

## **Schedule 3      Code of conduct for letting agents**

schedule 6, definition *code of conduct*

### **1      Honesty, fairness and professionalism**

A letting agent must act honestly, fairly and professionally in conducting the letting agent business under the letting agent's authorisation.

### **2      Skill, care and diligence**

A letting agent must exercise reasonable skill, care and diligence in conducting the letting agent business under the letting agent's authorisation.

### **3      Acting in body corporate's and individual lot owner's best interests**

Unless it is unlawful to do so, a letting agent must, as far as practicable, act in the best interests of the body corporate and individual lot owners.

### **4      Ensuring employees comply with Act and code**

A letting agent must take reasonable steps to ensure an employee of the letting agent complies with this Act, including this code, in conducting the letting agent business under the letting agent's authorisation.

### **5      Fraudulent or misleading conduct**

A letting agent must not engage in fraudulent or misleading conduct in conducting the letting agent business under the letting agent's authorisation.

### Schedule 3 (continued)

#### **6 Unconscionable conduct**

A letting agent must not engage in unconscionable conduct in conducting the letting agent business under the letting agent's authorisation.

*Examples of unconscionable conduct—*

- 1 taking unfair advantage of the person's position as letting agent relative to the body corporate or the owner of a lot in the scheme
- 2 exerting undue influence on, or using unfair tactics against, the body corporate or the owner of a lot in the scheme

#### **7 Nuisances**

A letting agent must not—

- (a) cause a nuisance or hazard on scheme land; or
- (b) interfere unreasonably with the use or enjoyment of a lot included in the scheme; or
- (c) interfere unreasonably with the use or enjoyment of the common property by a person who is lawfully on the common property; or
- (d) otherwise behave in a way that unreasonably affects a person's lawful use or enjoyment of a lot or common property.

#### **8 Goods and services to be supplied at competitive prices**

A letting agent must take reasonable steps to ensure goods and services the letting agent obtains for or supplies to the body corporate are obtained or supplied at competitive prices.