

COMPLIANCE AND ENFORCEMENT FRAMEWORK REVIEW

Compliance Officer	Section 5 - Review C & E Framework	Approving Officer:
<input checked="" type="radio"/> Yes / No / NA	Complainant has been contacted to confirm allegations.	Yes / <input checked="" type="radio"/> No / NA
<input checked="" type="radio"/> Yes / No / NA	All breaches & entities have been identified and entered on MACS.	<input checked="" type="radio"/> Yes / No / NA
Yes / No / <input checked="" type="radio"/> NA	Significant factors (eg. media interest) been identified & reported	Yes / No / <input checked="" type="radio"/> NA
<input checked="" type="radio"/> Yes / No / NA	All avenues of investigation have been undertaken.	<input checked="" type="radio"/> Yes / No / NA
<input checked="" type="radio"/> Yes / No / NA	File notes have been maintained, signed where appropriate and attached to the file	<input checked="" type="radio"/> Yes / No / NA
<input checked="" type="radio"/> Yes / No / NA	Appropriate investigation methodology was applied	<input checked="" type="radio"/> Yes / No / NA
<input checked="" type="radio"/> Yes / No / NA	Sufficient evidence exists to support the recommendations	<input checked="" type="radio"/> Yes / No / NA
<input checked="" type="radio"/> Yes / No / NA	Documents exhibits have been recorded and stored appropriately	<input checked="" type="radio"/> Yes / No / NA
Yes / No / <input checked="" type="radio"/> NA	Emerging issues or trends been identified and reported	Yes / No / <input checked="" type="radio"/> NA
Yes / No / <input checked="" type="radio"/> NA	Policy decisions or public interest factors (eg. legal opinion) are filed	Yes / No / <input checked="" type="radio"/> NA
<input checked="" type="radio"/> Yes / No / NA	Complainant has been notified of the outcome. Phone / EMAIL / Letter	<input checked="" type="radio"/> Yes / No / NA
Yes / No / <input checked="" type="radio"/> NA	Any redress has been confirmed and details included on MACS	Yes / No / <input checked="" type="radio"/> NA
<input checked="" type="radio"/> Yes / No / NA	Trader letter in support of enforcement action is attached	<input checked="" type="radio"/> Yes / No / NA
<input checked="" type="radio"/> Yes / No / NA	MPS timeframes have been met.	<input checked="" type="radio"/> Yes / No / NA CAL
<input checked="" type="radio"/> Yes / No / NA	Investigation has been finalised on MACS	<input checked="" type="radio"/> Yes / No / NA
Yes / <input checked="" type="radio"/> No / NA	Matter need to be referred to a higher authority for info/action	Yes / <input checked="" type="radio"/> No / NA

CLOSURE

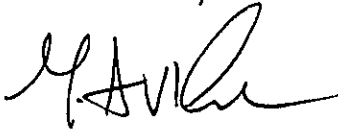
Compliance Officer:	M. Avice	Approving Officer:	Rina Guatter
Date:	21/11/14	Date:	22/11/14
Signature:	<i>M. Avice</i>	Signature:	<i>R. Guatter</i>

Further information about the OFT and the laws it administer, together with general advice is available at [www.fairtrading.qld.gov.au](http://www.fairtrading.qld.gov.au).

Should you have any further queries please contact our office on (07) 3033 0103.

Thank you for bringing this matter to our attention.

Yours sincerely



Maddie Avice

**Compliance Officer**

**Office of Fair Trading**

**Department of Justice & Attorney-General**

The legislation can be accessed at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au) . Further information about the OFT and the laws it administer, together with general advice is available at [www.fairtrading.qld.gov.au](http://www.fairtrading.qld.gov.au).

Please ensure that your website is updated to advertise the correct prices and to ensure that customers can clearly identify that this price is per product/appliance.

Should you have any further queries please contact me on (07) 3033 0103.

Yours sincerely



Maddie Avice  
**Compliance Officer**  
**Investigations Branch**  
**Office of Fair Trading**  
**Department of Justice and Attorney-General**

**For CALLI only:**

16

Advise consumer about action taken  Obtain more info from consumer

Thank consumer for info/intel and close NFA

Further investigate  Compliance advice letter (CAL) (no investigation)

Code of conduct ss 17 CAL only (no investigation)

QCAT information  Civil - refer for Legal Advice

**Assessment Clarification/Notes:**

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CALLI Officer and Date of Assessment:

Name	Date
Rina Gualtieri	29/10/19

Case Assessment and Low Level Investigations  
Contact Person: Kate Ironmonger  
Telephone (07) 3224 6676  
Reference: C-2014-110552

Thank you for bringing this matter to our attention.

