



# LEARNER GUIDE

**CPPDSM3019 COMMUNICATE WITH  
CLIENTS IN THE PROPERTY INDUSTRY**

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# INTRODUCTION

## About this unit

This unit of competency specifies the outcomes required to interact and build relationships with clients in the property industry. It includes developing rapport with clients, handling initial client enquiries, establishing and maintaining a client database, and dealing with client complaints and problems.

The unit supports the work of a range of property industry professionals, including licensed real estate agents, real estate representatives and support staff, stock and station agents, and strata managers, in interacting and building effective relationships with clients as part of agency or organisation operations.

## Learning activities

A range of different learning activities are provided throughout this Learner Guide. You may be required to discuss topics, do some research or undertake actual practice tasks.

If you are not in a classroom environment, you may need to talk to your trainer about ways in which you can work with other students completing this course – you may need to use video conferencing software to 'meet' with others.

## Glossary

At the end of this Learner Guide you will find a blank table called 'Glossary'. You should use this to write down all the acronyms and terminology that you come across during your learning.

## References

- ◆ Business.gov.au: <https://www.business.gov.au/about/customer-service-charter>
- ◆ Cole, K 2016, *Management Theory and Practice*, 6 edn, Cengage Learning Australia, South Melbourne.
- ◆ Fair Trading NSW, 'Lodge a complaint', [http://www.fairtrading.nsw.gov.au/ftw/About\\_us/Online\\_services/Lodge\\_a\\_complaint.page?](http://www.fairtrading.nsw.gov.au/ftw/About_us/Online_services/Lodge_a_complaint.page?), viewed 28 October 2016
- ◆ FairWork Australia, 'Effective dispute resolution', <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/effective-dispute-resolution>, viewed 28 October 2016.
- ◆ NSW Fair Trading: <http://www.fairtrading.nsw.gov.au>

# 1 LEGAL AND ETHICAL REQUIREMENTS

The real estate industry is closely monitored across Australia to protect both industry members and consumers. There is a range of legislation, regulations, codes and other requirements that you must comply with when undertaking your duties as an estate agent or agent's representative.

By the end of this chapter you will be able to identify:

- ◆ legislation specific to the state of NSW
- ◆ Commonwealth legislation and regulations
- ◆ ethical requirements specific to real estate work
- ◆ workplace expectations such as professional conduct.

## 1.1 NSW legislation and regulations

Detailed below is a range of legislation specific to those who conduct real estate work in the state of New South Wales.

### ***Property, Stock and Business Agents Act 2002 and Regulations***

The Property, Stock and Business Agents Act regulates who can work in real estate in NSW. The regulations specify how agency business should be conducted and includes legislative requirements for auctions, handling trust money, record keeping and other general matters. All staff working in real estate in NSW should be aware of the contents of this legislation.

### ***Residential Tenancies Act 2010 and Regulations***

The main piece of legislation that covers tenants, landlords and agents is the Residential Tenancies Act. The Act defines the rights and obligations of landlords and tenants and stipulates requirements for rents, rental bonds and other matters relating to residential tenancy agreements.

- ◆ only pass on personal information for the reason for which it was collected, or in ways people would think reasonable, unless their consent is obtained or the disclosure is authorised by law
- ◆ allow people to see any information that is held about them if they ask for access
- ◆ keep personal information accurate, up to date and in a secure location

To ensure compliance with the Act, each estate agency should:

- ◆ implement access and complaints handling procedures
- ◆ ensure agents include a privacy statement on all information collected from clients
- ◆ develop appropriate policies
- ◆ train all staff in privacy requirements.

### **Privacy Act enforcement**

The Privacy Act gives individuals the right to complain if they think a business, including a small business subject to the Act, has not complied with the APPs in handling personal information about them.

The Privacy Commissioner can investigate, conciliate and, if necessary make determinations about complaints. The Privacy Commissioner will usually only investigate a complaint if the individual has first tried to resolve it directly with the small business concerned.

