



PRACTICE NOTE EDT01/2016 (A replacement notice to EDT02/2013) - To Be Read With EDT02/2016): CLARITY NOTICE ON EDUCATION REQUIREMENTS FOR ESTATE AGENTS

1. Definitions

'Education Regulations' means The Standard of Training of Estate Agents Regulations, 2008, contained in Government Notice R.633 published in Government Gazette No. 31125 on 4 June 2008.

'EAAB' means the Estate Agency Affairs Board.

'NQF Level 4' means the Further Education and Training Certificate: Real Estate (SAQA QUAL ID 59097) required to be completed by non-principal estate agents, or any other relevant qualification deemed to be equivalent to the Further Education and Training Certificate: Real Estate in accordance with the Exemptions Matrix approved by the EAAB.

'NQF Level 5' means the National Certificate: Real Estate (SAQA QUAL ID 20188) required to be completed by principal estate agents, or any other relevant qualification deemed to be equivalent to the National Certificate: Real Estate in accordance with the Exemptions Matrix approved by the EAAB.

'Professional Designation Examination' or 'PDE' means the Professional Designation Examination conducted by the EAAB in accordance with the provisions of regulation 7(3) of the Education Regulations.

'PDE 4' means the Professional Designation Examination for non-principal estate agents.

'PDE 5' means the Professional Designation Examination for principal estate agents.

2. New entrants / Intern Estate Agents

Pursuant to the provisions of regulation 2(1), as read with regulation 2(4)(b), of the Education Regulations, any person wishing to register as an estate agent for the first time must:

- serve as an intern estate agent;
- acting under the active supervision and control of a principal estate agent or of a full status estate agent who has continuously held a valid fidelity fund certificate issued by the EAAB for a period of not less than three years;
- for a continuous period of twelve months as from the date of the first issue to such person of an 'intern' fidelity fund certificate.

All new entrants to the estate agency profession, therefore, notwithstanding the nature of any academic and/or professional qualifications which such new entrants may hold, are obliged to serve as intern estate agents for a continuous period of twelve months and are also subject to the various constraints and limitations more fully provided for in regulations 2(4) and (5) of the Education Regulations.

3. The issue of 'intern' fidelity fund certificates by the EAAB

Before a valid 'intern' fidelity fund certificate may be issued to any prospective intern estate agent by the EAAB that person is required to:

- lodge a completed application, in the prescribed form; and
- pay the prescribed levy.

The application form must, in addition, be accompanied by a letter, addressed on the letterhead of the relevant estate agency enterprise and dated and signed by the principal estate agent, confirming that the estate agency enterprise concerned intends taking that person into service as an intern estate agent. The principal estate agent must, moreover, undertake either himself/herself or by appointing a suitably qualified estate agent having at least three years' experience as an estate agent to do so, to mentor the intern estate agent in all aspects of the practical estate agency services rendered by the enterprise. This means therefore that mentor details must also reflect on the Intern estate agent letter of appointment submitted to the EAAB for registration and issuance of the first FFC.

4. Education (Qualifications) requirements for estate agents

Pursuant to the provisions of regulation 4(1) of the Education Regulations, no person may perform the functions and activities of:

- a non-principal estate agent, unless that person has completed the Further Education and Training Certificate: Real Estate at NQF Level 4 (SAQA QUAL ID 59097); or
- a principal estate agent, unless that person has completed the National Certificate: Real Estate at NQF Level 5 (SAQA QUAL ID 20188).

5. Intern and Non-Principal Estate Agents

5.1. Intern Estate Agents

Intern estate agents are expected to complete the NQF Level 4 during the course of the twelve month internship period. Should an intern estate agent fail to complete the NQF Level 4 during the initial internship period that person shall remain an intern estate agent until such time as that person has duly attained the NQF Level 4 with the proviso, however, that the extended internship period shall not exceed a further period of twelve months.

Intern estate agents who have been certificated against the NQF Level 4 and completed the twelve-month internship period and have submitted the signed-off intern logbook and evidence (PoE) will be entitled to a status upgrade from intern estate agent to full-status non-principal estate agent provided, however, that they have also passed PDE 4 and have furnished the EAAB with:

- acceptable proof that they have been duly certificated against the NQF Level 4; and
- a letter, on the letterhead of the relevant estate agency enterprise and dated and signed by the principal estate agent and/or mentor concerned, confirming that to the best of their knowledge and belief that intern estate agent has successfully and satisfactorily completed the twelve month internship period. [The necessity for the provision of such a letter by intern estate agents will be superseded by the lodging with the EAAB of the prescribed log-book duly signed by the intern estate agent as well as the principal and/or mentor once such log-book has been approved and issued by the EAAB.]

Upon upgrade into full status agent, the new amended FFC reflecting the new status and professional designation Professional Practitioner in Real Estate or “PPRE” will be issued.

5.2. Full Status Non-Principal Estate Agents

Persons already registered as full-status non-principal estate agents are granted a period of two years, calculated as from the date when such persons were certificated against the NQF Level 4, to pass the PDE 4 to acquire professional status as non-principal estate agents with the proviso, however, that any persons wishing to undertake the PDE 4 must hold a valid full status non-principal fidelity fund certificate issued by the EAAB. Non-principal estate agents who have passed the PDE 4 may use the professional designation Professional Practitioner in Real Estate or “PPRE” for so long as such persons hold a valid fidelity fund certificate issued by the EAAB.

All full status non-principal estate agents wishing to register their own companies and themselves as principal estate agents must be certificated against both the NQF Level 4, PDE 4 and the NQF Level 5 before a principal’s fidelity fund certificate, authorising them to conduct activities as a principal estate agent, can be issued to them by the EAAB.

Non-principal estate agents who have been met the above requirements and wishing to register their own companies and themselves as principals are entitled to a status upgrade from non-principal estate agent to full-status principal estate agent provided, however, that they furnish the EAAB with acceptable proof of the fact that they have been certificated against the NQF Level 5 and PDE 4 when they lodge their application to be issued with principal and firm FFC.

Upon the issue of a new principal estate agent FFC, this new principal is granted a period of two years, calculated as from the FFC issue date to write and pass PDE 5 to acquire professional status as principal estate agents and the relevant professional designation Master Practitioner in Real Estate or “MPRE”.

6. Effective date

This Practice Note shall be effective immediately.

Issued by:

THE ESTATE AGENCY AFFAIRS BOARD

01 June 2016