investors request. This will not only make their life easier when comparing multiple properties, it makes you stand out as an easy-to-deal with agent and gives you more time to talk about their circumstances at Open for Inspections. The overview would look something like the following:

Key inclusions:

- Beds/bath/parking
- Price guide
- Rental guide

- Size internal and external
- Parking details
- Strata levies
- · Council and water rates
- Number of units in block
- Land tax valuation.

"

Looking after buyers and sellers equally will only enhance your most important sales attribute: your reputation.



### 4. Strata/building inspections

Undertaking these reports in advance can speed up the sales process and assist those who are looking close to auction day. As the reports can also be sold multiple times, more and more inspectors are happy to do these in advance.

#### 5. Build trust and honesty Many buyers walk away from

agents when they can't get a straight answer, and this is especially so when they think the agent is underquoting.

While you might get a couple of extra dollars at one or two auctions, it's a better strategy to always be upfront and honest. If you can build trust, you will get more genuine buyers to attend your auction, and more opportunity to enjoy the results of natural competition.

### 6. Offer a one-stop solution

Investors need services, so make sure you show them how else you can help.
Develop a one-stop solution to their property requirements, profiling services in property management, mortgage broking, builders' quotes, inspection reports and handymen.

### 7. Run efficient open inspections

Another key tactic is to manage your inspections efficiently. This can often be your first opportunity to meet an investor and first impressions always count.

Some simple ways to manage this day better could include:

 Signposts around larger blocks pointing the way.

- An assistant at the front door collecting names to reduce incoming queues.
- For key properties, another assistant can be useful to answer questions. This frees you to spend quality time with the key prospective buyers.
- Use the property fact sheet detailed above to convey simple facts and hand them out upon entry.
- Make sure the owners and tenants are not present as this can put off any buyer.
- Make parking as easy as possible. Move any car that you have access to and don't be afraid to ask the neighbours, too. If buyers can't park, they won't come in!

While some of these ideas may sound obvious or involve too much administration, I encourage you to do your best at each opportunity – great agents stand out way above average agents.

As a buyers' agent who buys one to two properties a week, I always look to the person I trust to help me get my job done rather than those whose lack of effort has made my life harder. •

Chris Gray has more than 20 years' experience in property investing and education.
Chris is CEO of Empire, which searches, negotiates and renovates properties on behalf of time-poor professionals.
He is host of Sky Business News Channel's "Your Property Empire".



#### **TECHNOLOGY**



BY ALLISON LEE, MANAGING DIRECTOR OF IMPACT COMMUNICATIONS

# Don't let bad reviews derail you

It's possible you may be on the receiving end of negative comments on social media one day, so how you manage the situation will make all the difference.

Research shows 84 per cent of real estate agents use social media, but only 55 per cent of agents feel comfortable about it.

Here are a few golden rules you can follow to help you manage negative feedback. These tips will help you boost your confidence when dealing with your social media sites.

# Don't panic

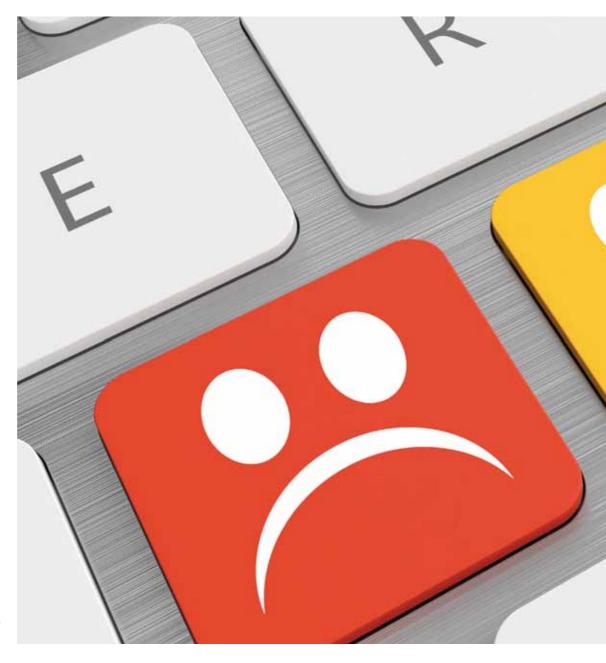
In today's world, differing opinions are easily heard, and we all need to be prepared for people to disagree with us.

Assess the criticism in light of how damaging it is. It might feel like a huge crisis, but chances are, it isn't. Equally, you need to be realistic about the impact of a comment.

# Acknowledge

Acknowledge the complaint, be it on a Facebook group, on a blog or a forum. People expect a response on social media.

Often they are using social media because traditional customer service channels have failed. Always acknowledge the complaint, even if it is just by way of a holding statement.





3.

Act fast, but act sensibly

Consumers and clients expect a fast response on social media. No longer can we ponder our response. We need to respond quickly, but most importantly we need to avoid knee-jerk reactions.

A poorly planned, hasty response can inflame a situation. Take the time to get the facts straight and to understand where the issue has come from.

The same common sense applies in a social media environment as it does in a customer service environment. In fact, the two are becoming increasingly entwined.

