



Queensland
Government

Office of Fair Trading
Department of Employment,
Economic Development and
Innovation

Complaint file number

C-12 08694

Work unit

Investigations

Inspector

S. Capell

Investigation file number

I-12 00755

Complainant name

Sch4/3/3

Trader's details

Name: Kav Land Pty Ltd

Address: 1339 Logan Road

Mount Gravatt QLD 4122

Phone: 1300 592422

Result due date: 1-JUL-12

Completion date:

Destruction date:

4

9



12

BAR CODE

COMPLAINT FILE

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:	

12

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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

investigation
① ACK letter to ①
② forward file to
SOH.



Investigation Detail

Investigation No: I-2012-00755

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				
C-2012-07634	26-JUN-12				
C-2012-07776	28-JUN-12				
C-2012-07824	29-JUN-12				
C-2012-07859	02-JUL-12				
C-2012-07903	02-JUL-12				
C-2012-07972	03-JUL-12				
C-2012-07974	03-JUL-12				
C-2012-07985	02-JUL-12				
C-2012-08044	05-JUL-12				
C-2012-08053	05-JUL-12				
C-2012-08079	06-JUL-12				
C-2012-08125	09-JUL-12				
C-2012-08180	07-JUL-12				
C-2012-08209	10-JUL-12				
C-2012-08251	11-JUL-12				
C-2012-08265	11-JUL-12				
C-2012-08289	12-JUL-12				
C-2012-08303	12-JUL-12		COMPLAINANT SATISFIED COMPLIANCE ACTION COMMENCED	COMPLAINT WITHDRAWN	\$400.00
C-2012-08356	13-JUL-12				
C-2012-08489	16-JUL-12				
C-2012-08502	16-JUL-12				
C-2012-08568	18-JUL-12				
C-2012-08694	20-JUL-12				
C-2012-08714	27-JUL-12				
C-2012-08716	27-JUL-12				

Tuesday July 31 2012 10:24 AM

Report Ref:cm_rp_investigation.rdf

User Ref GABRIET



Investigation Detail		Investigation No: I-2012-00755			
Prod/Ind/Cond					
Product					
Category: DISTRIBUTIVE TRADE SERVICES; FOOD/BEV. SERVING; TRANSPORT; UTILITIES; LODGING					
Sub-Category: RETAIL TRADE SERVICES					
Type					
MOTOR VEHICLE SALES					
Industry Group					
Category: RETAIL TRADE					
Sub-Category: MOTOR VEHICLE RETAILING AND SERVICES					
Type					
MOTOR VEHICLES SALES					
Conduct					
Category	Sub-Category	Type			
CONDUCT	MISLEADING/DECEPTIVE CONDUCT NEC	MISLEADING/DECEPTIVE CONDUCT NEC			
CONDUCT	FAILURE TO ACT HONESTLY, FAIRLY AND PROFESSIONALLY	FAILURE TO ACT HONESTLY, FAIRLY AND PROFESSIONALLY			
Evidence					
Ref	Type	Collection Method	Date Collected	Storage Location	
Witnesses					
Name	Type	Witness Name	Type	Status	Outcome
Legal Action					
Ref	Type	Date Initiated	Status	Status Date	Trader

**Important pre-purchase information cooling-off period***Property Agents and Motor Dealers Act 2000*

This form is effective from 1 July 2009

Department of Employment, Economic
Development and Innovation (DEEDI)**Cancellation of agreement during cooling-off period****To be completed by prospective Buyer**

If they want to cancel the contract to buy the vehicle within the one-business day cooling-off period.

Complete this form, photocopy and deliver to the Dealer personally or by receipted courier or fax before the cooling-off period ends. The Office of Fair Trading recommends you keep a copy and can prove it has been delivered to the Dealer.

I, _____ (Buyer's name)

of _____
_____ (Buyer's address)

exercise my cooling-off rights during the cooling-off period and withdraw my intention to purchase the vehicle. I exercise my rights by signing this notice and giving it to you, the dealer.

