



Guidelines

Guidelines for Registration as a Valuer in Queensland

1. Overview

- 1.1 These guidelines are designed to inform those intending to apply to the Board for registration as a valuer in Queensland. These guidelines have three major parts:
- Part A which introduces the regulatory background
 - Part B which details the requirements for registration
 - Part C which details the steps necessary to apply for registration.

2. Definitions

Capitalised terms used in these guidelines are defined as follows: -

Board

Board means the Valuers Registration Board of Queensland

Certificate of Competence

The document that confirms membership to a Prescribed Institute's membership category as a valuer.

At the date of these guidelines the relevant membership documents within each Prescribed Institute are:

- API: Associate or Fellow with Certified Practising Valuer (CPV) status
- Property Institute of New Zealand: Associate Membership of the New Zealand Institute of Valuers
- RICS: Chartered Valuation Surveyors
- Singapore Institute of Surveyors and Valuers: Valuation & General Practice Division Valuation Core Area, Land & Buildings sub area

Prescribed Institutes

Prescribed Institutes are defined under section 4 of the Regulations as being: -

- the Australian Property Institute (API);
- the Property Institute of New Zealand;
- the Royal Institution of Chartered Surveyors (RICS);
- the Singapore Institute of Surveyors and Valuers.

The Act

The Act means the *Valuers Registration Act 1992 (Qld)*

The Regulations

The Regulations means the *Valuers Registration Regulation 2013 (Qld)*

3. Part A – Regulatory Background

3.1 The Act and the Regulation:

- a) The Act establishes the Board to administer the Act, subject to the Minister, and provides for the registration and regulation of valuers in Queensland.
- b) The Regulations provide some of the detail to the laws prescribed in the Act including names of the Prescribed Institutes, the Code of Professional Conduct and the fees payable under the Act.

3.2 The Board:

- a) The Board is established by the Act. The Act specifies that the Board will comprise:
 - i) a nominee, who is a valuer, of the Chief Executive;
 - ii) two registered valuers, one of whom is to be appointed from names submitted by the Australian Property Institute;
 - iii) two persons appointed from names submitted by business, community or professional organisations.
- b) Appointment to the Board is generally for a term of three years. The Board's costs are met from fees payable under the Act.

3.3 Professional Bodies:

- a) Professional Bodies, such as the Australian Property Institute (API) and the Royal Institution of Chartered Surveyors (RICS), set and maintain standards of professional practice, education, ethics and professional conduct for their members and the broader property profession. They also advocate for members with a range of stakeholders and provide professional recognition for each member.

Members of Professional Bodies can be found in all sectors of the property profession, including in the valuation profession and also in both the private and public sector. Professional bodies are generally committed to building and maintaining a strong base for the future of the property profession through broadening the expertise and knowledge of its members.

3.4 Delineation between the Board and Professional Bodies

- a) Registration with the Board is mandatory before an individual can undertake valuations in Queensland while membership to a Professional Body is optional.
- b) The Board and Professional Bodies are separate organisations with separate and distinct obligations.
- c) The Board serves to register, educate and discipline valuers in the public interest.
- d) Professional Bodies generally promote educate and protect the interests of all of their members which include valuers and other property professionals.

4. Part B - Requirements for Registration

4.1 Overview

4.1.1 Section 29(1) of the Act provides that an application to be registered as a valuer is to be:

- a) made to the Board in a form approved by the Board; and
- b) supported by such evidence as the Board may require; and
- c) accompanied by the prescribed fee.

Unless an application is withdrawn, the Board must grant or refuse the application.

4.2 Qualifications for registration

- 4.2.1 The Board is to register a person as a valuer if the person makes application under section 29 of the Act and satisfies the Board that the person –
- a) is of good fame and character and is a fit and proper person to be registered as a valuer; **and** either –
 - i) holds a Certificate of Competence recognised by the Board and issued by a prescribed Institute; or
 - ii) has passed an examination approved by the Board (Standard Application Pathway); **and**
 - b) has had sufficient practical experience over a period of at least three years since starting an approved course of study to enable the person to competently value land in Queensland.

4.2.2 Sufficient practical experience

- a) The type of experience that may be recognised is varied and includes a number of different activities such as undertaking certain undergraduate and post graduate courses and valuer specific related practical experience.
- b) The Board's Practical Experience Policy guides valuers on the type and length of experience that will be recognised by the Board pursuant to Section 30 (c) of the Act.