Remedies for a privacy complaint might involve an apology, a change in practice or compensation.

### **Personal information**

The real estate industry handles a lot of personal information. Personal information may include: names, addresses, phone numbers, dates of birth, income levels and places of employment.

If an agent is covered by the Privacy Act, they must only collect information that is necessary for that purpose, that is, to assess a rental application, to list a property for sale or to purchase or lease a property.

An agent covered by the Privacy Act can collect personal information about an individual if:

- ◆ the collection of the personal information is necessary for its functions or activities
- ◆ it collects the information by lawful and fair means and not in an unreasonably intrusive way.

Generally speaking, agents should not collect 'sensitive' information (for example, health, race, religious beliefs or sexual preferences) without the client's consent.

**WHAT HAVE YOU LEARNED SO FAR?**

Note down the important concepts you have taken from this chapter.

SAMPLE

## CASE STUDY

Saroj contacts ABC Real Estate to enquire about a rental property for his family. They have just moved from Nepal and are considering their residential options according to their budget, family needs and access to local shops, schools and services. They would like to get a rental approved as soon as possible. This is the third time Saroj has attempted to contact ABC Real Estate after leaving two previous messages on their voicemail.

Dijana the new receptionist at ABC Real Estate received the voicemail messages from Saroj however could not understand him due to his foreign accent. She assumed he would just send through an email enquiry using their website contact us webform and would wait for that to come through instead. Saroj does not use technology much or have direct access to devices to use their online enquiry system. Dijana is hesitant to call him back or push his query further as she has not had much experience interacting with people where English is their second language.

After the third contact attempt Saroj calls XYZ Real Estate, another local service who is able to communicate with him well. Saroj feels pleased that they have been patient, polite and friendly with him. Most importantly, they have made him feel that he can trust them with what he is looking for. They ask him to come into the office for a face to face discussion where the XYZ agent takes him through available houses in the area according to his needs.

Saroj manages to apply for a rental accommodation for him and his family on the same day.



### REFLECT

- ◆ What are the communication barriers in this case study? How could these be better managed?
- ◆ What are the impacts of effective versus poor communication within a business?

## 2.2 Communication barriers

Some common barriers to communication include:

Barrier	Example
Physical or environmental barrier	The IT support team are based offshore.
Inappropriate technology	The Internet connection is too weak for the Skype meeting.
Unsuitable method of technology	Using emails for an urgent matter.
Timing	Asking someone to complete a task at the last minute.
Language barriers	The client is of a non-English speaking background.
Cultural influences	The client cannot meet today due to prayer commitments.
Use of jargon or slang	Using cultural, slang, expressions or jargon.
Complex information	There was too much information included in the email.
Impairments or disabilities	Communicating with a client that has a physical or cognitive impairment.
Lack of appropriate training or skills	The new staff member does not know how to communicate effectively with Aboriginal or Torres Strait Islander people.
Lack of knowledge	The receptionist cannot provide clients or potential customers with correct product, service and industry knowledge.
Personality clashes	The team leader was overly dominant and aggressive towards their staff who are more introverted.
Lack of interpersonal skills	The inability to build rapport and trust to develop and maintain relationships/business networks.
Emotional influences	Being overwhelmed by an emotional event and makes irrational decisions.

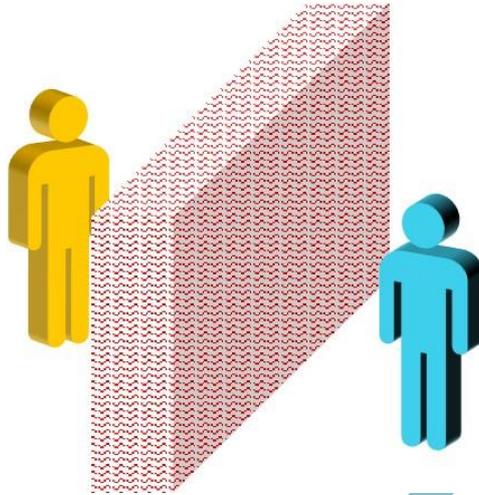


Figure 2: Communication barriers

### 2.3 Communication and diversity

All of us are different, we all have different personalities, different needs, different social and economic status, different cultures and different physical and mental abilities. Under anti-discrimination and equal opportunity legislation it is unlawful to discriminate against any person on the grounds of:

