

Decision No: [2013] NZREADT 13

Reference No: READT 119/11

IN THE MATTER OF of an appeal under s 111 of the Real Estate Agents Act 2008

BETWEEN **SEAN STRATTON**
Appellant

A N D **COMPLAINTS ASSESSMENT
COMMITTEE (CAC 10084)**
First Respondent

AND **AARON DREVER**
Second Respondent

Reference No: READT 120/11

IN THE MATTER OF of an appeal under s 111 of the Real Estate Agents Act 2008

BETWEEN **SEAN STRATTON**
Appellant

A N D **COMPLAINTS ASSESSMENT
COMMITTEE (CAC 10048)**
First Respondent

AND **PAUL SCARFE**
Second Respondent

BEFORE THE REAL ESTATE AGENTS DISCIPLINARY TRIBUNAL

Ms K Davenport - Chairperson

Mr G Denley - Member

Mr J Gaukrodger - Member

APPEARANCES

Ms J Pridgeon, Counsel for the Committee

Mr Drever in person

Mr Scarfe in person

Mr Stratton in person

[1] These two appeals were heard together in Auckland on 31 January 2013. Mr Stratton appealed against the penalty decisions of the Complaints Assessment Committee. There were no cross appeals from Mr Scarfe and Mr Drever.

[2] The parties reached a resolution which settled these two appeals. The Tribunal records as its judgment the settlement reached.

[3] The Tribunal has the power under s 93(1)(b) to order that some or all of the terms in an agreed settlement between the licensee and the complainant are to have effect by consent as all or part of the final determination of the complaint.

[4] The Tribunal record that the parties have agreed that the appeals by Mr Stratton READT 119/11 and READT 120/11 are settled in full by these orders and that pursuant to s 93(1)(b) the terms of the agreed settlement will take effect as the final determination of the appeal.

[5] The terms of the settlement are:

- a. The defendants will reimburse the complainant the sum of \$1,463.15.
- b. Mr Stratton will provide his bank account details to Hedgeman Real Estate Limited who will pay him the money.
- c. These funds will be paid within 10 days of 31st January 2013.
- d. This payment concludes the appeal.

DATED at Auckland this 12th day of February 2013

Ms K Davenport
Chairperson

Mr G Denley

Member

Mr J Gaukrodger

Member