4.3 Good fame and character and fit and proper person

- 4.3.1 To enable the Board to consider whether an applicant is of good character and repute, an original or duly certified copy of a criminal history check that is no more than three months old must be provided as part of the application for registration.
- 4.3.2 The Board may have regard to that report in deciding whether the applicant is a suitable person to be registered. The report or information in the report remains strictly confidential and the report will be destroyed as soon as practicable after considering the applicant's suitability for registration as a valuer.
- 4.3.3 The Board also requires applicants to nominate three referees. While the Board will consider any reasonable request for a variation of this requirement, at least two of the referees provided by the applicant should be registered as a valuer in Queensland for a minimum of two years. All referees must attest to the character of the applicant.
- 4.3.4 The Board will contact each of these persons in writing and ask them to complete and return a questionnaire relating to their knowledge of the applicant. The Board will respect the confidential nature of this information and will not disclose it to anyone unless required by law to disclose it.

4.4 Certificate of Competence/Current membership of approved Institute

- 4.4.1 Prescribed Institutes can apply to the Board to have their Certificate of Competence recognised for the purpose of Section 29 (a) (i) of the Act. The Board's Certificate of Competence Policy outlines the process for this to occur.
- 4.4.2 At the date of these guidelines, the Certificates of Competence that are currently recognised are:
- a) API: Associate or Fellow with Certified Practising Valuer (CPV) status issued from 8 February 2021; and
 - b) Royal Institution of Chartered Surveyors: Chartered Valuation Surveyors
- 4.4.3 When applying for registration as a valuer in Queensland under the Act, an applicant can only rely on the Certificate of Competence to satisfy the requirement of section 30 (b) (i) of the Act if the Certificate of Competence has been recognised by the Board and has been maintained continuously since it was awarded.

- 4.4.4 If an applicant's Certificate of Competence had lapsed at some point, and then been restored by the Prescribed Institute, these will not be accepted as a current assessment of the candidate's competence. Where this applies the applicant should go through the Board's standard application process.

4.5 Educational qualifications

- 4.5.1 The Board recognises certain undergraduate and post-graduate educational qualifications. For this purpose, the Board relies on courses which have been accredited by the API and RICS and approved by the Board. A full list of these courses is available from the Board's website.

Apart from specific reciprocity agreements mentioned elsewhere, overseas qualifications may also be taken into consideration where an applicant is applying for registration. The Board will consider any request for this on a case-by-case basis.

4.6 Interview of Applicant with the Board

- 4.6.1 For applications submitted through the Standard Application Pathway, the Board requires applicants to attend an interview with the Board. This can be held in person or online.
- 4.6.2 The Board may decide to grant registration after that interview or the Board may, by written notice, require an applicant for registration –
- a) to give to the Board, orally or in writing, further information relating to the application;
 - b) to attend again before the Board for the purpose of giving further information relating to the application.
- 4.6.3 The Board may require the information required above to be verified by statutory declaration.
- 4.6.4 If the applicant fails to give the information or to attend as required, the application is taken to have been withdrawn.
- 4.6.5 An applicant submitting an application through the recognised Certificate of Competence pathway will not need to attend an interview with the Board.

4.7 Precondition to Refusal

- 4.7.1 Pursuant to section 29 (8) of the Act, the Board must not refuse to grant an application until the Board has –
- a) given the applicant a written notice that –
 - i) sets out the reasons for the proposed refusal; and
 - ii) gives the applicant 30 days in which to make oral or written submissions to the board about the reasons; and
 - b) considered any submissions made.

4.8 Notice of Board's decision

- 4.8.1 The Secretary will give written notice to the applicant of the Board's decision. If the application is refused, the notice will state the reasons for refusal and inform the applicant that an appeal may be lodged under section 61 of the Act.

4.9 Certificate to be issued on registration

- 4.9.1 When the Board first registers a person as a valuer, the Secretary will issue a Certificate of Registration to the person on payment of the annual roll fee and any other prescribed fee. The amount of the annual roll fee is pro-rated.

4.10 Continuing professional development (CPD)

4.10.1 Registered valuers are required to keep their knowledge up to date and to provide annual documentary evidence of compliance with section 36B of the Act. Section 4 of the Regulation specifies the requirements as at least ten hours spent on the following –

- a) attending seminars, conferences, workshops, field days or addresses about property matters
- b) conducted by professional organisations, industry bodies or employees
- c) preparing and presenting papers about property matters
- d) writing and circulating or publishing articles about property matters
- e) holding positions on committees of professional or property industry bodies or organisations
- f) undertaking formal education about property matters
- g) undertaking informal education about property matters by perusing appropriate journals, newspapers, or using audio or visual media.

