

Constitution of The Independent Property Managers' Association Incorporated (IPMA)

Contains:

- Rules
- Code of Practice
- Code of Ethics
- Complaints Procedure

Rules of the Independent Property Managers' Association Incorporated

Mission Statement

To be and to become known as the pre-eminent association of Independent Property Managers in New Zealand.

1. Constitution and Name

1.1. The constitution and name of the Society is the 'Independent Property Managers' Association', hereinafter called the 'IPMA', and is constituted by resolution dated 7 May 2003.

2. Objects

2.1 To achieve fulfillment of the mission statement the objects of the IPMA shall be to:

(a) Provide a foundation for a national management structure which will give effect to the mission statement and the objects.

Initially to establish a local (Canterbury) branch of the IPMA and actively encourage the formation of other district IPMAs.

Protect and promote the interests of Independent Property Managers and the interests of the public in relation to matters pertaining to property management and related subjects.

Promote and encourage ethical conduct among the Members and other property managers.

Provide a means for dealing with complaints against Members including the establishment of appropriate disciplinary procedures.

Provide ongoing educational opportunities and support to Members.

Consider, promote and lobby for amendments to laws pertaining to property management and related subjects and to initiate and lobby for law reform to meet the continuing change in the property industry, and produce efficiency and effective outcomes to benefit Members and the public.

Encourage networking among Members in order to enhance the business of Members and their professional standing in the community.

(b) Make regulations to advance the attainment of any of the above objects.

(c) Do any act or thing incidental or conducive to the attainment of any of the above objects.

2.2 Notwithstanding any other provision, the IPMA shall not expend any money;

(a) Other than to further purposes recognised by law, nor

(b) For the sole personal or individual benefit of any Member.

3. Powers

3.1 In addition to its statutory powers, the IPMA may:

(a) Use such of its funds to pay the cost and expenses of furthering or carrying out its objects, and for that purpose may employ such people as may seem expedient, and

(b) Exercise all the powers a trustee might exercise, and

(c) Invest in any investment in which a trustee might invest.

4. Membership

4.1 The classes of membership and the method by which Members are admitted to different classes are as follows:

(a) Individual Member

An Individual Member is a member of the IPMA admitted under Rule 5.0 who has not ceased to be a Member under Rules 5.1 or 7.0.

(b) Associate Member

An Associate Member is an individual who is a prospective Individual Member, who doesn't meet the membership criteria of Rule 5.0 in full at present, but is expected to be able to qualify for Individual membership in the not too distant future, and who has not ceased to be a Member under Rules 5.1 or 7.0.

(c) Honorary Member

An Honorary Member is a person honored for services to the IPMA or in an associated field elected as an Honorary Member by resolution of a General Meeting passed by a two-thirds majority of those present and voting. An Honorary Member shall have no membership rights, privileges or duties.

4.2 Individual and Associate Members shall advise the Secretary of any change of address or telephone number.

4.3 The Secretary shall keep a membership register of Individual and Associate Members recording their names, addresses and telephone numbers.

4.4 All Members (and Executive Members) shall promote the interests and the objects of the IPMA and shall do nothing to bring the IPMA into disrepute.

5. Admission of Members

5.1 A Property Manager is defined as any person or organisation carrying on the business of real property management, of 50 or more rental properties other than their own for reward.

5.2 Membership shall be open to all Independent Property Managers, who operate as Sole Traders or as a Property Management Company, and who comply with the IPMA's Code of Practice, who subscribe to the Objects and Code of Ethics and pay the prescribed fees.

5.3 One Individual membership is allocated per company.

5.4 No restrictions shall be imposed on any prospective Member by virtue of religious or political beliefs, sex, nationality, race or age, or domicile.

5.5 Applicants for membership as an Individual and/or Associate Members shall complete an application form provided (and supply such information as required, including a credit check and a police check) by the Executive.

5.6 Membership applications shall be considered by the Executive who will interview the membership applicant. An on-site visit, by an independent source, to review systems and procedures used, may be undertaken.

5.7 The Executive shall have complete discretion whether or not to admit a membership applicant, and shall advise the applicant of its decision, and that decision shall be final. A reason may not be given. The Executive may admit an applicant as an Individual or Associate Member.