Don't remove posts

Removing posts is the cardinal sin of social media. In social media, it's considered a breach of trust.

Generally, you will be better to allow a post to remain with your acknowledgement than to remove it. But of course there are exceptions to every rule. If the post is defamatory, take it off or contact the site administrator.

If it breaches the rules of the site, then take it down. That's why it's so important to have clear moderation rules for pages or sites you control.

5. Be transparent and authentic

Social media is an environment

in which companies are measured against their values.

If your actions don't reflect the sales promise, you'll hear about it. In a crisis, you better make sure that your response is in keeping with your company. If you are false, you will be caught out and a second issue will occur.

**6.** Know when to go offline

Some issues shouldn't be, or can't be, dealt with in a public environment, particularly if they touch legal or financial matters. You need to take the issue offline, but in an open way.

Post a statement that states we want to resolve the issue, but need to talk to the client in depth, or ask them to call or email you.

But don't use the same blanket response every time because you will look as though it's just lip service.

Resolve it the 'old-fashioned' way

You need to resolve any customer complaint; social media just brings them to you in new channels. Imagine how you would get an agent to handle the issue if the client walked through the door.

A great example of this is TripAdvisor. Negative comments are frequent on the travel rating site, but smart hotels monitor their rating and respond to guests who complain. Sometimes this will be with some context to the issue, usually it's with a chance for the guest to come back and re-rate the property.

8.

# Let the community speak and encourage positive comments

Let your community speak – let them respond on your behalf. Go as far as to encourage them to post their testimonials. This not only deflates the issue but adds other voices to the site.

But don't forget point five: make sure the comments are genuine!

9.

#### Have a policy

Plan ahead for negative comments by creating a social media policy and plan.

A simple traffic light system codes comments as green, amber or red. Green is non-issue and can be easily resolved.

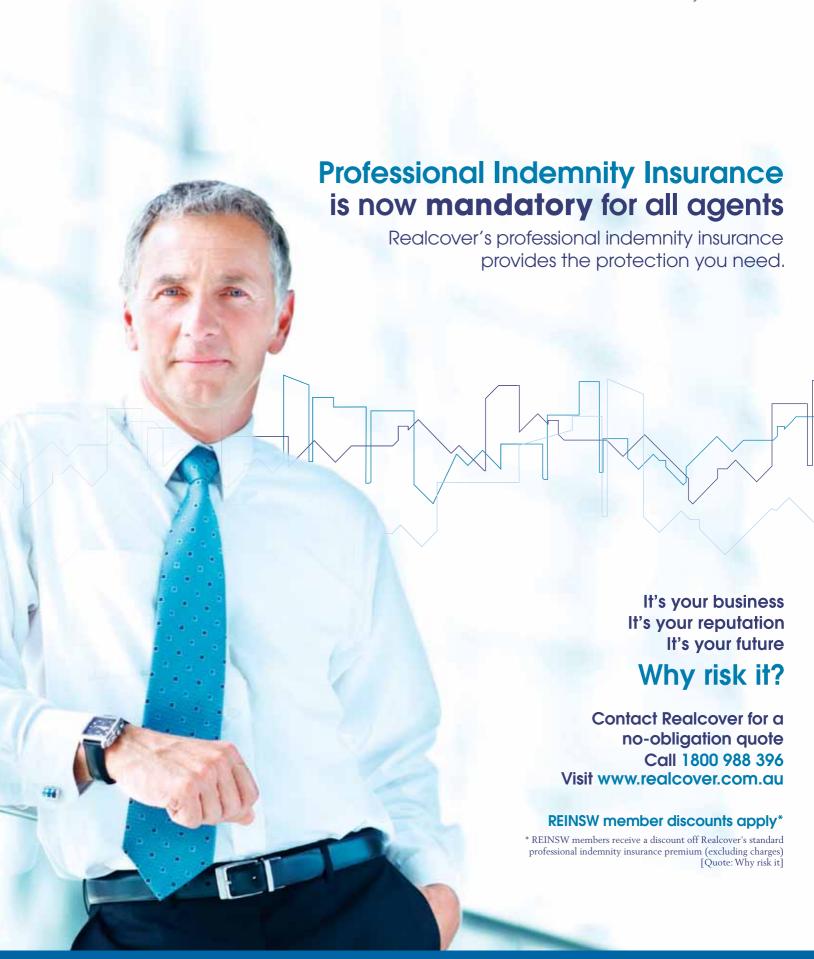
Amber requires some input from management or even a prepared response.

Red needs to be escalated fast and taken offline. Make sure you train your staff in its use so they all know how to respond.

10. Look into your heart and your organisation

Lastly, if you are seeing the same problem repeatedly appear online, the problem is not about online reputation, it's the actions of your organisation or employees. You will need to deal with the heart of the matter to prevent its reoccurrence. •





### Best business tools

Here are five apps some of our members use in their real estate lives to help them spend less time on admin and more time selling.

# Evernote

A free app, Evernote allows you to create and edit text notes and task lists, syncing across the computers and devices you use. You can snap photos (including business cards, labels or receipts), take meeting notes or plan a trip. It's ideal to capture ideas and inspiration when you are out of the office and in the field.

