

C-12 07605

INVESTIGATIONS I-12 00755

COMPLAINT FILE

S. Capell

Sch4/3/3

Trader's details

Name: KAR LAND PTY LTD

Address: 704 NICKLIN WAY

CURRIMUNDI QLD 4551

Phone: 1300 857 451

Result due date: 1-JUL-12

Completion date:

Destruction date:

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BAR CODE

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

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I declare that the information supplied by me is, to the best of my knowledge, true and correct. I agree that the information provided (except for demographic data) may, if necessary, be revealed to the trader in correspondence or investigations concerning this complaint or referred to another authority for their appropriate action should the matter fall outside this Office's jurisdiction.

*****DISCLAIMER*****

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Investigation Detail

Investigation No: I-2012-00755

Trader

Entity Name	B/H Phone	Business Name	B/H Phone
KAR LAND PTY LTD	07 3347 2222	WEBUYANYCAR	1300592422

Complaints

Complaint Ref.	Received Date	Complainant	Dispute Outcome	Compliance Outcome	Redress Obtained
C-2012-03715	20-MAR-12	Sch4/3/3			
C-2012-04210	30-MAR-12		COMPLAINT WITHDRAWN		\$0.00
C-2012-04728	16-APR-12				
C-2012-04940	19-APR-12				
C-2012-04975	20-APR-12				
C-2012-05057	23-APR-12				
C-2012-05062	23-APR-12				
C-2012-05138	24-APR-12				
C-2012-05207	26-APR-12				
C-2012-05285	27-APR-12				
C-2012-05343	29-APR-12				
C-2012-05346	01-MAY-12				
C-2012-05495	08-MAY-12				
C-2012-05803	11-MAY-12				
C-2012-06041	10-MAY-12				
C-2012-06307	23-MAY-12				
C-2012-06367	24-MAY-12				
C-2012-06541	30-MAY-12				
C-2012-06617	31-MAY-12				
C-2012-06915	07-JUN-12				
C-2012-07172	12-JUN-12				
C-2012-07481	20-JUN-12				
C-2012-07515	21-JUN-12				
C-2012-07605	26-JUN-12				

Complainant/s

Entity Name	Contact Name	B/H Phone	Business Name	Corr.
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Linked Matters

Source Compliance Check:

Master Investigation:

Created Compliance Check:

Merged Investigations:

Investigation Details

Sub Program: INVESTIGATIONS

File Name: KAR LAND PTY LTD

Comp. Officer: SCOTT CAPELL

Received Date: 02-APR-12

Office: BRISBANE - INVESTIGATIONS

Created Date: 02-APR-12

Source: COMPLAINT

Target Completion Date: 01-JUL-12

Status: INVESTIGATION COMMENCED

Description: COMPLAINANT (C) CLAIMS THAT ON THE TRADERS (T) WEBSITE C WAS GIVEN A



Investigation Detail

Investigation No: I-2012-00755

Witnesses

Name	Type	Witness Name	Type	Status	Outcome
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Legal Action

Ref	Type	Date Initiated	Status	Status Date	Trader
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C File Timeframes

Day 1	Date Rec'd: <u>26/6/12.</u>	ASSESSMENT CHECKLIST <ul style="list-style-type: none"> • Correct T Organisation? • Data Integrity <ul style="list-style-type: none"> ▪ 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 <ul style="list-style-type: none"> ○ ACL: <ul style="list-style-type: none"> ○ False or misleading representations <ul style="list-style-type: none"> ○ goods or services ○ employment ○ rebates, gifts, prizes ○ bait advertising ○ country of origin ○ Unsolicited supplies <ul style="list-style-type: none"> ○ cards ○ goods/services ○ blowers ○ Pyramid schemes/Referral selling ○ Pricing ○ Harassment and coercion ○ Consumer guarantees <ul style="list-style-type: none"> ○ Goods and Services ○ Repairs, spare parts ○ Unsolicited Consumer Agreements <ul style="list-style-type: none"> ○ In person ○ By phone ○ Shopping centre ○ Competition ○ Lay-by ○ Proof of transaction/itemised bill ○ Repair notices ○ Safety standards ○ Is C a Consumer? <ul style="list-style-type: none"> ○ Is it relevant? ○ PAMDA – Real Estate <ul style="list-style-type: none"> ○ 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
Day 3	Logged MACS: _____ Assessed: _____ Allocated Office: _____ Allocated Officer: _____	
Day 10	Complainant Acknowledged _____	
Day 30	Aim to Finalise _____	

