



SCHEDULE 4

Dispute Resolution Procedure for disputes between members and Clients

If a written complaint is lodged with the RAA in accordance with rule 7 or rule 8(12), the Conduct Committee may conduct its own investigations into the complaint in accordance with the following procedures, namely:

- (1) Give due consideration to the nature of the complaint and whether in the opinion of the Conduct Committee the complaint is substantiated by the complainant and is not frivolous, or vexatious;
- (2) Give due consideration as to whether the complaint involves a breach or potential breach of the Code of Conduct or relevant law;
- (3) If the Conduct Committee decides that the complaint meets the above requirements, then the Conduct Committee will investigate the complaint by:
 - (a) Firstly, providing notice of the complaint to the member accompanied with a copy of the written complaint received by the RAA and direct the member to provide a written response to the complaint within 14 days of the member receiving the RAA's notice of the complaint unless otherwise agreed.
 - (b) The Conduct Committee shall meet within 14 days of receipt of the member's written response to decide whether the complaint is minor and/or rectifiable or whether it is serious and requires further investigation.
 - (c) If the Conduct Committee's investigations finds that the member has not breached the Code of Conduct, then RAA will promptly re-instate the member's membership and provide a written report to both the member and the regulator of its high level findings and reasons for the Association's re-instatement of that member.
 - (d) If the Conduct Committee decides that the complaint is minor and/or rectifiable, the committee shall direct the member to resolve the dispute and/or breach within a prescribed period of time and following the receipt of written notice by Rules of the REC Agents Association.DOC the member that the dispute/breach has been rectified, then the dispute shall cease subject to the payment by the member of the RAA's direct costs for dealing with the dispute.
 - (e) If the Conduct Committee decides that the dispute involves a serious breach of the Code of Conduct or any law, and the complaint cannot be immediately resolved, the committee may suspend the member's membership by providing notice in writing to the member that the Conduct Committee considers the member's breach to be of a serious nature requiring further investigation and will as part of that investigation invite both the member and the complainant to either address the committee either jointly and/or separately; and/or submit further evidence stating their case, within a reasonable time of such request on the matters the subject of the dispute.
 - (f) Following the above further investigations, if the matter is not resolved between the parties to the satisfaction of the Conduct Committee, it will make a recommendation to the committee to either: fine the member including the direct costs of the RAA for administering the dispute; and/or continue the suspension of the member until the matter is resolved to the satisfaction of the committee; or expel the member and cancel the member's membership.
 - (g) If a member's membership is suspended or cancelled, the member acknowledges and agrees that the RAA may publish such information on the RAA website and provide all relevant details to the relevant regulator.
 - (h) If a member ceases to be a member of RAA for any reason, including expulsion, then the RAA will reimburse to the member a pro-rata proportion of their membership fees from the date of payment to the date the member's membership ceases less the direct costs of RAA for administering this dispute process.