

Te Aratohu Kirimana Umanga Whare o Aotearoa

I waihangahia, i whakaaehia hoki tēnei aratohu e te Real Estate Agents Authority



Ngā mea nui hei mōhio māu:

1. He kirimana here **ā-ture tētahi** kirimana umanga
2. Ka taea e koe te **whakarite** i ngā wāhanga o te kirimana umanga, tae atu ki tōna wā, te nui o te huahoko ka utua ki te kaihoko, me te utu i ngā whakapaunga.
3. Me **puaki atu** ngā kaihoko i ngā moni tuku, huahoko, hekenga utu rānei e whiwhi ai rātau mō ā rātau mahi mōu.
4. Me mataara ki ngā rerekētanga i waenga i **tētahi kirimana umanga takitahi** me **tētahi kirimana umanga whānui**.
5. Me mātua **panui koe** me te **whai mārāma** ki te kirimana umanga i mua i tō hainatanga.
6. Me whakaaro anō ki te tiki **tohutohu ture**.



Kupu whakataki

He hātepe uaua tonu te hoko atu i tō whare, ā, ko te nuinga o ngā tāngata ka whakamahi i tētahi kaihoko whare ki te āwhina i a rātau¹. Ki te whakamahia e koe tētahi kaihoko me uru koe ki tētahi kirimana umanga ā-tuhi e here ai kōrua ko te kaihoko ki te kirimana.



He aratohu tēnei ki te kirimana umanga ka tonoa koe ki te haina mēnā e hiahia ana koe ki te hoko atu i tētahi whare mā tētahi kaihoko.

He whakarato mōhiohio tēnei aratohu mō ngā kirimana umanga, he tohutohu i a koe ki hea tiki mōhiohio atu anō, he aha tāu hei tūmanako mai i tō kaihoko, ā, me aha mēnā ka raruraru mai.

E pā noa iho ana tēnei aratohu ki te hokotanga o tō whare.

Koinā noa iho te kaupapa o te aratohu – he ārahi. Kua e whakawhirinaki atu hei tohutohu ture. Nā te the Real Estate Agents Authority (REAA) tēnei i whakarite, he hinonga Karauna i whakatūhia e te Real Estate Agents Act 2008.



Me hoatu e tō kaihoko tētahi tārua o tēnei aratohu i mua i tō haina i tētahi kirimana umanga, ā, me tonu i a koe ki te tuhi whakaae kua whiwhi i a koe.

Me hoatu anō te kaihoko i tētahi tārua ki a koe o te **Aratohu Hoko Atu me te Hoko Mai Whare o Aotearoa** ina whakaatu ia i tētahi whakaaro mai a tētahi kaihoko mai. Mēnā e hiahia mōhiohio atu anō koe ka taea e koe te kōrero ki tō rōia, ā, e wātea ētahi atu mōhiohio i te paetukutuku a REAA:

www.reaa.govt.nz

¹ Ko te kaihoko whare, kaihoko rānei ngā kupu whānui mō tētahi kaihoko, kaiwhakahaere peka, kaihokohoko rānei.

Ko wai e āhei te mahi hoko whare?

Me whai tō kaihoko i tētahi raihana o nāiane i a te REAA hei whakahaere i ngā mahi hoko whare.



Ka taea e koe te tono ki te tiroiro i tāna raihana, ā, me te tiroiro anō i te rēhita o ngā tāngata whai raihana i www.reaa.govt.nz ki te kite mēnā kei te whai raihana te tangata, ā, mēnā kua hāmenehia ia mō ētahi mahi hē.

He aha te take me whai kirimana umanga au?

Mēnā e hiahia ana koe ki te whakamahi i tētahi kaihoko me whai koe i tētahi kirimana umanga. Ka tuku tēnei i te tika ki te kaihoko, me tōna umanga mahi, ki te whakatairanga i tō whare ki te hoko.

He aha te kirimana umanga?