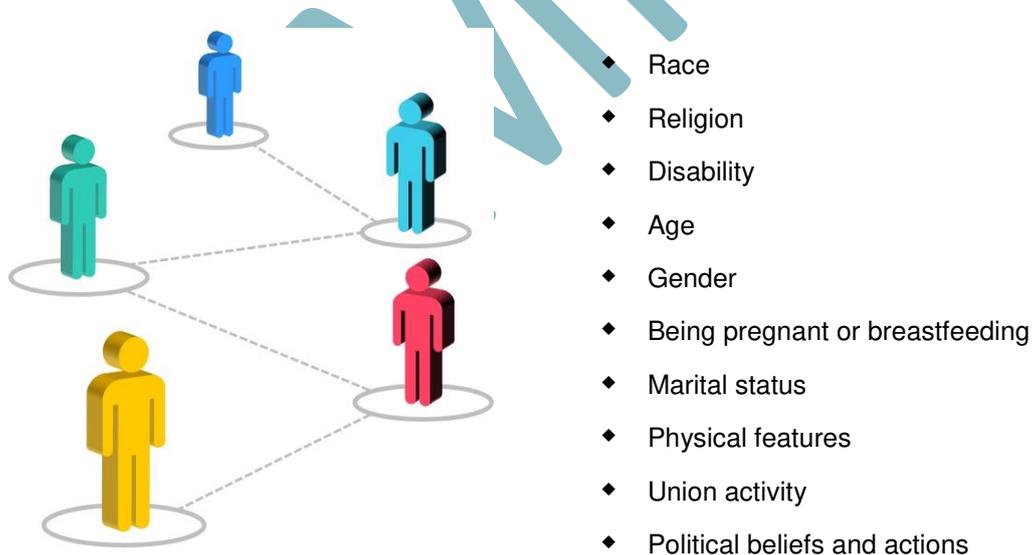


Figure 1: Diverse groups

These requirements must be considered when communicating with people who have different characteristics from your own. In some cases this may be challenging – for example, communicating with people who do not speak English, or who cannot hear, or who have an intellectual disability.

### Clarifying questions

Clarifying questions are used to confirm that the message you have received from your customer is the message they intended you to hear or that they have understood your message correctly.

In the example above, you might use a clarifying question such as, 'Can I check that I have this right? You would like to buy a house that is within a 15-minute walk along a quiet road to St Andrew's Grammar, but you don't mind if there is no bus as you always drive your child to school if it is raining?'

### Activity 3 Asking questions

#### Practice

With a partner, ask each other questions about your day. Practice the following questioning techniques:

- ◆ **Closed questions:** 'Did you have breakfast this morning?'
- ◆ **Open questions:** 'What did you have for breakfast this morning?'
- ◆ **Probing questions:** 'What about the inside of the café? What was the décor like?'
- ◆ **Clarifying questions:** 'So, you went to the café on corner of Little Bourke and Elizabeth Street and wouldn't recommend sitting in for breakfast?'

#### Questions

- ◆ Which type of question was the most challenging for you to ask?
- ◆ Which type of question was the most effective?

### Vocal skills

Not only what you say, but also the way in which you say it, is important.