Available for: Mac; Windows; Android; iPhone; BlackBerry; Palm WebOS; Windows Mobile Tablet: Android; and iPad.

# JotNot Pro

For 99 cents, JotNot Scanner Pro makes it easy to send faxes and scan documents when you are out on the road.

The iOS app allows you to photograph a physical document and send it to any fax number vou like. You can take a photo of a document with your mobile device or choose an existing photo from your camera roll. You can also snap photos of receipts and documents on business trips, then fax them all at once to the office.

Available for: iPhone; iPod touch; and iPad.



#### **Blockbrief**

A free app. Blockbrief cuts through development sites/ government 'red tape' and shows the true potential of a site. Real estate agents can access this on the go or even add that little extra to their marketing material. This is a good resource for agents who may be talking about development potential with clients.

Available for: iPhone; iPod touch; and iPad.

#### PocketCloud Pro

PocketCloud Pro (\$14.37) is a secure and fast way to remotely connect to your Mac or Windows desktop with your iPad. iPhone or iPod touch. You can access your files, pictures and applications such as Outlook, Photoshop, Word or any other program. You don't need to have a lot of technical know-how either - it's simple to install as well.

Available for: iPhone; iPod touch; and iPad.

#### Stamp Duty Australia

Stamp Duty Australia (99 cents) allows you to calculate the stamp duty payable on residential or investment properties across all states and territories in Australia. At the tap of a button, you will also see a comparison of the duty payable across the rest of the country. A great aid when a potential buyer wonders what stamp duty they may have to pay on a property and you are onsite.

Available for: iPhone; iPod touch; and iPad. ◆

#### **FEATURE**



**EXECUTIVE OF STARR PARTNERS** 

# The power of persistence

Never underestimate the power of persistence. Give up for a second, and that is exactly where you will finish.



Ever wondered how WD-40 got its name? Probably not, but the development of this simple anti-corrosive spray is the epitome of persistence.

Its creator devoted his life to perfecting the formula, and only on his 40th attempt did he crack it; hence the name.

The manufacturers of WD-40 have grown to become one of the world's largest companies, and it celebrates its 60th anniversary this year.

And how about James Dyson? It took him 15 years and more than 5000 prototypes to launch his revolutionary vacuum cleaner. He has since become the world's first billionaire inventor.

Study any successful individual – whether in business, sport, entertainment or even real estate – and the chances are they are extremely persistent.

Somebody can be incredibly talented in their field, have a great education, or even years of experience, but they are unlikely to be truly successful unless they demonstrate persistence.

### A quitter never wins, and a winner never quits

Giving up is easy – anyone can do it. For most people, the fear of failure is stronger than the desire to succeed; so persistence is clearly difficult to master.

Persistence is the firm or obstinate continuance in a course of action in spite of difficulty or opposition. Regardless of how you are feeling, you press on even when you feel like quitting. The difference between people who accomplish their goals and those who don't is that they keep at it.

A real estate professional is faced with constant challenges, some of which can take their toll. There are times when most of us feel like throwing in the towel, but it is often our response to these moments that defines us.

Somebody can be incredibly talented in their field, have a great education, or even years of experience, but they are unlikely to be successful unless they demonstrate persistence.

A great example of this is seen in our ability to conquer the fear of rejection. Successful agents merely view every 'no' as a step closer to a 'yes' and never confuse temporary defeat with permanent failure.

#### Take action

You wouldn't be human if from time to time your motivation didn't wane, but it is not your motivation that will see you succeed, it is your actions. Motivation is what gets you going, but it is your persistence that keeps you going.

Persistence allows you to continue taking action and achieving results, even when you do not feel motivated to do so.

### Big vision precedes big achievement

Persistence of action is born from persistence of vision. A common trait of the elite is their ability to articulate a vision.

A vision is a picture of the future we seek to create, described in the present tense, as if it were happening now. Vision without action is a daydream, and yet action without vision can become a nightmare.

A vision provides a driving force. It has to be clear, specific and simple. Always keep your vision in the forefront of your mind and don't take 'no' for an answer.

Achieving your vision entails overcoming obstacles. Every goal, no matter how daunting, will be attainable if you just keep working at it.

It is easier to go down a hill than up it, but the view is much better from the top, so keep climbing! ◆

Douglas Driscoll is considered one of the industry's thoughtleaders. With more than 10 years' real estate experience in both the UK and Australia, he joined Starr Partners as Chief Executive in 2010.

# HOW TO BE PERSISTENT

Although difficult to master, persistence is a state of mind, so it can be cultivated. Here are some tips to help you become more persistent:

Have a vision.

Recognise and clearly define what you want. Your vision has to be clear, exciting and

achievable.

Articulate a plan.
If you fail to plan, you plan to fail. In order to achieve your goal, you must have stepping stones to success. Put these plans down in writing and review them regularly.

Form good habits.
Persistence is the direct result of your habits. We are what we repeatedly do.
Persistence then is not an act, but a habit.

Be resilient.
In order to succeed, you will need to develop a thick skin.
The world is full of negativity and criticism, but you must build up your immunity to any discouraging influences.
Combining resilience with persistence can be very powerful.