4.10.2 The Board may exempt a valuer from CPD requirements in the circumstances set out in section 36C of the Act.

4.11 Suitable CPD

4.11.1 The Board encourages valuers to focus their CPD on the practice of valuation. It encourages valuers to maintain their knowledge of:

- a) Property related Legislation
- b) Town planning
- c) The property market
- d) Relevant technology
- e) Negotiation/ mediation/ arbitration.

4.11.2 The Board encourages senior valuers to mentor junior colleagues.

4.11.3 The Board recognises the value of research and writing in the field of valuation and encourages further study in the valuation field, whether by formal academic training or by participation in local valuation discussion groups.

4.11.4 While certain training may give personal benefit to a valuer, the Board will not recognise general life style or skills training as complying with Regulation 4 and 5. Examples of the types of training that will not be accepted include:

- a) Basic Computer skills
- b) Personal development
- c) First aid
- d) motivational/life skills
- e) financial planning.

4.12 Specialist Retail Valuer

4.12.1 The Act, together with the *Retail Shop Leases Act 1994*, provides that the Board must keep a list of Specialist Retail Valuers in recognition of the complexities of this specialist form of valuation. The Board keeps a separate list of such valuers which is available on the Board's website.

4.12.2 A person who is a Registered Valuer may apply to the Board to be listed as a Specialist Retail Valuer.

- 4.12.3 The application must be in the approved form and accompanied by the prescribed fee. The names and contact details of two professional referees and one-character referee will be required. The professional referees need to be registered in Queensland for a minimum of two years. The Board will contact each of these persons in writing and ask them to complete and return a questionnaire relating to their knowledge of the applicant. Details of relevant retail experience should be given together with two recent rental valuations in relation to retail shop leases in Queensland, personally prepared in the last six months.
- 4.12.4 The Board will interview the applicant and consider the application form and submitted documentation.
- 4.12.5 If the Board is satisfied the applicant has enough experience in retail rental valuation it must-
- approve the application and record the applicant's name on the List of Specialist Retail Valuers, and
 - give written notice to the applicant of the recording of the applicant's name on the list.
- 4.12.6 If the Board is not satisfied the applicant has enough experience in retail rental valuation it must-
- refuse the application; and
 - give written notice to the applicant of the refusal and the grounds on which the Board decided the applicant does not have the experience.
- 4.12.7 Applicants may appeal against the decision of the Board under section 61 of the Act.
- 4.12.8 Specialist Retail Valuers are subject to continuing professional development requirements. They must undertake no less than five hours of the required ten hours CPD over a 12-month period in their specialised field.

4.13 Valuation experience

- 4.13.1 The statutory requirements provide for an applicant to have had sufficient practical experience over a period of at least three years since starting an approved course of study to enable the person to competently value land in Queensland.
- 4.13.2 The Board will decide in each instance:
- whether the applicant has had sufficient practical experience; and
 - whether the applicant has gained this experience in the required period; and
 - the applicant's competency to value land in Queensland.
- 4.13.3 The onus is on the applicant to satisfy the Board's requirements in this regard. The Board's Practical Experience Policy provides some guidance to valuers on what will be appropriate experience and the applicant will need to provide the following evidence of experience:
- Valuation Log**

Applicants are required to supply a log of their valuation experience from the preceding 12 months. There is no set format for this log although a preferred format is a computer printout of work undertaken e.g. an excel spreadsheet or a summary prepared especially for this purpose. The log should contain the type of property, value, date of valuation, locality, basis of valuation, name of supervising valuer.

It must be signed by the applicant's supervisor or the registered valuer responsible for the work.
 - Employment history**

The applicant is required to provide details of their employment history for the period of **at least** three years from commencing the approved course of study. To make sure related experience is considered, the application form gives applicants an opportunity to provide this history for the last ten years where this is relevant in determining valuation or related experience.

c) **Sample valuation reports**

Applicants through the standard application process are expected to have completed a reasonable number of valuation reports across a range of property types over a period of at least three years. To demonstrate their competency to value land in Queensland, each applicant is required to submit four professionally presented valuations of property in Queensland. Valuations may be either copies of actual work undertaken by the applicant or prepared solely for the purpose of application for registration.

The Board will not accept short form or property-pro type reports.

Actual valuations that are not signed by the applicant must be accompanied by a statement from the Registered Valuer who signed the report confirming that the applicant had a substantial role in the preparation of the valuation.

If an applicant considers an actual valuation as falling short of industry best practice, the applicant should submit an addendum that identifies the areas in respect of which the valuation could be improved.

