



**ESTATE AGENCY AFFAIRS BOARD
OF SOUTH AFRICA**

PRACTICE NOTE: ETD02/2019 OF 26 JUNE 2019

**REGULATING THE POSITION OF PREVIOUSLY REGISTERED ESTATE AGENTS
WHO WISH TO RETURN TO THE SECTOR**

1. PURPOSE

The purpose of Practice Note ETD02/2019 is to regulate the position of persons who were previously registered as estate agents by the EAAB, and who were issued with valid Fidelity Fund Certificates accordingly, but who subsequently left the sector and now wish to re-enter, despite the fact that such persons may not have complied with the educational requirements prescribed by the Standard of Training of Estate Agents Regulations, 2008.

DEFINITIONS

TERM	DEFINITION
Certification	<p>Certification occurs when:</p> <ul style="list-style-type: none">• A candidate is found competent against the NQF Level 4 real estate qualification and/or the NQF Level 5 real estate qualification, as the case may be, by a Services SETA-accredited Recognition of Prior Learning assessment centre or real estate education provider; and• Such competency finding is subsequently verified and endorsed by the Services SETA; and• A Certificate of Competence is issued to the candidate in respect of the relevant qualification by the Services SETA. <p>Certification shall include the grant of an equivalency exemption against the NQF Level 4 real estate qualification and/or the NQF Level 5 real estate qualification, as the case may be, in accordance with the EAAB Board-approved equivalency exemption policy.</p>

EAAB	The Estate Agency Affairs Board.
Education Regulations	The Standard of Training of Estate Agents Regulations, 2008, published in Regulation Gazette No. 8902 on 4 June 2008.
NQF	The National Qualifications Framework established and implemented by the South African Qualifications Authority.
NQF Level 4 Real estate qualification	The Further Education and Training Certificate: Real Estate (SAQA QUAL ID 59097) - required to be completed by non-principal estate agents.
NQF Level 5 Real estate qualification	The National Certificate: Real Estate (SAQA QUAL ID 20188) - required to be completed by principal estate agents.
Professional Designation Examination or PDE	The Professional Designation Examination conducted by the EAAB in accordance with regulation 7(3) of the Education Regulations.
PDE 4	The Professional Designation Examination conducted by the EAAB for non-principal estate agents.
PDE 5	The Professional Designation Examination conducted by the EAAB for principal estate agents.
Sector	The estate agency sector regulated by the EAAB pursuant to the provisions of the Estate Agency Affairs Act, 112 of 1976.
Services SETA	The Services Sector Education and Training Authority.

2. SCOPE OF THE PRACTICE NOTE

This Practice Note shall apply to:

- 2.1 Persons who were previously registered as estate agents by the EAAB;
- 2.2 Who, after having left the estate agency sector, wish to re-enter the sector; and
- 2.3 Notwithstanding they may not have complied with the educational requirements prescribed by the Education Regulations.

The Practice Note shall not apply to persons seeking to enter the sector for the first time and/or to persons who have never previously applied for, or been issued with, a valid Fidelity Fund Certificate by the EAAB.

3. APPLICANTS WHO LEFT THE SECTOR DURING OR BEFORE THE 2008 CALENDAR YEAR

- 3.1 Applicants who wish to re-enter the sector and who either exited the sector and/or failed to renew their Fidelity Fund Certificates **during or before the 2008 calendar year** may, on application in the prescribed manner, only be issued with an intern Fidelity Fund Certificate by the EAAB notwithstanding their last registration status.
- 3.2 Such re-registered intern estate agents shall be required to complete the twelve-month internship period prescribed by the Education Regulations while acting under the active supervision and control of a principal or other qualifying mentor estate agent.
- 3.3 Re-registered intern estate agents shall maintain the mandatory intern logbook and shall submit such logbook to the EAAB for assessment, in the format required by the EAAB from time to time, by no later than the end of the twelve-month internship

period, which period is calculated as from the date of the issue of an Intern Fidelity Fund Certificate to the Intern estate agent concerned.