# Watch your Ps

**BY JO-ANNE HUI** 

### Tangible savings and efficiencies get a fresh look with LJ Hooker's new initiative.

Real estate agents are now decreasing their costs and boosting their efficiency through a new sustainability initiative developed by LJ Hooker called the '3Ps Program'.

The program helps real estate agents monitor and manage their usage of power, petrol and paper – the three areas where most offices spend much of their budget.

Using the Carbon System online dashboard, real estate agents can monitor their use of the power, petrol and paper in the office.

Then, by using the efficiency kit, they are shown how to make changes to decrease their usage of the 3Ps, such as switching off their computer monitors at the end of the day, reusing scrap paper and even redesigning documents to fit on one sheet of paper.

### Sustainability and efficiency

Several partners have also been signed onto the program, which can offer real estate agents special discounts and offers on more environmentally friendly products, such as a hybrid car from Toyota that uses 50 per cent less fuel or a paper-efficient printer from Upstream.

The 3Ps program has delivered some successful results so far in several LJ Hooker offices. According to John Davis, Principal at the Seaforth office, the quarterly electricity bill has been reduced by 20 per cent. Meanwhile, according to Kim



Marmara, Office Manager at LJ Hooker in Mosman, the office has saved 19 per cent on the annual power bill as a result of engaging Ecosave, one of the 3Ps' program partners.

According to LJ Hooker's Head of Sustainability Cecille Weldon, "sustainability comes to life in a business through the word 'efficiency'.

"Every real estate agent is focused on performance and customer support and getting better – they're very passionate about that.

"Everyone's attention is on sales, but people aren't seeing the opportunity for savings in their own office," she explained.



Sustainability comes to life in a business through 'efficiency'.

Cecille Weldon, Head of Sustainability, LJ Hooker

"It's really a matter of empowering them and seeing that there's so much opportunity to create a culture of efficiency, which at the same time is reducing your impact on the environment. It's a real win-win."

The 3Ps program was created on the back of the LJ Hooker team entering an average real estate office and considering where their budget was being spent and how it could be more efficient and sustainable.

"We decided to throw out the rulebook on sustainability and listen to the heartbeat of our own businesses. We spent a day in the life of a property manager, a business systems operator and a salesman. We worked out what was really going to matter to real estate offices and how to create something that mattered to them." •

# Passing the torch

The Illawarra Division boasts a proud history and the new Chair plans to continue the hard work that has made it one of REINSW's most active Divisions.

REINSW Divisions represent 25 geographical areas in NSW. Divisions exist to encourage member agents in the relevant area to come together for communication, networking, professional development, raising the standing of real estate agents in the local community and to contribute to policy development.

This month's article focuses on the Illawarra Division.

Charles Hegyi and Trever Molenaar are an impressive team, and their combined experience and passion mean that the future of the Illawarra Division is in safe hands and that will it continue to thrive.

After four years in the top job, Charles has recently stepped down as Division Chair, passing the torch to Trever.

Charles started his career in real estate in 1984. After first working at Clayton Westend in Wollongong, he opened his own office in 1990 in Bulli. He joined REINSW in 1986, recognising that it would be a beneficial relationship for both his agency and his career.

"Public credibility, a positive association and having a voice with State and Federal Governments have made REINSW membership worthwhile for me over the years," Charles said.

Taking on the position of Division Chair in 2009,

Charles' goal was to promote the benefits of REINSW membership with local agencies and to raise the local community's opinion of property professionals.

One way he has done this is by using his position to gain the ear of the local media, appearing on radio, television and in newspapers to talk about what he believes in the most: the value and integrity of the real estate industry and of REINSW.

A welcome byproduct has been the boost to his profile in the community.

"Credibility and a profile from media coverage came with the role of Division Chair," he said.

"When buyers and sellers recognise you from the media it gives them the perception that you must know what you're doing, so dealing with the media has been great, even though it can be daunting!"

The role was also a way for Charles to become more actively involved in giving back to the industry and to the local community. Holding regular Division golf days has given local agents the chance to come together as a community and the annual Novice Auctioneers Competition has raised much-needed funds for local charities.

In 2012, over \$19,000 was raised for the Prostate Cancer Support Group at Wollongong Hospital through the golf day at Port Kembla and the Novice



Left to right: James Ianni (Illawarra Division Committee member), Keith James (Prostate Cancer Support Group), Trever Molanaar and Charles Hegyi.

Auctioneers Competition, where 142 attendees were entertained by prostate cancer survivor and former rugby league player Darryl Brohman.

Trever shares Charles' passion and enthusiasm for both the industry and REINSW.

Starting out in the industry working for Charles 15 years ago, Trever experienced first-hand the importance of doing business the right way from the start. Nine years later he opened his own agency.

Today he is Director of McGrath Wollongong & Thirroul. He credits his success to a strong sense of ethics and customer service, much of which he learnt while working with his mentor, Charles.

It was Charles who encouraged Trever to step into the role of Division Chair, believing that he would be perfect for the job. Like Charles, Trever believes in giving back to the industry

that has given him so much throughout his career, and he is using the influence of his new position to do just that.