Ko te kirimana umanga he kirimana here ā-ture i waenga i a kōrua ko te kaihoko. Ka rārangiāhia ngā wāhanga me ngā whakaritenga mō tō tohu i tētahi kaihoko, he aha ngā mahi a te kaihoko māu, ā, he aha tō utu i a ia.

Tērā pea ka haina tētahi kaihoko i a koe, engari ina pānuihia e koe tō whare, ka taea e tētahi kaihoko o te umanga te hoko i tō whare.



Me mātua pānui koe me te whai mārāma ki te kirimana umanga i mua i tō hainatanga.

He aha ngā mea me mōhio au i mua i taku haina i tētahi kirimana umanga?

I mua i tō hainatanga me tuku ki a koe e te kaihoko ēnei mōhiohio e whai ake nei.

- ✓ **Tētahi wāriu māketē ā-tuhi:** Koinei te whakatau tata pai rawa a te kaihoko o te utu o tō whare e tūmanakohia e ia mō tō whare, i runga i ngā hoko me ngā utu o ngā whare e ōrite ki tōu i tō rohe, tētahi rohe e ōrite ki tōu rānei.
- ✓ **Tāna tūtohu ki a koe mō te hoko i tō whare:** Me tūtohu ia i te āhuatanga pai rawa mō te hoko i tō whare, ā, me pēhea tana whakatairanga me te pānui i te whare.
- ✓ **Pēhea te utu i a ia:** Ko ngā mōhiohio mō tō utu i te kaihoko (e kīia ana ko te huahoko), mō āhea utu ai, ā, me te tikanga o te tataui i tēnei utu. Tērā pea he rerekē tētahi huahoko mai i tētahi kaihoko ki tētahi, nō reira me whakaurite e koe. Ka taea anō e koe te whakariterite i te rahinga, te utu huahoko rānei ka utua. Ko te tikanga ka tatauhia te huahoko hei ōrautanga o te utu hoko, me te tāke hokohoko.

Ko tā te kaihoko me mātua:

- whakamārama i te tauira ka whakamahia
 - tuku ki a koe tētahi whakatau tata ā-tāra o te huahoko ka utua e koe mēnā ka hokona tō whare mō te utu arohaehae.
- ✓ **Ngā whakapaunga:** Ngā whakapaunga hei utu māu, hei tauira, ngā utu pānuitanga kāore i roto i te huahoko.



Ka taea e koe te whakarite ngā wāhanga o te kirimana umanga, tae atu ki tōna wā, te nui o te huahoko ka utua ki te kaihoko, me te utu i ngā whakapaunga.

He aha ngā mea hei tūmanako māku i roto i tētahi kirimana umanga?

Ahakoā e rerekē ana te whakatakoto me ngā kōrero o roto i tētahi kirimana umanga mai i tētahi kaihoko ki tētahi, ko ētahi o ēnei e whai ake ngā mea me kite koe.

Ngā taipitopito mō te hoko i te whare

- ✓ Te wāhi tū o tō whare.
- ✓ Ngā taonga ka hokona me tō whare, hei tauira, ngā taputapu mā, ārai, pūhihi pouaka whakaata.
- ✓ Ngā taipitopito o tō whare, hei tauira, te maha o ngā rūma moe me ngā whare horoi, te rahi o te whenua.

Me mātua whakarite kei te tika me te pono ngā taipitopito ka tukua e koe ki te kaihoko, kei heria koe ki te ture.

Ngā mōhiohio mō te hunga ka whai wāhi ki te kirimana.

- ✓ Tō ingoa, wāhi noho me ētahi atu taipitopito.
- ✓ Te ingoa me ngā taipitopito whakapā mō tō rōia.
- ✓ Te ingoa o te kaihoko e whakarite ana ki te whakatairanga me te hoko i tō whare ia rā.
- ✓ Te ingoa me te wāhi noho o te umanga o te kaihoko.

Te whakatūturutanga kei a koe te mana ki te haina i te kirimana umanga mō ngā rangatira katoa o te whare

Mēnā karekau ko koe anake te rangatira o te whare, me mātua whakarite koe ka hainatia e ngā rangatira katoa te kirimana umanga, kei a koe rānei te mana ki te haina mō ngā rangatira katoa.

