

# CONFIRMED MINUTES

## BOARD MEETING 21 JUNE 2022



At the **Board Meeting 16 August 2022** on **16 Aug 2022** these minutes were **confirmed as presented**.

<b>Name:</b>	Real Estate Authority
<b>Date:</b>	Tuesday, 21 June 2022
<b>Time:</b>	9:00 am to 1:05 pm
<b>Location:</b>	REA Office and Zoom, office and online
<b>Board Members:</b>	Denese Bates QC (Chair), Latham Lockwood, Liz Nidd, Mele Wendt, Tony Stack, Vern Walsh
<b>Attendees:</b>	Belinda Moffat, Andrew Bulled, Josh Doherty, Nadine Thomas, Phirak Appleton, Saara Fourie, Victor Eng, Marie Snell
<b>Guests/Notes:</b>	██████████, Legal Services Operations and Litigation Coordinator (Item 4.4)

### 1. Opening Meeting

#### 1.1 Board in Committee

Issues for discussion with the Chief Executive were agreed.

#### 1.2 Board and CE alone time

Papers and issues identified by Board were discussed with the Chief Executive Belinda Moffat (joining virtually from overseas) and Acting Chief Executive/Head of Corporate Services ██████████.

#### 1.3 Karakia

The Senior Leadership Team joined and the meeting was opened with a Karakia at 10.30am.

#### 1.4 Confirmation of Agenda

The agenda was confirmed.

#### 1.5 Interests Register

- ██████████ requested two changes:
  - the Wellington Community Trust is now Wellington Community Fund and ██████████ is the new chair.
  - Community Governance Steering Group can be removed at end of July as she will no longer be a member.

## 1.6 Confirm Minutes

**Board Meeting 26 April 2022 26 Apr 2022**, the minutes were confirmed as presented.



**Minutes from the 26 April Board meeting and SPE paper (by written procedure 3 June) were approved.**

Recommendation: On motions duly made and seconded, it is proposed that the minutes of the 26 April Board meeting and SPE Budget paper (by written procedure 3 June) be approved.

**Decision Date:** 21 Jun 2022

**Mover:** [REDACTED]

**Seconded:** [REDACTED]

**Outcome:** Approved

## 2. Actions from Previous Meetings

### 2.1 Action Item List

Due Date	Action Title	Owner
28 Apr 2022	1) Response to Minister's Letter of Expectation <b>Status:</b> Completed on 9 Jun 2022	Belinda Moffat
29 Apr 2022	2) Send letter to HUD on Property Management Regulation costs, risks and consultation <b>Status:</b> Completed on 29 Apr 2022	Belinda Moffat
30 Apr 2022	3) Promote EAP service to staff <b>Status:</b> Completed on 9 Jun 2022	[REDACTED]
30 Apr 2022	4) Information Systems Strategic Plan 2022 <b>Status:</b> Completed on 13 Jun 2022	[REDACTED]
30 Apr 2022	1) Awareness, Communication and Stakeholder Engagement Strategy <b>Status:</b> Completed on 9 Aug 2022	[REDACTED]
30 Apr 2022	2) Programme Manager reporting to be captured in the performance report. <b>Status:</b> Completed on 9 Aug 2022	[REDACTED]
1 May 2022	7) Litigation Reserve Policy <b>Status:</b> Completed on 1 May 2022	Belinda Moffat
21 Jun 2022	3) Board Training Budget <b>Status:</b> Completed on 9 Aug 2022	Belinda Moffat
21 Jun 2022	4) REA Emails for Board <b>Status:</b> In Progress	[REDACTED]
30 Jun 2022	5) Review statutory guides and effective production and best practice use principles for sector <b>Status:</b> Completed on 9 Aug 2022	[REDACTED]
30 Jun 2022	12) Māori Engagement Strategy Approach <b>Status:</b> Completed on 13 Jun 2022	Belinda Moffat
30 Jun 2022	6) Provide an update on ethnicity and tenure pay parity. <b>Status:</b> In Progress	[REDACTED]
31 Jul 2022	7) Meeting with REINZ <b>Status:</b> In Progress	Belinda Moffat
31 Jul 2022	9) Property Management Regulation <b>Status:</b> Completed on 13 Jul 2022	Belinda Moffat
30 Sep 2022	14) Supervision <b>Status:</b> Completed on 9 Aug 2022	[REDACTED]



## Recommendations

It was recommended that the Board:

- **Note** the contents of this report.
- **Discuss and provide feedback** on the matters raised in this report where indicated.