During his term as Division Chair, Trever plans to carry on his predecessor's good work, continuing with both the golf day and the Novice Auctioneers' Competition.

"My main goal is to bring agents in our area together as a community, like we used to be," he said.

"Getting everyone involved in the Novice Auctioneers Competition and the golf day provides face-to-face networking opportunities, making real connections so that we can form lasting business relationships," Trever said.

He also has plans to hold regular Committee meetings, to further assist in forming communal ties between members of the Illawarra Division and businesses in the area. ◆

### An international flavour

Overseas investors continue to be attracted to Australian property investment.

According to Colliers International research in July 2012, foreign investment in Australia's property markets continued to increase on the back of the country's stable economy and high-yielding assets, with Asian buyers leading the charge.

Its research for Australia's capital markets has found there was \$4.06 billion worth of foreign investment in Australian property for the first half of 2012, up from \$3.8 billion compared to the first six months in 2011.

"Foreign buyers made up 40 per cent of all commercial property transactions in Australia in the first half of 2012, with 58 assets valued at \$2.8 billion purchased by overseas parties in the second half of the year alone," said Colliers International.

#### Savvy shoppers

Overseas investors are astute property buyers. They want to buy in areas that are strengthening, areas that are underpinned by employment, transport, shopping and education, with genuine faith in the product they're buying into.

Often they will be purchasing a property as a residence for family members who are studying in Australia. For example, Crown Group's latest development, V by Crown, reports that it is attracting strong interest from overseas buyers (as well as local).

Crown Group reports that while the vast majority of Crown Group's sales and marketing attention is focused on



attracting local buyers, a total of 15 per cent of apartments sold in the development to date have been bought by overseas buyers.

Anthony Falas, the Group's Project Sales Manager said, "Overseas investors are astute and savvy and – just like their local counterparts – take a keen interest in the finer details such as the apartment finishes and the facilities."

Investors from China, Hong Kong, Korea, Indonesia, Malaysia, India and Japan have purchased apartments in V by Crown, along with 85 per cent of local buyers.

"Overseas investors often demand much of the same detailed information about the property and the development as a whole, sometimes more," Falas said. "They are keen to know all the ins and outs because they can't get there themselves." According to the Foreign Investment Review Board's website, the Australian Government welcomes foreign investment.

"It has helped build Australia's economy and will continue to enhance the wellbeing of Australians by supporting economic growth and prosperity.

"Companies operating in Australia and Australian companies operating overseas are expected to act in accordance with the principles set out in the OECD Guidelines.

"The Foreign Investment Review Board examines proposals by foreign persons to invest in Australia and makes recommendations to the Treasurer on those subject to the Foreign Acquisitions and Takeovers Act 1975 and Australia's foreign investment policy." ◆

Due for completion around the middle of 2015, V by Crown is a \$300 million, 27-storey residential apartment building, which will feature approximately 500 luxury apartments and resort-style facilities including a pool, gym, conference facilities, music room, theatrette and a library.

V by Crown has been designed by the multiaward winning and internationally renowned Allen Jack + Cottier architects (AJ+C) in league with Japanese/Australian architect Koichi Takada. It is located in the heart of Parramatta's city centre, close to Church Street's eateries and Westfield shopping centre, rail and ferry connections, as well as Parramatta Heritage Parklands in Sydney.



BY NITA ARORA-PARKES
MANAGING DIRECTOR OF LOCATION RELOCATION PTY LTD

## Focusing on the investor

A buyer's agent can offer the investor some useful tips. Here are some important ones to keep top of mind when advising clients.

As buyers' agents, there are many different types of property purchases we may be asked to help our clients with. There's the family home, the holiday home, the downsizer and the investment. They all require a slightly different focus. While buying a place of residence is an emotional decision, buying an investment property is purely a business transaction. Therefore, it is important to make your clients aware of the difference. Before they fall in love with a property, you need to help them make the following decisions:

## 1. What is their investment strategy?

Do they want to make money from the rental yield or capital growth? Most suburbs do well at one or the other. Is this a long-term or short-term strategy? This will help them decide on the kind of property they want and area they want to buy in.

#### 2. Which location?

The area in which the property is located will affect the return they get. Look at buying in areas that have a thriving infrastructure for an easy commute to work or schools, or up-and-coming suburbs. Catchment areas for good schools are always popular. Show them the facts and statistics about suburbs that have a history of good rental yield or capital growth.

Your client needs to be aware of future development plans and zoning for a chosen area. This could indicate a growth area or an area that people will want to move out of. Much of this can be sourced from council and government websites.

## 3. What type of property?

Do they want a unit, townhouse or house? One bedroom or two? Off the plan or existing? Old with character or new and modern? Renovated or unrenovated? Much of this will depend on their budget and timeframes. Consider the resale factor and the ageability of the property.

## 4. What is their upfront budget?

Be clear about the amount of money they want to invest and stick to it. Ensuring they have pre-approval on their loan will provide clarity on this and save time and effort later. Include all upfront costs such as the solicitor's fees, pest inspections, building inspections, stamp duty etc.

## 5. What is their ongoing budget?

Make sure the client is aware of the ongoing costs related to having an investment property. These include rates, loan

repayments, home insurance, repair and maintenance costs for upkeep, body corporate fees if a unit and property management fees. If the strategy is to sell, they need to factor in Capital Gains Tax.