5.8 The Executive may from time to time, in its absolute discretion, transfer members between classes of Individual and Affiliate Member, and any such decision is final.

6. Subscriptions

6.1 The annual subscription shall be at such a rate as the Executive may determine from time to time, subject to confirmation by a General Meeting. Any Member failing to pay the annual subscription within one calendar month of the date the same was set shall be considered as in financial default and shall (without being released from the obligation of payment) have no membership rights and shall not be entitled to participate in any IPMA activity, claim IPMA membership or use the IPMA's logos etc until all the arrears are paid in full.

6.2 If the annual subscription remains unpaid for three calendar months of the date fees were due, a full membership re-application will be required.

7. Cessation of Membership

7.1 Any Member may resign from the IPMA at any time upon notice in writing and payment by that Member of all levies or other monies legally due to the IPMA.

7.2 The Executive may declare that a Member is no longer a Member (from the date of that declaration or such date as may be specified) if that Member is convicted of any indictable offence or offence for which a convicted person may be imprisoned, is adjudged bankrupt, makes a composition with creditors, as a result of a complaints procedure investigation or (if a body corporate) is wound up or placed in receivership or liquidation.

7.3 After due enquiry and having given the Member the right to be heard, the Executive may by letter invite any member within a specified time to retire for failure to comply with these Rules or any other duties of a Member, consistently failing to comply with the Residential Tenancies Act or whose conduct or continuing membership is detrimental to the IPMA. If the Member does not retire, the Executive may recommend to a General Meeting that the Member be expelled, and after the Member has been given the opportunity of being heard by or providing written comments to the general meeting, that meeting may expel the member by resolution passed by a two-thirds majority of those present and voting.

7.4 A Member whose membership is terminated under Rule 7.1, 7.2 or 7.3 shall remain liable to pay all subscriptions and levies due to the end of the IPMA's financial year.

8. Re-admission of former Members

Any former Member may apply for re-admission in the manner prescribed for new applicants, but if the former Member's membership was terminated under either Rule 7.2 or 7.3 the applicant shall not be readmitted without the approval of the General Meeting.

9. Election of Officers and Executive

9.1 The Annual General Meeting shall elect Chairperson, Secretary, Treasurer and Spokespeople (2) and up to five additional members, from among the financial Members, all of whom shall be the IPMA's Executive.

9.2 Written nominations for nominees under Rule 9.1 signed by an Individual Member and accompanied by the written consent of the nominee shall be received by the Secretary not less than 14 days before the date of the Annual General Meeting. The Secretary shall circulate a list of nominees and such information (not exceeding one side of an A4 sheet of paper) as may be supplied to the Secretary by or on behalf of each nominee in support of the nomination. In the absence of sufficient valid nominations being received, nominations may be made from the floor at the Annual General Meeting.

9.3 No Office holder shall serve for more than three consecutive years in that particular Office.

9.4 If the position of any Executive member becomes vacant between Annual General Meetings the vacancy shall be filled by the Executive.

9.5 The position of any Executive member absent for three consecutive general or committee meetings without leave of absence shall automatically become vacant. Acceptance of an apology shall be deemed grant of leave.

9.6 The immediate past Chairperson shall ex officio be a member of the committee.

10. Management by the Executive

10.1 From the end of each Annual General Meeting until the end of the next, the IPMA shall be administered, managed and controlled by the Executive, which shall be accountable to all the Members for the implementation of the policies of the IPMA as approved by any General Meeting.

10.2 Subject to this Constitution and to any directions of a General Meeting the Executive may exercise all the IPMA's powers, other than those required by statute or by these Rules to be exercised by the IPMA in General Meeting.

10.3 The Executive shall meet at such time and places and in such a manner as it may determine, and otherwise where and as convened by the Chairperson or Secretary.

10.4 All Executive meetings shall be chaired by the Chairperson or in the Chairperson's absence by some other Executive Member elected for the purpose by the meeting, and any such Chairperson shall have a deliberative and casting vote.