Buyer's signature _____

Signatory (print name) _____

Date signed ____ / ____ / ____
DD MM YYYY



Trader Profile

Trader Details

Entity Name: KAR LAND PTY LTD
Postal Address: 1339 LOGAN RD
MOUNT GRAVATT QLD 4122
Corp Phone: 07 3347 2222
Fax: 07 3347 2223
Email: K.EDWARDS@KARLAND.COM.AU
Web Address:

Business Details

Business No: BN22308428
Business Name: WEBUYANYCAR
PPOB Address: 1339 LOGAN RD
MOUNT GRAVATT QLD 4122
OPOB Address: 3463-3465 PACIFIC HWY
SLACKS CREEK QLD 4127
OPOB Address: 3475 PACIFIC HWY
SPRINGWOOD QLD 4127
OPOB Address: 470-472 PARAMATTA RD
STRATHFIELD NSW 2135
OPOB Address: 63 FERRY RD
SOUTHPORT QLD 4215
OPOB Address: 704 NICKLIN WAY
CURRIMUNDI QLD 4551
B/H Phone: 1300592422
A/H Phone:
Web Address:

Business No:
Business Name:
PPOB Address: 1339 LOGAN RD
MOUNT GRAVATT QLD 4122
B/H Phone:
A/H Phone:
Web Address:

Licensing Particulars

Class Name	Licence No	Role	Status	Status Date
MDC-MOTOR DEALER CORPORATION	<u>3477716</u>	LICENCE HOLDER	LICENSED	20-JUL-2011



Trader Profile

Related Entities

Entity Name	Address	Type	Relationship
<u>ARMAND DAIGA</u>	HIGHWAY AUTO GROUP PO BOX 678, SPRINGWOOD QLD 4127 Sch4/3/3	POSTAL	EXECUTIVE OFFICER
<u>RICHARD DAVID JOHN BURBAGE</u>		RESIDENTIAL	
		POSTAL	LICENSED
		RESIDENTIAL	DIRECTOR

Complaints History

Ref #	Date Lodged	Complainant	Status or Outcome	Status Date Outcome Date
<u>C-2012-03715</u>	20-MAR-2012		INVESTIGATION COMMENCED	03-APR-2012
<u>C-2012-07972</u>	03-JUL-2012		INVESTIGATION COMMENCED	18-JUL-2012

Compliance Check History

Ref #	Date Checked	Type of Check	Outcome	Outcome Date
<u>P-2011-02256</u>	09-AUG-2011	EDUCATION VISIT	TRADER COMPLIANT - NO BREACHES DETECTED	09-AUG-2011

Investigations History

Ref #	Date Initiated	Breaches	Status or Outcome	Status Date Outcome Date
<u>I-2012-00755</u>	02-APR-2012	ACL Section 29(1)(a)	INVESTIGATION COMMENCED	03-APR-2012

Company Information

BACHCO

Identifiers Details Addresses Officers

Organisation Number	151433528	Organisation Name	KAR LAND PTY LTD	More...
Previous State Type		State of Incorporation	QLD	
Registration Date	10/06/2011	Place of Incorporation		
ABN	51151433528	Heading Text	ACN	
		Formatted Organisation Number	151 433 528	

Previous Exit

Company Information

CITEC

BACHCO

Identifiers

Details

Addresses

Officers

Start Date	End Date	Name	Name Start Date	StatusType	Cls	Deregistered Date	Reason
27/07/2012		KAR LAND PTY LTD	10/06/2011	EXAL	APTY	LMSH	

Company Information



BACHCO



Identifiers
Details
Addresses
Officers

Detail	Address	Address	Address	
Type	Start Date	End Date	Type	Address
C	10/06/2011		RG	MOBILITY ACCOUNTING SOLUTIONS, U 2, 43-49 BUTTERFIELD
C	05/07/2011		PA	3463-3465 PACIFIC HWY, SLACKS CREEK, QLD, 4127

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: 151 433 528

Status: EXAD

ASIC BN:

Status:

STATE BN:

State:

Status:

LICENCE:

OFT

: 3477716

Type: MD

Status: Licensed

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: OK

Date: 30/07/12.

C File Timeframes

ASSESSMENT CHECKLIST

Day 1

Date Rec'd: 20.07.12.

Day 3

Logged MACS: 30-7-12

Assessed: _____

Allocated Office: _____

Allocated Officer: _____

Day 10

Complainant Acknowledged _____

- 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

Day 30

Aim to Finalise _____