#### 6. Adding value

Keeping the investment property updated and modern can ensure the client can charge market rate for rent. Adding value to the property can also result in an increased value should they choose to sell. Also remember that they can claim depreciation on their fixtures and fittings. •





BY SANDRA MCGEE RENTAL OFFICE MANAGER AT STARR PARTNERS

## Guidelines for rental increases

It sounds simple enough, but it's also easy to make mistakes. Here are some foolproof tips on how to get rental increases right.

According to the Residential Tenancies Act 2010, there is only one way to increase the rent on a tenanted property.

This is to give the tenant 60 days' written notice, including the details of the new rental amount and the date the rent increases from.

You can send the notice before the fixed term ends.

However, the start date must be after the end of the fixed term.

Why do we as property managers get it so wrong? Some common mistakes could include the following:

- Signing a new agreement with the tenant with the new rent amount starting from the day of the agreement, without giving the required 60 days' notice.
- Ringing the tenant and informing them of the new rent amount and the date for the increase to commence (usually from the next rent period).

 Sending a letter, but not providing 60 days' notice before the increase.

## Why are we still making these errors?

It may be that the landlord wants the increase immediately, and we are too afraid to tell them 'no' and that 60 days' written notice is required. Or we may have failed to send the notice of increase when we were asked to by the landlord, and are afraid to admit our error. Or perhaps the property

was sold and the new landlord wanted a rent increase and a new lease in their name. These errors are significant.

#### Paying the cost

If you are in a CTTT situation, they will ask for copies of the rent increases. If you have continually breached the legislation, they could order that the landlord has to repay to the tenant all rent that has been incorrectly collected.

If I was the landlord, I know that if I were ordered to pay the tenant money because my agent had failed to correctly increase the rent, I would be making a claim against the agent for compensation.



They could order that the landlord has to repay the tenant all rent that has been incorrectly collected.

We have recently taken over a management from another agent who had not supplied any rent increase letters, yet the rent had been increased at least three times according to



the rental ledger. We asked the tenant about the increases over a number of years and he told us that the agent would ring him and tell him how much the rent would increase and that he would pay the new amount from his next payment.

I have calculated the landlord actually owes the tenant \$4420 as a result of the invalid notices.

Our first action in this case and others that we have taken over is to stop the landlord's debt from growing.

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## How did we stop the landlord's debt from increasing?

We simply served a correct notice of a rent increase to the tenant. So in 60 days from service of the new notice, the landlord's debt will not increase any further.

Can you do anything about the other agent's mistakes? Unfortunately no, but hopefully if you fall into one of the above categories you will now know how to correctly increase the rent.

The other saving grace we now have is the change made in the *Residential Tenancies*Act 2010 on the CTTT making orders regarding invalid rent increases. If the increase is older than 12 months and has not been disputed in that period, they can count it as being valid (*Residential Tenancies Act 2010*, section 41).

## Serving notice correctly

Don't forget that any rent increase must be served in the proper manner. If mailing, you also need to be doubly

careful when calculating the four working days for postage if you are mailing an increase around the public holidays, particularly Easter and Christmas. During the Christmas period, the post office usually has an extra holiday. Make sure you ring your local post office each year and confirm the dates they are delivering mail - four working days means four working days that the mail is delivered, not four days that you may be working (Residential Tenancies Act 2010, section 223). ◆



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## **APRIL 2013**

AI THE 2010						
MON	TUE	WED	THU	FRI	SAT	SUN
1	2	3	4	5	6	7
EASTER MONDAY PUBLIC HOLIDAY	SYDNEY Certificate of Registration Course (full ti (9.00am–5.00pm)	me) – 4 days				
		SYDNEY Real Estate Licensing Course continues (9.30am-4.30pm)	- 2 days a week for 13 weeks	SYDNEY CPD Maximise Your New Management Success Rate (9.30am–1.30pm)		
8	9	10	11	12	13	14
	SYDNEY CPD An Agent's Guide to Tax and Property Investment (9.30am–1.30pm)	SYDNEY Real Estate Licensing Course continues (9.30am-4.30pm)	- 2 days a week for 13 weeks			
	investment (s.soan – i.sopin)	(ээран-чээрну	WEBINAR The Professional Receptionist (10.30am-11.30am)			
15	16	17	18	19	20	21
SYDNEY Certificate of Registration Course (full till (9.00am–5.00pm)	me) – 4 days					
	SYDNEY CPD The Nuts and Bolts of the Residential Tenancies Act (9.30am–1.30pm)	SYDNEY Real Estate Licensing Course continues (9.30am-4.30pm)	- 2 days a week for 13 weeks	SYDNEY CPD WHS For Property Managers – In Practice (9.30am–1.30pm)		
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22	23	24	25	26	27	28
SYDNEY CPD Prepare For Selling Like Never Before (9.30am–1.30pm)		SYDNEY Real Estate Licensing Course continues (9.30am-4.30pm)	ANZAC DAY PUBLIC HOLIDAY			
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29	30			1	1	
SYDNEY Certificate of Registration Course (part (9.00am–5.00pm)	time) commences	kee	n	WANT T KNOW I	O MORE?	
		logi	rnina	You can fin	d out more about ourses by visiting	
		16(1)	p rning	www.reins Click on Co	w.com.au ourse Schedule	
				in the Traini	ing menu.	