Te whakaae i whiwhi koe i tētahi tārua o tēnei aratohu

E hiahiatia ana e te Real Estate Agents Act 2008 kia hoatu e te kaihoko tētahi tārua o te *Te Aratohu Kirimana Umanga Whare o Aotearoa* i mua i tō haina i tētahi kirimana umanga, me te tiki i tō kirimana ā-tuhi i whiwhi koe i te aratohu.

Te whakatū i tētahi kaihoko me ngā taipitopito o ngā mahi e whai mana ai te kaihoko ki te whakahaere

Ka whakatū te kirimana umanga i te ingoa o te kaihoko (ko te tikanga he kamupene) me ngā taipitopito o ngā mahi e whai mana ai rātau ki te mahi. Hei tauira:

- ✓ Te whakatū i tētahi tūtohu 'Mō te Hoko'ki runga i tō whenua.
- ✓ Te pānui i tō whare ki te hoko mō te utu, i runga i te āhua, i runga i ngā whakaritenga hoki i whakamanahia e koe
- ✓ Te whakarite i ngā tirotirotanga o tō whare e ngā kaihoko mai ā muri ake.
- ✓ Te whiwhi i tētahi moni tāpui mōu.
- ✓ Te tango i te huahoko a te kaihoko mai i te moni tāpui mēnā ka herekore te tāpaetanga.

Te tūmomo kirimana umanga me te wā o te kirimana

Ka whakatau te kirimana umanga mēnā he **umanga takitahi, umanga whānui rānei**, te wā e tīmata ai te kirimana umanga, te mutunga, me te tikanga whakamutu i te kirimana. Ka taea te whakariterite te wā o te kirimana umanga. Ko te tikanga o te umanga takitahi ko tērā umanga **noa iho** e āhei ki te whakahaere i ngā mahi hoko whare mō te whare e tautuhia ana i roto i te kirimana umanga.

He aha te rerekētanga o tētahi umanga takitahi me te umanga whānui?

- ✓ Ko te **umanga takitahi** ka tuku ki te kaihoko kotahi anake te mana ki te pānui, whakarite hoki i te hoko o tō whare.
- ✓ Ko te **umanga whānui** ehara i te motuhake, ā, ka taea e koe te whakamahi ētahi atu umanga, te whakatairanga anō tōu ake whare hoki/rānei.

Kei reira ētahi mea hei mōhio māu mēnā e whakaaro ana koe ki tētahi umanga takitahi:

- ✓ Kaua koe e haina i tētahi kirimana umanga anō mēnā kei te mana tonu tētahi umanga takitahi. Ki te pēnei koe, ka mate koe ki te utu i te huahoko ki ngā kaihoko katoa, ahakoa ko tēhea o ngā kaihoko ka whakarite i te hoko.
- ✓ Ki te huri ō whakaaro mō te kirimana umanga takitahi i muri o tō hainatanga, ka taea e koe te whakakāhore i te kirimana atu ki te 5 karaka i te ahiahi o te rā i muri o te rā i whiwhi ai koe i tētahi tārua o te kirimana. Me tuhi te whakakoretanga, ā, kei roto hoki i tēnei ko te waea whakaahua, imēra rānei.

- ✓ Ki te haina koe i tētahi kirimana umanga mō tētahi wā neke atu i te 90 ngā rā, ka taea e koe, e te kaihoko rānei te whakamutu i te kirimana i muri i ngā rā 90. Me tutuki ā-tuhi tēnei.
- ✓ I ētahi kirimana, ka huri te kirimana umanga takitahi ki te kirimana umanga whānui ina whakakorehia te umanga takitahi. Ko te tikanga o tēnei me whakakore anō e koe te kirimana umanga whānui mēnā kāore koe i te hiahia i te umanga.

Te tikanga hoko me te utu o te whare

Ka whakarārangi te kirimana umanga i te tikanga hoko i whakaae koe mō tō whare. Tērā pea mā te pānuitanga utu, whakariterite, tono ā-iwi, hoko kairapu rānei.