**Outcome:** Noted



### 10) Pulse Survey

Include return to work questions in the Pulse Survey.

August 2022: Pulse survey expected to be issued in September.

**Due Date:** 16 Aug 2022

**Owner:** [REDACTED]



### 13) Diversity and Inclusion

Consider speakers from Pacific communities for REA's diversity speaker series.

[REDACTED] to provide some contacts.

August 2022: recommendation provided to [REDACTED] EIE to follow up as part of overall programme of speakers.

**Due Date:** 12 Sep 2022

**Owner:** [REDACTED]

## 3.2 Break

## 4. Board Papers for Approval or Discussion

### 4.1 2022/23 Statement of Performance Expectations

The paper was taken as read and there were no questions from the Board.

Belinda Moffat added that the final document will go to the Minister this week and will be published on REA's website. A press release will not be prepared this year, but the final document will be sent to key stakeholders for their information and it will be highlighted in the next industry Pānui.



**The recommendations were noted and approved.**

## Recommendations

It was recommended that the Board:

- **Note** the Minister's letter
- **Approve** the Statement of Performance Expectations (SPE) for the year ending 30 June 2023.

**Decision Date:** 21 Jun 2022

**Mover:** [REDACTED]

**Seconded:** [REDACTED]

**Outcome:** Approved

## 4.2 Māori Engagement Framework Paper

This paper was taken as read and [REDACTED] Head of Engagement, Insights and Education, highlighted the five key elements of REA's Māori engagement strategy and approach. Questions and comments were then invited from the Board.

The Board discussed the following matters:

- Importance of having tangata whenua representation on the Board and suggestion of a recruitment drive for more Māori staff. Belinda noted we did a Board capability matrix 18 months ago and appointing a Māori representative to the Board has been a high priority communicated to the MoJ appointments team, although a candidate has not been appointed to date.
- Removing bias: all strategies in place are more educative and focus on changing attitudes. Sometimes it is more effective to tackle it head on or in a more deliberate and blatant way. Consider how to address ingrained attitudes and inherent bias that are so hard to change, and how we operationalise this. Management noted that we hope to effect change in this area by working with sector leaders and REINZ.
- Connecting with iwi about transactions and implications for Māori.
- Marae and Treaty visits: there is budget for Board cultural capability and the Board was invited to consider what would work well for them in terms of joining with staff or having a Board session at a marae.
- [REDACTED] mentioned [REDACTED] as a potential resource.
- Suggested conducting a Board marae visit as a board training and development exercise. [REDACTED] experience could be useful in the planning of this. [REDACTED]
- A strategy paper will be prepared with the next steps to be taken.

**Recommendation:** It is recommended that the Board:

- **Review and discuss** the proposed Māori Engagement Framework.

**Outcome:** Discussed.

*Belinda Moffat left the meeting at 11.30am.*



### 17) Tangata Whenua Board Representation

Continue to encourage MoJ appointments staff to address opportunity to have tangata whenua on the Board.

August 2022: CE advised that appointments briefing has gone to Minister. REA has previously advised appointment team about importance of Iwi representation on board. CE will reiterate in next MOJ discussion.

**Due Date:** 12 Dec 2022

**Owner:** Belinda Moffat



### 16) Māori Engagement Framework - Board Marae Visit

Coordinate Board marae visit or meeting at [REDACTED].

August 2022: CE and [REDACTED] have discussed, Marae visit will be undertaken as part of Maori Engagement Tactical plan once steps are mapped out and purpose and outcomes are clear and agreed.

**Due Date:** 18 Oct 2022

**Owner:** Belinda Moffat

### 4.3 CAC Review Report

The paper was taken as read and [REDACTED], Head of Regulatory Services, highlighted the following:

- This was the first year REA has done a thematic review of CAC decisions and it has proven valuable for discussions with Chairs. It will aid discussions at the upcoming in-person CAC training day on 31 August.
- The chosen theme was misrepresentation which is one of REA's top three complaint themes.
- Highlighted good examples on why rules have been breached.
- Report was well received by the Chairs and they are keen to share these examples, not just for misrepresentation cases, where they need to link rules to decisions.
- [REDACTED] General Counsel, highlighted the comparative changes from REA's previous approach. Tailored to consumers and licensees.
- [REDACTED] and next year another firm will be appointed to do the review to ensure objectivity and independence.