## **MAY 2013**

MON	TUE	WED	THU	FRI	SAT	SUN
		1	2	3	4	5
CPD workshops – go for course descripti	ons and prices	SYDNEY Real Estate Licensing Course concludes (9.30am-4.30pm)	-2 days a week for 13 weeks	SYDNEY CPD Creating Impact and Influence (9.30am-1.30pm)	SYDNEY Certificate of Registration Course (part-time) commences (9.00am–5.00pm)	
Certificate of Regist Estate) (full and part						
<ul><li>Licensing Course</li><li>Webinar</li></ul>						
6	7	8	9	10	11	12
	SYDNEY CPD The A-B-C of Compliance (9.30am-1.30pm)	SYDNEY Auctioneers Accreditation – 3 days (9.30am-4.30pm)			SYDNEY Certificate of Registration Course (part-time) continues (9.00am-5.00pm)	
	(J. Sobari 1. Soprily	SYDNEY Certificate of Registration Course (part-ti (9.00am-5.00pm)	ime) concludes		unicy continues (c.soan c.sopin)	
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(1000)		SYDNEY CPD WHS for Property Managers – Legislation Overview (9.30am–1.30pm)				
		g				
20	21	22	23	24	25	26
SYDNEY CPD Managing Your Property Management Workplace (9.30am–1.30pm)		SYDNEY CPD An Agent's Guide to Tax and Property Investment (9.30am–1.30pm)			SYDNEY Certificate of Registration Course (part-time) concludes (9.00am–5.00pm)	
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	SYDNEY CPD The D-E-F of Compliance (9.30am-1.30pm)					

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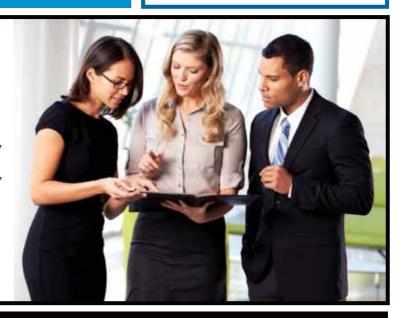
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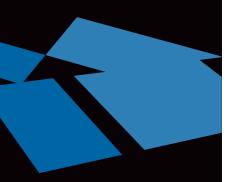
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## MEMBER PROFILE: RICHARD FAULKNER



"With REINSW, the training is totally up to date and reflects all the latest legislation."

## Flexibility and saving time are important to Richard.

Faulkner Establishments started business in 2010 as a small real estate company specialising in sales, with a team of two, Richard Faulkner and his wife.

said Richard. "We contract to larger the spoils and freedom of owning our business but without all the headaches and outlays of owning one. With three need as much flexibility as we can.

REINSW member. The features available Richard commented.

One of his favourite components of membership is the online training that's available for REINSW members.

"I've found that the information supplied in the training courses is great for the courses, but I found they weren't particularly current. With REINSW, the training is totally up to date and reflects all the latest legislation. They are interesting to do as well – definitely not

Another aspect of the membership is agreements and forms. They are really convenient and helpful.

"My handwriting isn't that clear, so take them with me. I save a lot of time that way."

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#### Residential vacancy rate - compiled by Insightrix on behalf of REINSW