- ◆ **Speak clearly and calmly** without the use of slang
- ◆ **Adjust your style of conversation** depending on the audience. If you are speaking to an elderly person you may need to use a more formal style than if you are speaking to a young teenager. No matter who you are conversing with, you must speak with respect.
- ◆ **Use the pitch and inflection of your voice** to show interest and animation – avoid speaking in a monotone.
- ◆ **Speak at an appropriate level.** If a person is hard of hearing, you may need to speak more clearly rather than louder.
- ◆ **Speak fluently** and try to avoid fill-in words and sounds (such as 'um' and 'ah' and 'like')

- ◆ take notes
- ◆ clarify your understanding
- ◆ use probing questions
- ◆ summarise understanding.

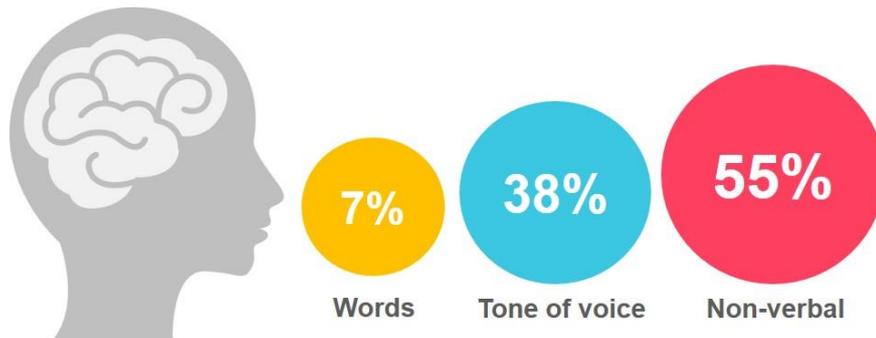


Figure 7: Effective communication

## 2.6 Written communication

In your real estate career there will be many occasions when you need to communicate in writing. These communications will range in nature from quite informal emails or notes to staff, through to formal letters – such as those to solicitors, to those giving notice to a tenant and so on.

Examples of the types of written communication you may need to be involved in include:

- ◆ text messages
- ◆ emails to clients
- ◆ facsimiles to clients/businesses (no longer used as much since the advent of electronic communication)
- ◆ diary notes
- ◆ inter-office memoranda
- ◆ letters of offer
- ◆ letters to specialists (for example, architects, lawyers and so on)
- ◆ contracts
- ◆ submissions to NSW Civil and Administrative Tribunal (NCAT).

**KEY POINTS**

- ◆ Communication barriers
- ◆ The communication process
- ◆ Effective communication
- ◆ Verbal communication
- ◆ Non-verbal communication
- ◆ Active listening
- ◆ Questioning
- ◆ Establishing rapport
- ◆ Interpersonal skills
- ◆ Communication platforms.

**PRACTICE ACTIVITIES**

- ◆ Reflect on your own communication style and write your key strengths when it comes to effective communication. Review and identify any areas for improvement.
- ◆ Research other cultures and identify cultural specific ways they communicate or interact within their communities. What type of communication practices do they use?
- ◆ Write a list of important conversational skills required for someone working in the real estate industry. What are the most important skills you identified?
- ◆ If a colleague advised they were experiencing problems with communicating with a client because English was their second language and they had a strong accent, what advice could you give them to improve the two-way interaction?
- ◆ With a partner, practice assertiveness by role playing a scenario where you are required to have a discussion with an employee that is underperforming in their role or a discussion with an aggravated client who is upset about having to pay the required additional costs for your services.
- ◆ Research and compare types of team or project collaboration tools available today. Which one do you think would be effective for you and your team in the workplace?
- ◆ Assess and review the benefits and impacts of each type of communication platform, application or software you use in your day to day role or work experience.

# 3 CLIENT ENQUIRIES

As part of your role in real estate, you will need to be able to handle a range of client enquiries. In order to do this, you will need to be able to identify their needs and preferences and follow agency practices to gather and document the information required by your clients.

By the end of this chapter you will be able to:

- ◆ clarify client needs, preferences and requirements
- ◆ explain features and benefits of agency or related services
- ◆ follow best practice in customer service
- ◆ prepare for client interviews
- ◆ use and maintain a client database.