The Board made the following comments:

- Useful report which links up to the CLIP project.
- Great explanations of how rules relate to conduct.
- Informs further work to be done on templates.



#### Recommendations were noted and approved.

**Recommendations:** It is recommended that the Board:

- **Note** the contents of this paper and provide feedback on any matters raised.
- **Approve** the recommendation regarding publication of this report.

**Decision Date:** 21 Jun 2022

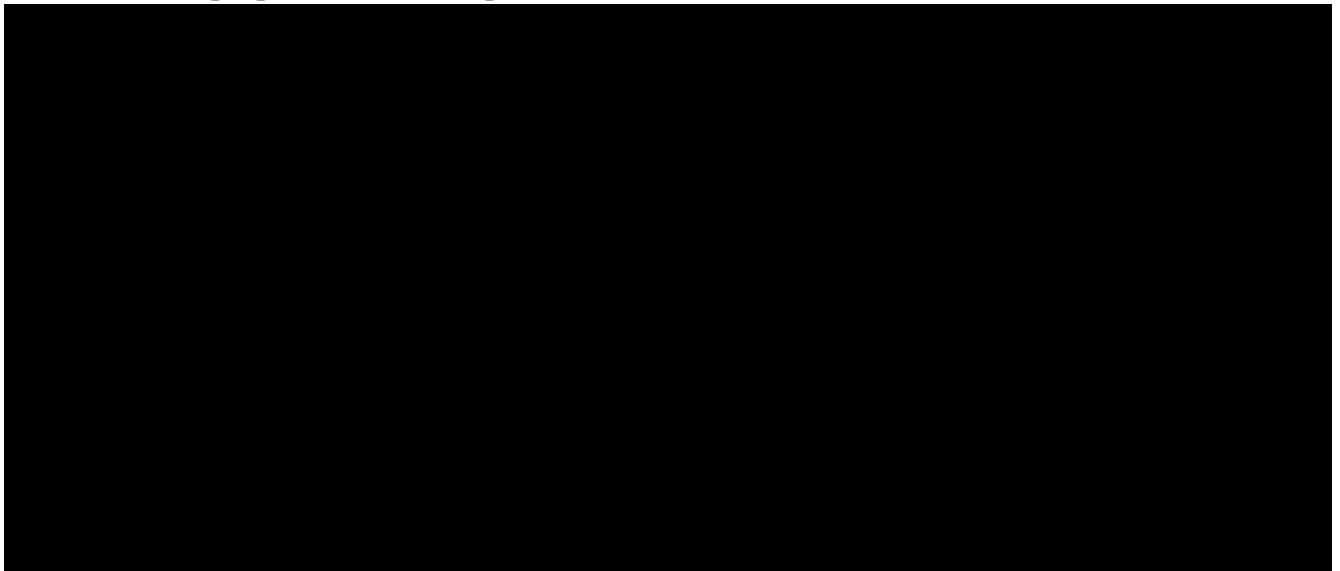
**Mover:** [REDACTED]

**Seconder:** [REDACTED]

**Outcome:** Approved

### 4.4 Overview of Legal Regulatory Positions and Knowledge Base

[REDACTED] General Counsel, introduced [REDACTED] (Legal Team Co-ordinator) to the Board and highlighted the following:





then introduced to the Board and gave a live demonstration on M-Files and the Knowledgebase as provided to CAC members, including:

- Template library
- Decision writing planner
- CAC writing guide that is included in induction packs.

The Board was invited to the CAC Training Day in Wellington on 31 August and further information will follow.

## Recommendations

It was recommended that the Board:

- **Note** the contents of this paper and provide feedback on any matters raised.

**Outcome:** Noted



### 8) CAC Training Day - 31 August 2022

Invite the Board to the CAC Training Day on 31 August.

Update July 2022: attending on behalf of the Board.

**Due Date:** 31 Jul 2022

**Owner:**



## 4.5 Break

## 5. Board Papers for noting

### 5.1 Regulatory Services Team Paper

The paper was taken as read and , Head of Regulatory Services, highlighted the following points:

- COVID-19 impacts on team and productivity.
- Outsourcing and recruiting temporary resources.
- Grace periods – review and removal.
- CLIP update.