SYDNEY	Jan-13	Dec-12	Nov-12	Oct-12	Sep-12	Aug-12	Jul-12	Jun-12	May-12	Apr-12	Mar-12	Feb-12	Jan-12
Inner	2.0	1.8	1.7	1.6	1.9	1.8	2.0	1.8	1.6	1.7	1.5	1.5	1.7
Middle	2.4	2.3	2.1	2.1	2.8	3.0	2.3	1.8	1.7	1.6	1.9	2.0	2.1
Outer	2.2	1.8	1.6	2.2	3.0	3.1	2.2	1.8	1.9	1.7	1.5	1.9	1.8
Total	2.2	1.9	1.8	1.9	2.5	2.7	2.2	1.8	1.7	1.7	1.6	1.8	1.9
HUNTER													
Newcastle	2.0	1.6	1.2	1.6	1.4	1.4	1.8	1.7	1.6	1.6	1.6	1.3	1.5
Other	2.8	2.4	2.0	1.8	1.5	1.6	1.9	2.0	1.7	1.7	1.6	1.5	1.5
Total	2.6	2.1	1.7	1.7	1.5	1.5	1.8	1.9	1.7	1.6	1.6	1.4	1.5
ILLAWARRA													
Wollongong	2.8	2.5	2.5	2.6	2.1	3.4	2.5	3.2	2.8	2.9	3.0	2.4	2.3
Other	1.8	1.9	2.0	2.2	1.3	2.3	2.2	2.0	1.5	2.0	1.7	2.5	2.0
Total	2.4	2.1	2.2	2.4	1.7	2.7	2.3	2.4	2.1	2.3	2.0	2.5	2.1
REGIONAL													
Albury	2.0	1.9	1.4	1.6	1.7	1.8	1.4	1.5	1.8	1.2	1.6	2.0	1.7
Central Coast	2.0	2.0	1.7	1.9	2.0	2.3	2.8	2.6	2.3	2.2	1.6	1.4	1.6
Central West	2.9	2.9	2.8	2.6	3.5	3.0	2.3	2.1	1.7	2.3	1.5	1.8	1.9
Coffs Harbour	4.3	3.7	3.4	3.6	3.7	4.7	5.1	4.7	4.0	4.9	4.1	4.0	3.6
Mid-North Coast	2.1	1.8	2.0	1.8	2.1	2.0	2.3	2.3	2.1	2.2	2.2	2.2	1.9
Murrumbidgee	2.3	1.9	1.5	1.4	8.0	1.0	2.2	1.4	1.0	1.8	1.3	3.2	2.8
New England	2.7	2.7	2.8	2.6	2.3	2.8	2.6	2.4	2.9	3.4	2.8	2.9	2.9
Northern Rivers	2.8	2.3	2.4	2.2	2.3	2.4	3.0	2.7	3.0	2.4	3.9	3.2	2.7
Orana	1.7	2.0	2.1	2.3	1.1	1.5	1.2	1.4	1.3	1.6	1.6	1.2	1.5
Riverina	2.7	2.4	2.1	2.3	1.9	2.2	2.4	3.3	3.1	4.4	3.9	3.9	3.5
South Coast	2.3	2.3	2.8	3.1	3.2	3.6	4.4	3.7	2.2	3.1	2.6	2.7	1.9
South Eastern	3.8	3.2	3.3	3.0	2.6	2.8	3.1	3.4	3.4	2.2	2.1	2.5	2.2

#### NSW weekly auction clearance rates — provided by propertyDATA.com.au

Week ending	Total auctions	Total value \$M	Clearance rate	Sold prior to auction	Sold at auction	Sold after auction	Passed in total
16/12	468	\$170.76	60%	97	182	2	153
09/12	346	\$146.42	62%	97	115	3	106
02/12	296	\$131.70	62%	68	115	0	74
25/11	442	\$179.34	57%	81	162	10	152
18/11	535	\$226.41	61%	89	232	6	174
11/11	560	\$246.05	61%	95	236	8	188
04/11	553	\$221.06	59%	87	229	10	197
28/10	608	\$272.43	62%	120	247	10	201
21/10	497	\$188.22	61%	87	209	6	156
14/10	466	\$173.31	62%	91	190	9	144
07/10	430	\$161.62	63%	89	176	5	136
30/09	424	\$241.17	62%	75	179	7	141



## Givers gain

Independent real estate agency Unrealestate Coffs Coast from the North Coast of NSW keeps its community spirit alive by active involvement in local affairs.

Winners of the Residential Agency – Small category at the 2012 REINSW Awards for Excellence, Unrealestate is run by former police officer Chris Hines. His 20-year career in the service no doubt led to his continued commitment to community service and charity work.

As the owner of an independent agency in its seventh year, Chris said, "We feel a strong connection with the local area – living and working in the place we love – and as our business began to grow, we believed that we should be good corporate citizens."

Unrealestate has been involved in local charities and sponsorships since it began, ranging from local kindergartens, fun runs and sporting teams, to Dragons Abreast, a dragonboat racing club that promotes breast cancer awareness and provides support for survivors of breast cancer.

Chris' team is also involved in the Red Cross Telecross program. Each morning the staff phones the housebound or elderly who are registered with the program. They have a chat and check on their wellbeing.

"The appreciation from the people receiving the calls is priceless," Chris said, and it also makes his staff's day.



"If they don't answer the phone, we contact the Red Cross, which then sends a family member or ambulance to check that they are okay."

Perhaps the two largest community/charitable events that Unrealestate has taken part in recently have been Camp Quality's Comics on the Run and Coast Out.

"Without a doubt, one of the most worthy charities is Camp Quality," Chris said.

"It supports children and their families coping with cancer, and provides a bit of fun in their lives.

"We have sponsored Comics on the Run for a number of years and this year took on the major sponsorship," he said.

"We also conducted the charity auction on the night, auctioning items that local businesses donated. All up, the event raised more than \$25,000.

"Coast Out is the largest Gay and Lesbian Festival in NSW

outside of Sydney's Mardi Gras. Coast Out is nonexclusive – it's open to gays, lesbians, friends and anyone else who wants to participate," explained Chris.

Coast Out won Coffs Harbour Council's 'Event of the Year' at the 2011 Australia Day awards, and now NSW Tourism has named it a 'signature event'.

And what motivates Chris and the agency? "From the personal point of view, you get a good feeling by helping out where you can," Chris explained. "From the agency side, it certainly gives us brand awareness in the community and a great corporate profile, but it comes down to the old adage, that 'givers gain'." •

#### YOUR STORY We want to hear your stories!

If you, or a member you know, supports a charity, you can share the story in the 'Last Word'. Contact the editor at (02) 9556 9115.

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Feature and cover photography by Studio Commercial Printed by Webstar Printing Mailed by Future Sources

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