## CASE STUDY

*After meeting with the agency, Saroj and his wife decide they would like to proceed with securing one of the properties that was showed with them last week at the agent office. They feel it will be the best option for them to accommodate their family needs and preferences, in particular with the location being closely situated to the local primary school and shopping strip. There is also a park they will be able to take the children to on the weekends, however Saroj still has some questions and concerns about the property, the payment arrangement and questions about the area in general. He would like these clarified by the agency before signing any paperwork. Saroj phones the agency and speaks with his point of contact to discuss his queries who he can progress the application.*

## Needs

What do we mean when we consider client needs? In the context of real estate, the type of needs potential clients seek relate to housing and accommodation, security, stability, lifestyle or future investment.

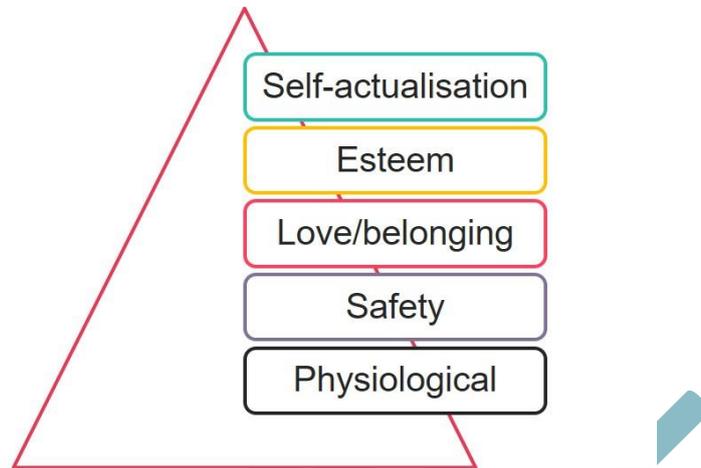


Figure 10: Maslow's hierarchy of needs

- ◆ **Physiological** – the physical requirements for human survival. These are needs that support human bodily functions and should be met first. These needs include food, water, sleep, breathing, health.
- ◆ **Safety** – physical safety from harm and physiological security. Types of safety needs include financial, personal, health, shelter and accommodation.
- ◆ **Love and belonging** – these needs must be satisfied after our physical and physiological needs have been met. These include relationships, social interaction, intimacy, affection, friendship and our overall need to belong.
- ◆ **Self-esteem** – this refers to respect, feeling valued, self-confidence, independence.
- ◆ **Self-actualisation** – the last need refers to fulfilling our individual hopes and desires; becoming what one wants to become.

Being aware of human needs can assist you in your direct interactions with both existing and potential clients, empathising with a person's situation, housing goals and building the trust and rapport required to provide a valuable service.

## Preferences and requirements

Everyone has their own preferences according to their interests, needs and personal goals. What motivates you is different to what motivates someone else. Think about when you order a burger – you might want extra sauce, no cheese or tomato and additional onion. Your friend will want a modification of this and another friend might want something else. When the order is taken, it is the responsibility of the service

**Activity 11** Information gathering**Write**

Complete the following table with methods of formal and informal methods of gathering client information.

Formal:	
Informal:	

**Questions**

- ◆ What is the most effective method of information gathering?
- ◆ What method do you prefer or tend to use often?