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

1st Step – Check if complaint already exists

- MACS > compliance > complaint > complaint SEARCH
- Key in surname and first initial (in case keyed on incorrectly)

2nd Step – Trader details

- **NB: all Occupational Licensing (by OFT) should be licensed with details already on MACS**
- MACS > compliance > complaint > complaint DETAILS
- Type in first name of the trader only (eg; Harvey Norman; Samsung; or Ray White (with no suburbs/towns/added
- Scroll down to the appropriate business name/trader entity with the correct address. If the business name is registered, the trader should have their BN listed against their name. Write BN number on checklist (when applicable)
- ACN numbers not shown – when a company name is found on an existing complaint in MACS, search ASIC to find the ACN number. (eg. Samsung search would bring up Samsung Electronics Australia Pty Ltd.) Write ACN number on checklist at right, print details of company per instructions at Point 2
- **If the trader is a Real Estate Agent/Motor Dealer/Other Occ Lic;**
- Choose the correct trader listed in MACS, use the right return arrow to bring details 'around', then the license numbers should appear on the screen. Write number on checklist at right and print details
- Search > Entity Search >
- If individual, leave 'TYPE' as individual, key in license number of **first initial** and surname
- If company, 'TYPE' field change to 'ALL ENTITY TYPES'

ALL PRINTOUTS SHOULD BE TRADER PROFILE FORMAT.

☒ 2. ORGANISATION SEARCHES

• 1st Step – Log into ASIC Portal

- Select drop down box under 'Search Within' > Select option (eg. 'Business Name Index') > Type in name of trader > Click 'GO'

• 2nd Step – Select Appropriate ASIC BN

- Choose appropriate ASIC BN, check tick box for current extract or historical extract > Select 'Add to Cart' > Go to Check out and follow process to retrieve Extract > Click on 'Online Retrieval Status' or wait for extract link to be emailed through > retrieve PDF and print

- **NB:** BACHCO Printouts can be used if ASIC BN is cancelled pre 28/05; if searching for Incorporated Association; or if ASIC BN cannot be found (input file note on MACS if BACHCO BN Extract is printed for post 28/05 trader)

• 3rd Step – ASIC BN / STATE BN

- Write ASIC BN number and/or STATE BN number etc on checklist

☒ 3. OTHER SEARCHES TO CONSIDER

- ABN
- Other authority licensing
- White/Yellow pages
- Geek Tools
- Web search
- Reverse Australia

TRADER:

MACS: Exist / New

ABN:
Status:

ACN:
Status:

ASIC BN:
Status:

STATE BN: 22308428
State: QLD
Status: Reg

LICENCE:

OFT
#:
Type:
Status:

OTHER AUTHORITY
#:
Type:
Status:

LICENSE TYPES:

- RE – Real Estate
- MD – Motor Dealer
- PD – Property Developer
- RL – Resident Letting
- AU – Auctioneer
- PH – Pastoral House
- BG – Bodyguard
- CA – Commercial Agent
- CC – Crowd Controller
- SEC – Security Provider/Firm
- SF – Security Firm
- PI – Private Investigator
- RS – Restricted Security
- SHD – Second Hand Dealer & Pawnbroker
- INT – Introduction Agent
- ITO – Inbound Tour Operator
- TA – Travel Agent
- TAG – Travel Agent

☐ Documents Uploaded ☐ Documents Deleted from Folder

Signed.....

Date/...../.....