The Board made the following comments:

- Outsourcing of complaints: case numbers, types and budget. indicated that 30-40 cases will be outsourced and there is budget allocated for this. REA will determine the types of cases allocated (lower end cases).
- Time spent on cases, resolution and redress: depends on the issue at the heart of a complaint.
- Grace periods: 5-10 per month out of 1,000 are forgetting to renew. Currently a 6-week reminder is sent, then an email and a text two weeks prior to expiry. Finally, a notification is sent on the date of expiry. Board recommended that RST consider moving the initial reminder back and alerting the company a licensee works for several days before expiry as

another step. Consequences are serious so perhaps more could be done. Staff noted that the process is already multi-step and multi-channel.

- [REDACTED] used to track license expiries and verifiable/non-verifiable hours internally as management protocol. Not everyone will be doing this.
- Management will take on the feedback and consider whether adjustments can be made to reminders.

#### CLIP Update

- [REDACTED] talked the Board through a presentation on the project, the reasons behind this piece of work and the approach we are taking.
- The Board asked whether there was more that they could do to reduce risk with this project e.g. outsourcing BAU to help ease stress and workload during the project. [REDACTED] will give this additional consideration and advised there are challenges with backfilling key people in terms of BAU. Ensuring project milestones are realistic is key and these are being looked at.

#### **Recommendations**

It was recommended that the Board:

- **Note** the contents of the Report and provide feedback on any matters raised.

**Outcome:** Noted



#### **11) License Expiry Reminders**

Explore additional options for license expiry reminders.

11 August 2022 - The licensing and enquiries team are considering various options to provide further assistance to licensees to remind them to renew their licence on time.

Options being considered include:

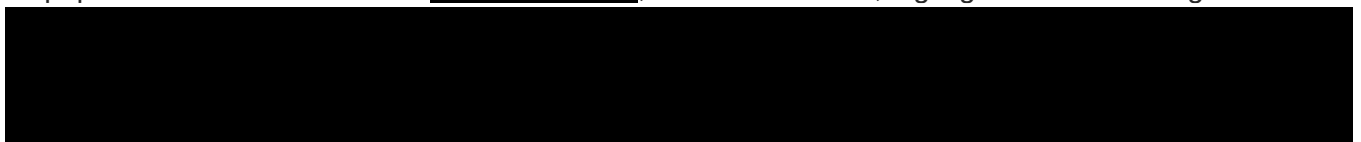
- Adding an additional text message and email 48 hours from expiry date
- Additional email message to employer 48 hours from expiry
- Understanding what other licensing regimes do to help communicate pending licence expiry dates.

**Due Date:** 16 Aug 2022

**Owner:** [REDACTED]

## **5.2 Legal Team Paper**

The paper was taken as read and [REDACTED], General Counsel, highlighted the following:



The Board had no comments or queries.

#### **Recommendations**

It was recommended that the Board:

- **Note** the contents of the Report and provide feedback on any matters raised.

**Outcome:** Noted



### 5.3 Audit & Risk Six-monthly Report

The paper was taken as read and [REDACTED], Head of Corporate Services, highlighted the following:

- [REDACTED]
- Auditors are on-site today for REA's interim audit.
- Paragraph 4: Health and Safety incidents highlighted. The Board suggest pulling this out as a separate agenda item for future meetings.

#### Recommendations

It was recommended that the Board:

- **Note** the Audit and Risk Committee's six-monthly report to May 2022.

**Outcome:** Noted



#### 12) Health and Safety Agenda Item

Add Health & Safety as a separate agenda item.

August 2022: health and safety reported in the CE report. CE has added additional recommendation in CE report for Board to confirm discussion and any feedback.

**Due Date:** 16 Aug 2022  
**Owner:** Belinda Moffat

## 6. Other Business

### 6.1 General Business

No general business was discussed.

### 6.2 Closing Karakia

The meeting was closed with a Karakia at 1.05pm and the Board was invited to join REA staff for a hangi to celebrate Matariki.

## 7. Close Meeting

### 7.1 Close the meeting

**Next meeting:** Board Meeting 16 August 2022 - 16 Aug 2022, 9:00 am

Unuhia, unuhia	<i>Draw on, draw on,</i>
Unuhia ki te uru tapu nui	<i>Draw on the supreme sacredness</i>
Kia wātea, kia māmā, te ngākau,	<i>To clear, to free the heart,</i>
te tinana, te wairua t e ara takatā	<i>the body and the spirit of mankind</i>
Koia rā e Rongo, whakairia ake ki runga	<i>Rongo, suspended high above us (i.e. in 'heaven')</i>
Kia tina! TINA! Hui e! TĀIKI E!	<i>Draw together! Affirm!</i>

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_