## LEGISLATION

- ◆ Anti-discrimination and Equal Opportunity legislation
- ◆ Australian Consumer Law
- ◆ Australian Privacy Act
- ◆ Fair Work Act 2009 and Regulations
- ◆ Anti-discrimination Act 1977 (NSW)
- ◆ REINSW Code of Practice

## CHAPTER REFERENCES

- ◆ Real Estate Institute of Australia: <https://reia.asn.au/>
- ◆ Real Estate NSW: <http://www.reinsw.com.au/>
- ◆ Business.go.au: <https://www.business.gov.au/about/customer-service-charter>
- ◆ NSW Fair Trading: <http://www.fairtrading.nsw.gov.au/>
- ◆ Piombino, K *Ragan's PR Daily*, 'Listening facts you never knew', [http://www.prdaily.com/Main/Articles/Listening\\_facts\\_you\\_never\\_knew\\_14645.aspx](http://www.prdaily.com/Main/Articles/Listening_facts_you_never_knew_14645.aspx)

SAMPLE

# 4 COMPLAINTS MANAGEMENT

Sometimes things go wrong – a client may be dissatisfied with a service and a conflict may arise. Hopefully these problems are just a minor hiccup in the client–agency relationship, but sometimes they can develop into a full-blown dispute.

The important thing is to recognise the problem early and try to resolve the problem to everyone's satisfaction.

By the end of this chapter you will be able to:

- ◆ identify different types of conflict and problems that may occur
- ◆ identify ways in which to deal with conflict
- ◆ follow processes and procedures to resolve conflict.

## CASE STUDY

*Saroj and his family have been living at their rental property for the last two months. They are very happy with their choice of housing as it has enabled them to transition into their new environment well; however, Saroj has recently identified there are a few structural issues with the property.*

*His usual contact at the real estate agency has gone on holiday leave, so he has attempted to contact the office to see who can help him. After leaving messages via phone, nobody has contacted him to discuss his concerns.*

*The structural damage is quite dangerous and he is worried his youngest daughter might be injured if this is not attended to. Saroj is frustrated with the level of service he has now received and wonders whether he should have gone with the first agency he engaged with. He would like to make a formal complaint.*

## Activity 16 Complaints

### Discuss

We've all experienced being a disgruntled customer at some point in our lives, and similarly on the flipside, had the experience of being the customer service representative taking on the complaint. With a partner or in small groups, share an experience of when you:

- ◆ lodged a customer complaint
- ◆ managed a customer complaint.

### Questions

- ◆ What was the outcome of the complaint in both situations?
- ◆ Was there a process or procedure in place?
- ◆ How easy or difficult was the complaint to manage?

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Complaints may be a result of an error by the agency – in which case the issue should be fixed immediately; or the agency may not be at fault – in which case it is important to explain the problem from the agency's point of view.

In all cases, it is necessary to look at the issue objectively from both sides.

They say you can 'turn complaints into opportunities' – do you believe this is true? When customers are upset about a service or product there is an opportunity to turn the upset customer around. This is particularly important for an organisation as the customer who very well was upset, can transform into the organisation's biggest advocate. The upset customer is vocal about their complaint so they will be able to vocalise positive aspects of a company if their complaint is successfully managed.

## 4.2 Conflict

Conflict occurs when a person or persons feel that there is a threat to their needs, interests or concerns. Generally conflict will occur following a disagreement that has not been resolved. Conflict is a strong, personal experience and can escalate in its severity very quickly. People feel personally threatened when they are in conflict, therefore they often respond based on their own personal perceptions rather than having an objective view of the situation.

**CHAPTER REFERENCES**

- ◆ Thomas, K & Kilmann, R *Sources of Insight*, '5 conflict management styles at a glance', <http://sourcesofinsight.com/conflict-management-styles-at-a-glance>, viewed 28 October 2016.
- ◆ FairWork Australia, 'Effective dispute resolution', <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/effective-dispute-resolution>, viewed 28 October 2016.
- ◆ Fair Trading NSW, 'Lodge a complaint', [http://www.fairtrading.nsw.gov.au/ftw/About\\_us/Online\\_services/Lodge\\_a\\_complaint.page?](http://www.fairtrading.nsw.gov.au/ftw/About_us/Online_services/Lodge_a_complaint.page?), viewed 28 October 2016.

SAMPLE

# GLOSSARY

Use this space to write down any acronyms or other terminology you learn during your course – make sure you include a definition!



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