Kei roto i te kirimana umanga tētahi 'utu rārangi' mēnā kua pānuihia tō whare me tētahi pānuitanga utu. Kāore te kirimana umanga e whai utu rārangi mēnā kei te pānuihia tō whare mā te whakariterite, tono, hoko rapu rānei.



Mō ētahi atu mōhiohio, tirohia te Auctions Information Sheet kei www.reaa.govt.nz, waea atu rānei ki **0800 for REAA** (0800 367 7322).

Huahoko

Kei roto i te kirimana umanga ngā taipitopito mō te tataui i te utu i te huahoko ki te kaihoko, ā, mō āhea utua ai ki te kaihoko.



He mea nui tonu kia mātua mārāma koe ki ō motika me ō kawenga e pā ana ki te utu i te huahoko.



Ngā whakapaunga pānuitanga me te whakatairanga

Kei roto pea i te kirimana umanga ngā utu motuhake mō te pānuitanga me te whakatairanga. Kāore he here ki a koe ki te utu mō ngā pānuitanga tāpiri mēnā kāore koe e hiahia. I mua i tō utunga i ngā utu pānuitanga tāpiri, pātai atu he aha ngā pānuitanga e whakaratoa mō te kore utu. Ko te tikanga ka whakarato pānuitanga 'koreutu' ngā kaihoko hei wāhanga o tā rātau mahi, tērā pea he:

- ✓ Uta i ngā kōrero mō tō whare ki runga i te paetukutuku a te kaihoko.
- ✓ Uta i ngā kōrero mō tō whare ki runga i ngā paetukutuku a ētahi atu pakihi hoko whare.
- ✓ Whakauru i ngā kōrero mō tō whare ki roto i ngā whakaputanga hoko whare.
- ✓ Whakaatu i tētahi whakaahua me ngā kōrero mō tō whare i roto i te tari o te kaihoko.
- ✓ Whakatū i tētahi tūtohu 'Mō te hoko' i waho i tō whare.

Me āta whakaaro koe ki ngā utu pānuitanga tāpiri ki ngā hua ka taea pea.

Me whakarite te kaihoko i tētahi mahere whakatairanga āmiki me te whakamārama i te hua o tēnei utu tāpiri. Kia maumahara, ko koe kei te utu i te utu pānuitanga tāpiri ahakoa kāore pea tō whare e hokona.



Mō ētahi atu mōhiohio, tirohia te Advertising Information Sheet kei www.reaa.govt.nz, waea atu rānei ki **0800 for REAA** (0800 367 7322).

Te puakanga o ngā moni tuku, hekenga utu, huahoko rānei e whakawhiwhia ai pea te kaihoko

Ki te whiwhi hekenga utu, moni tuku, huahoko rānei tētahi kaihoko mō tētahi ratonga ka whakaritea māu, ā, ka utu koe, me whakaatu ia i a koe mō tēnei. Hei tauira, tērā pea ka whiwhi hekenga utu te kaihoko mō te utu i te pānuitanga o tō whare i roto i tētahi nūpepa.

Ka tutuki tēnei puakanga i roto i tētahi puka ka mātua whakaurua ki te kirimana umanga. Me whakaatu te puka i te whakatau tata o te hekenga utu, moni tuku, huahoko rānei, me te wāhi i takea mai, i tētahi whakaaturanga rānei e kī ana kāore te kaihoko i te whiwhi moni tuku, huahoko, hekenga utu rānei.



Ahakoia kāore e herea te kaihoko i raro i te ture ki te tiritiri i ēnei moni tuku, huahoko, hekenga utu rānei ki a koe, tērā pea ka hiahia koe ki te whakarite i tētahi wāhanga me te kaihoko.



Mō ētahi atu mōhiohio, tirohia te Disclosure of Rebates, Discounts and Commissions Information Sheet kei

www.reaa.govt.nz, waea atu rānei ki
0800 for REAA (0800 367 7322).