The four valuations must include:

1. 1 freehold residence
2. 1 multi-tenanted income producing property
3. 1 income producing or income producing specialised property, and
4. 1 other report, preferably not from the previous categories.

These valuations **must** be no more than six months old upon lodgement, and field/working notes **must** accompany each valuation and be included at the back of the relevant valuation report.

Applicants must sign a declaration stating they were primarily responsible for the valuation, assembling and preparation and this must be counter-signed by the applicant's supervisor. This can be in the form of a letter but must list the address of the four valuations submitted.

The Board expects that applicants will have the ability to identify the purpose of each valuation. Applicants are expected to identify the entity with which there was a contractual obligation for the preparation of each report and also to identify persons to whom a duty of care is owed in respect of each report.

The Board recommends that each valuation:

- a) includes the written instructions (and any variation of them) on which the report is based
- b) contains notification of any material changes that occurred after the date of valuation but before delivery of the valuation, and
- c) bears the date of inspection, valuation and signature.

When deciding whether an applicant is competent by reference to the sample valuations, the Board may have regard to the following items—

- a) instructions
- b) executive summary
- c) land particulars
- d) improvements
- e) market data valuation criteria
- f) reconciliation
- g) valuation conclusion
- h) declaration
- i) supporting annexures

4.14 Mutual recognition

- 4.14.1 All States of Australia and the Commonwealth of Australia have mutual recognition legislation, as does New Zealand with whom a special relationship exists that is embodied in the Trans-Tasman mutual recognition legislation (*Trans-Tasman Mutual Recognition (Queensland) Act 2003*).
- 4.14.2 The underlying principle to the legislation is that a person who is registered to carry on an occupation in one State, Territory or New Zealand should be able to be registered to carry on the equivalent occupation in any other State, Territory or New Zealand. The person does not have to satisfy specific State requirements or undertake further training before qualifying for a certificate of registration.
- 4.14.3 To obtain registration, any person who wishes to apply for registration under the mutual recognition principles must apply to the Board via the approved form.
- 4.14.4 Once the Board has made a decision to grant a certificate of registration, it will be made retrospective to the date the application was received. If the Board decides not to issue a certificate of registration or postpones a decision for a period of six months, the applicant may appeal to the Queensland Civil and Administrative Tribunal.

5. Part C – Applying for Registration

5.1 Registration Application

- 5.1 Applications are considered by the Board at its regular monthly meetings. All applicants (other than those applying under the Certificate of Competence pathway or mutual recognition principles) are required to be interviewed in person. Applicants will usually be interviewed in the Board's Brisbane office, however, interviews can be conducted online to save time and expense for Valuers outside of Brisbane.
- 5.1.1 The various administrative procedures associated with registration normally take between two to four weeks to complete. Applicants will be contacted to make arrangements for an interview if this is required once all documentary evidence has been provided and an interview time has been scheduled.

5.2 Renewal of Registration

- 5.2.1 Under the Act, registration as a valuer is to be renewed before 1 May each year. Notices regarding renewal are sent to all registered valuers in March each year. Renewal of registration is contingent on payment of the prescribed roll fee together with:
- a) provision of a statement about, including details of **and documents to support**, the CPD prescribed under a regulation that the valuer has undertaken during the previous 12 months; or
 - b) provision of a CPD compliance certificate from a prescribed institute; or
 - c) provision of a statement about, including details of, **and documents to support**, the activities the valuer has undertaken that meet a prescribed institute's requirements for a CPD compliance certificate.
- 5.2.2 Documents that support a statement of CPD compliance include:
- a) Copies of receipts
 - b) Certificate of attendance from a CPD provider
 - c) Employer's certificate of attendance
 - d) Seminar brochure identifying valuer as speaker
 - e) Copy of paper or article written by applicant
 - f) Copy of academic record

5.2.3 Exemption from these requirements may be granted in the circumstances set out in section 36C of the Act.

5.2.4 Failure to comply with these requirements by 30 April will result in the imposition of **late fees** in respect of **both** the roll fee and CPD compliance.

5.2.5 Roll fees and/or CPD compliance not received by 30 June result in cancellation of registration which can only be restored if full compliance and outstanding fees are paid by the following 30 June. A valuer whose registration has been cancelled for non-payment of fees cannot practise in Queensland until registration is restored. Restoration can be applied for within the immediate 12-month period of cancellation of registration. After that period, a person will have to reapply under the normal application process should they wish to seek registration again.

6 Further information

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