

BEFORE THE REAL ESTATE AGENTS DISCIPLINARY TRIBUNAL

[2018] NZREADT 12

READT 057/18

IN THE MATTER OF

An appeal under section 111 of the Real Estate Agents Act 2008

BETWEEN

YING HE
Applicant

AND

THE REAL ESTATE AGENTS
AUTHORITY (CAC 403)
Respondent

On the papers

Tribunal:

Mr J Doogue, Deputy Chairperson
Mr G Denley, Member
Mr N O'Connor, Member

Submissions received from:

Mr Y He, appellant
Ms J Bull, on behalf of the Authority

Date of Decision:

10 April 2019

RULING OF THE TRIBUNAL

[1] The appellant filed an undated memorandum headed “new evidence to the Tribunal”, apparently following the directions hearing in this matter which was convened before the Chairperson of the Tribunal on 8 February 2019. From his memorandum it appears that there are two categories of new evidence that he wishes the Tribunal to consider on the hearing of his appeal. The first is a series of texts in a sequence commencing on 8 June 2016 at 9.03 pm. The second element of the new evidence is a series of assertions which he made in the same memorandum about factual matters. It would appear that these amount to contentions of evidence which the appellant wishes the Tribunal to take into account at the hearing.

[2] For reasons which will be delivered hereafter, the application to adduce this evidence is declined.

[3] Pursuant to s 113 of the Real Estate Agents Act 2008, the Tribunal draws the parties’ attention to s 116 of the Real Estate Agents Act 2008, which sets out appeal rights. Any appeal must be filed in the High Court within 20 working days of the date on which the Tribunal’s decision is served. The procedure to be followed is set out in part 20 of the High Court Rules.

Mr J Doogue
Deputy Chairperson

Mr G Denley
Member

Ms N O’Connor
Member