



Department of Justice

Consumer Affairs Victoria

GPO Box 123
Melbourne VIC 3001
Telephone: 1300 55 8181
Email: consumer@justice.vic.gov.au
DX210220

26 MAY 2011

Mr Peter Mericka
Suite 6
3-5 Hewish Road
Croydon VIC 3136

Dear Mr Mericka

CONSUMER COMPLAINT (CASE NUMBER: C2011/04/002003)

Thank you for your correspondence received on 30 March 2011 with regard to your complaint concerning the conduct of various estate agents and conveyancers accepting commissions in relation to conveyancing transactions.

As you would be aware, the payment or receipt of a commission in relation to a conveyancing transaction is governed by section 49 of the *Conveyancers Act 1980*. Such payments are permitted, subject to disclosure of the payment by the conveyancer to his or her client.

In order for Consumer Affairs Victoria to determine if any breach of the relevant legislation has occurred, Consumer Affairs Victoria would require evidence that a conveyancer has not disclosed the payment or receipt of a commission in relation to a conveyancing transaction to his or her client.

Should you have evidence of any non-disclosure of commission, by a licensed conveyancer Consumers Affairs Victoria would be happy to receive said material.

Any additional material may be sent (quoting the above case number) to:

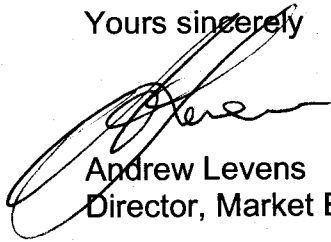
Complaints at CAV
GPO Box 123
Melbourne 3001
Attention: Planning, Monitoring & Assessment

Or via facsimile – (03) 8684 6295

Alternatively, you can email your documents to consumer@justice.vic.gov.au. If emailing, please ensure that the documents are in the required file types i.e. .word, pdf & jpeg.

Please note that as your complaint has been referred to Consumer Affairs Victoria for assessment Mr Eugene Koller will not be able to provide you with any updates or information regarding the complaint. Should you have any questions on the assessment of your complaint you can contact Consumer Affairs Victoria by email at consumer@justice.vic.gov.au (quoting the above case number).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Levens', written over the typed name and title.

Andrew Levens
Director, Market Engagement Division