Kia maumahara, ka taea e koe te tuku pātai, te tiki tohutohu motuhake, te kōrero ki ngā kaihoko neke atu i te kotahi, me te whakariterite i te huahoko, whakapaunga me ngā ratonga.

Ka aha ina whiwhi tāpaetanga au?

Ina tuku tāpaetanga tētahi tangata ki te hoko i tō whare, ka heria mai ki a koe e tō kaihoko te tāpaetanga hei kirimana hoko atu me te hoko mai ā-tuhi. I mua i tō haina i tētahi kirimana hoko atu me te hoko mai me mātua whiwhi koe i tētahi **Aratohu Hoko Atu me te Hoko Mai Whare o Aotearoa**. E tohutohuhia ana koe kia kaua e haina i tētahi mea kia pānui, kia mārama hoki koe ki tēnei aratohu me te whakaatu i te kirimana hoko atu me te hoko mai ki tō rōia.

Ka aha mēnā ka pā mai he raruraru?

Ki te āwangawanga koe mō te whanonga o tētahi kaihoko, me kōrero koe i ō āwangawanga ki te kaihoko, tōna kaiwhakahaere rānei. E hiahiatia ana ngā kaihoko kia whai i ētahi tikanga whakatau amuamu.

Ki te kore e eke i tēnei, kāore rānei koe e hiahia ki te whai i tēnei hātepe me whakapā atu koe ki te REAA.

He maha ngā huarahi e taea e REAA te āwhina ki a koe. Kei roto i tēnei ko te tuku i tētahi reta tohutohu tautukunga, te whakarite i tētahi atu whakataunga raruraru, te whakahaere rānei i te take nei hei amuamu Ina whakapā atu koe ki te REAA ka āwhina rātau i a koe ki te tautuhi i te āhuatanga pai rawa mō te whakarite i ō āwangawanga.

Ka taea e koe te tiki mōhiohio atu anō i...

He maha ngā wāhi e taea e koe te tiki āwhina me te tohutohu, tae atu ki:

- ✓ Te Real Estate Agents Authority (REAA) i www.reaa.govt.nz, waea atu rānei ki **0800 for REAA** (0800 367 7322).

Ka taea e te REAA te whakarato mōhiohio me te āwhina mō ētahi take whānui, ā, e whai kawenga ana mō te whakarite i ngā āwangawanga mō ngā kaihoko whare.

- ✓ Tō rōia.
- ✓ Community Law Centres www.communitylaw.org.nz.
- ✓ Citizens Advice Bureau www.cab.org.nz.
- ✓ Te Manatū Kaihokohoko www.consumeraffairs.govt.nz.
- ✓ NZ Law Society Property Section www.propertylawyers.org.nz.
- ✓ Consumer Build www.consumerbuild.org.nz.




Ka kitea ētahi atu mōhiohio mō te
āwhina a te REAA i a koe i
www.reaa.govt.nz,
mā te waea atu rānei ki
0800 for REAA (0800 367 7322).

Real Estate Agents Authority


I whakatūhia te Real Estate Agents Authority (REAA) e te kāwanatanga o Aotearoa hei whakapūmau i ngā paerewa ngaio teitei i roto i te rāngai hoko whare, hei hāpai hoki i te marutanga nui ake mō te hunga hoko mai, hoko atu rānei.



 www.reaa.govt.nz

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 0800 for REAA (0800 367 7322), (04) 471 8930 rānei



Matawai ki te rapu mōhiohio atu anō mō te hoko mai me te hoko atu i ngā whare.

E ai ki te mōhio o te Real Estate Agents Authority, he tōtika ngā mōhiohio i roto i tēnei aratohu i te wā e whakaatu ana i raro. Engari, ko ngā whakaritenga e pā ana ki ēnei mōhiohio tērā pea ka huri i tētahi wā, ā, ko ngā mōhiohio hou tonu e wātea ana i www.reaa.govt.nz [Putanga 1.2 12 Hui-tanguru 2014].