Yours sincerely



Kate Ironmonger  
**Administration Officer**  
**Office of Fair Trading**  
**Department of Justice and Attorney-General**

## Complaint Detail

Complaint No.: C-2014-110552

### Marketplace Data

Product Category	Product Sub-Category	Product Type
FINANCIAL & RELATED SERVICES; REAL ESTATE SERVICES; RENTAL & LEASING SERVICES	REAL ESTATE SERVICES	RESIDENTIAL PROPERTY MANAGEMENT ON A FEE/CONTRACT BASIS (EXCL. MAN. & MOB. HOME)
Industry Group Category	Industry Group Sub-Category	Industry Group Type
PROPERTY AND BUSINESS SERVICES	PROPERTY SERVICES	REAL ESTATE AGENTS (EXCL. RESIDENT LETTING)
Conduct Category	Conduct Sub-Category	Conduct Type
RIGHTS AND RESPONSIBILITIES EXCL WARRANTIES	CANCELLATIONS/COOLING OFF	CANCELLATIONS/COOLING OFF

### Demographics

**Gender:** MALE

**Age Group:** 35 - 44

**Employment Status:** Self Employed (business owner): N      Full Time Employed: Y      Part Time Employed: N  
 Student: N      Unemployed: N      Care-giver / Home Maker: N      Retired: N  
 Employment Status Not Provided: N

**Vulnerable Group:** Indigenous / South Sea Islander: N      Non-English speaking background: N      Disability: N  
 Vulnerable Group Not Provided: Y

**Language Spoken:**

**Income Group:** MORE THAN \$78,000 PER YEAR

# TEMPLATE FOR 'SEARCHES'

This is a mandatory form that requires each search box ticked as part of the Office of Fair Trading quality assurance.

## 1. MACS

Check if complaint already exists

Trader details

- NB: all Occupational Licensing (by OFT) should be licensed with details already on MACS

ALL PRINTOUTS IN TRADER PROFILE FORMAT.

## 2. ORGANISATION SEARCHES

Business Name search

Company details search details

## 3. OTHER SEARCHES TO CONSIDER

ABN

Other authority licensing

White/Yellow pages

Geek Tools

Web search

Reverse Australia

Documents Uploaded

Documents Deleted from Folder

Signed...L. Treacy...

Date 5/10/14..

### TRADER:

MACS: Exist/ ~~New~~

ABN: .....

Status: .....

ACN: 158844690

Status: reg

ASIC BN: .....

Status: .....

STATE BN: .....

Status: .....

Status: .....

### LICENCE:

OFT

# : 3716733

Type: REC

Status: Licensed

OTHER AUTHORITY

# : 3716732

Type: REC

Status: Licensed

### History check:

Trader profile reviewed

Further searches on variations of name and entity conducted

**ASSESSMENT CHECKLIST**

Day 1

Date Rec'd: 13/10/14

Day 3

Logged MACS: 16/10/14

Assessed: 17/10/14

Allocated Office: \_\_\_\_\_

Allocated Officer: \_\_\_\_\_

Day 10

Complainant Acknowledged \_\_\_\_\_

**If complaint is linked to INV:**

Linked on MACS

ACK letter sent

Emailed INV to admin staff

Delivered to PAMDA admin

Signed \_\_\_\_\_

Date \_\_\_\_\_

Day 30

Aim to Finalise \_\_\_\_\_

- Correct T Organisation?
- Data Integrity
  - C details
  - T details
  - Description (incl keywords)
  - Dates
  - Codes
- QLD Matter?
- Checked printouts / intel gathered
- Do we need evidence / further documentation?
- Does this need to be referred?

**Legislation**

- ACL:
  - False or misleading representations
    - goods or services
    - employment
    - rebates, gifts, prizes
    - bait advertising
    - country of origin
  - Unsolicited supplies
    - cards
    - goods/services
    - blowers
  - Pyramid schemes/Referral selling
  - Pricing
  - Harassment and coercion
  - Consumer guarantees
    - Goods and Services
    - Repairs, spare parts
  - Unsolicited Consumer Agreements
    - In person
    - By phone
    - Shopping centre
    - Competition
  - Lay-by
  - Proof of transaction/itemised bill
  - Repair notices
  - Safety standards
  - Is C a Consumer?
    - Is it relevant?
- PAMDA – Real Estate
  - Motor Dealing
  - Auctioneering
  - Property Developers
  - Commercial Agents
  - Pastoral Houses
  - Trust Accounts
  - Code of Conduct
- ASSOC
- Charities
- Sec: Provider
- SHD & Pawnbrokers
- Introduction Agents
- Fitness Industry COC

- Update MACS changes
- Update MACS allocations
- Check AA complaints folder
- Trader History Check