- 3.4 Re-registered Intern estate agents shall be certificated against the NQF Level 4 real estate qualification within a period of twelve-months, calculated as from the date of the issue of an intern fidelity fund certificate to the intern estate agent concerned.
- 3.5 Re-registered Intern estate agents shall pass the PDE 4 within a period not to exceed eighteen months calculated as from the date of the issue of an Intern Fidelity Fund Certificate to the Intern estate agent concerned.
- 3.6 Failure by a re-registered Intern estate agent to comply with the requirements of paragraphs 4.2 to 4.5 renders that re-registered Intern estate agent *ipso facto* disqualified so that a Fidelity Fund Certificate may not be issued to that person for the next ensuing calendar year.

4. APPLICANTS WHO LEFT THE SECTOR DURING OR AFTER THE 2009 CALENDAR YEAR

Applicants wishing to re-enter the sector who either exited the sector and/or failed to renew their Fidelity Fund Certificates **during or after the 2009 calendar year** may, on application in the prescribed manner, be issued with a Fidelity Fund Certificate by the EAAB at the same status as that reflected in the last Fidelity Fund Certificate issued to the applicant by the EAAB.

5. PAYMENT OF ANY PENALTIES DUE BY A READMITTED ESTATE AGENT

- 5.1 An applicant for readmission as an estate agent shall be required, upon making application in the prescribed manner for the issue of a Fidelity Fund Certificate, to settle, or make satisfactory arrangements for the settlement of, any penalties that may then be due and payable by such applicant to the EAAB.
- 5.2 If the penalty that is due and payable by the applicant to the EAAB does not exceed the amount of R1 000, the full amount of such penalty shall forthwith be paid by the applicant prior to the issue to such applicant of a Fidelity Fund Certificate.
- 5.3 Should the penalty that is due and payable by the applicant to the EAAB exceed the amount of R1 000, the applicant shall:
 - 5.3.1 Pay an initial deposit of at least R1 000 in settlement of such penalty;
 - 5.3.2 Conclude satisfactory arrangements with the EAAB for the settlement of the balance of such said penalty; and
 - 5.3.3 Prior to the issue to such applicant of a Fidelity Fund Certificate by the EAAB.

6. RE-ADMITTED FULL STATUS NON-PRINCIPAL ESTATE AGENTS

- 6.1 An estate agent re-admitted to the sector as a full status Non-Principal estate agent in accordance with paragraph 5 shall be both certificated against the NQF Level 4 real estate qualification and pass the PDE 4 within a period not to exceed eighteen months calculated as from the date of the issue to such readmitted person of a full status non-principal Fidelity Fund Certificate.

- 6.2 Any failure by such a readmitted full status Non-Principal estate agent to comply with the requirements of paragraph.
- 6.3 Will render that person *ipso facto* disqualified with the result that a Fidelity Fund Certificate may not be issued to that person for the next ensuing calendar year.

7. RE-ADMITTED FULL STATUS PRINCIPAL ESTATE AGENTS

- 7.1 An estate agent readmitted as a Full Status Principal estate agent in accordance with paragraph 5 must be both certificated against the NQF Level 5 real estate qualification and pass the PDE 5 within a period not to exceed eighteen months calculated as from the date of the issue to such re-admitted person of a Full Status Principal Fidelity Fund Certificate.
- 7.2 Any failure by a re-admitted Full Status Principal estate agent to comply with the requirements of paragraph 8.1 will render that person *ipso facto* disqualified with the result that a Fidelity Fund Certificate may not be issued to that person for the next ensuing calendar year.

8. PROCESSING APPLICATIONS FOR READMISSION AS AN ESTATE AGENT

- 8.1 Completed and compliant applications, in the prescribed manner, for re-admission as an estate agent shall be:
 - 8.1.1 Delivered to the EAAB at Block A, 63 Wierda Road East, Wierda Valley, Sandton; or
 - 8.1.2 E-mailed to the EAAB at registrationwithoutqualifications@eaab.org.za
- 8.2 Queries pertaining to applications for the readmission of an applicant as an estate agent may be addressed to Mr Joseph Sakoneka, Manager: Registration Department, at Tel: 087 285 3222.

9. EFFECTIVE DATE OF PRACTICE NOTE

This Practice Note shall come into effect on 5 July 2019 from which date applications for readmission as an estate agent will be received by the EAAB.

**Issued by: THE ESTATE AGENCY AFFAIRS BOARD
26 JUNE 2019**