10.5 The Executive may co-opt any Individual member to the Executive for a specific purpose, or for a limited time, or generally until the next Annual General meeting.

10.6 The quorum at Executive meetings shall be one-half of the Executive.

10.7 Only Executive members elected under Rule 9.1 shall be counted in the quorum and entitled to vote.

10.8 The Executive may appoint subcommittees consisting of such persons as it thinks fit and with or without power to co-opt, but such subcommittees shall have no power to commit the IPMA to any financial expenditure without the express authority by resolution of the Executive.

10.9 The Executive and any subcommittee may act by resolution approved by not less than five members of the Executive and subcommittee in the course of a telephone conference call or through a written or e-mailed ballot.

10.10 The Executive may from time to time make regulations for the conduct and control of Society activities.

10.11 The Chairperson shall, in addition to all other duties described in these Rules, generally oversee and direct the affairs and business of the IPMA.

10.12 Other than as prescribed by the statute or these Rules, the Executive may regulate its proceedings as it thinks fit.

10.13 Subject to statute, these Rules and the resolutions of General Meetings, the decisions of the Executive on the interpretation of these Rules, and all matters dealt with by it in accordance with these Rules, and on matters not provided for in these Rules shall be final and binding on all Members.

10.14 Each officer shall within one calendar month of submitting a resignation or ceasing to hold office deliver to that officer's successor all books, papers and other property of the IPMA possessed by such former officer.

11. Secretary

11.1 The Secretary shall record the minutes of all General Meetings and Executive meetings, and all such minutes, when confirmed by the next such meeting and signed by the Chairperson of the meeting, shall be prima facie evidence that that meeting was duly called and shall prima facie be a true and correct record of what occurred at that meeting.

11.2 The Secretary shall hold the IPMA's records, documents and books.

11.3 The Secretary shall deal with and answer correspondence and perform such other duties as directed by the Executive.

11.4 The Secretary may be employed from outside the Association Membership.

12 Registered Office

12.1 The Registered Office of the IPMA shall be at such place as the Executive from time to time determines.

13 Finance

13.1 The Treasurer shall keep such books of account as may be necessary to provide a true record of the IPMA's financial position, report on the IPMA's financial position to each Executive meeting, and present an Annual Statement of Accounts (Income and Expenditure Account and Balance Sheet) to the Annual General Meeting.

13.2 The Executive shall maintain bank accounts in the name of the IPMA, and all cheques and withdrawal forms shall be signed by the Treasurer and one of two other designated members of the Executive.

13.3 All monies received on account of the IPMA shall be banked within seven days of receipt.

13.4 All accounts paid or for payment shall be submitted to the Executive for approval of payment.

13.5 The IPMA's financial year shall commence on the 1 April each year and end on 31 March the following year.

13.6 The Annual General Meeting each year may appoint an auditor (who is a member of the New Zealand Society of Accountants and not a Member of the IPMA) to audit the annual accounts of the IPMA, and provide a certificate of correctness of the same, and if any such auditor is unable to act the Executive shall appoint a replacement auditor.

14 Execution of Documents

14.1 The Common Seal of the society, if any, shall be retained by the Secretary.

14.2 Documents shall be executed for the Association pursuant to a resolution of the Executive:

(a) By affixing the Common Seal, if any, witnessed by any one of the president, Vice-President or Secretary and some other member of the Executive, or

(b) By any one of the President, Vice-President or Secretary and some other member of the Executive signing on behalf of the Association.

15 General Meetings

15.1 An Annual General Meeting to be held in April/May each year at a time and place fixed by the Executive.

15.2 Special General Meetings may be called by the Executive, or by written requisition to the Secretary by not less than quarter of the financial Individual Members.

15.3 At least 14 days before any General meeting the Secretary shall forward to all Individual and Affiliate members written notice of business to be conducted at the General Meeting, (including in the case of the Annual General Meeting copies of the Annual Report, Statement of Accounts, and list of and information about nominees, and notice of any motions and the Executive's recommendations in respect thereof under Rule 14.9.), and the failure for any reason of any Member to receive such notice shall not invalidate the meetings or its proceedings.

15.4 There is one vote per financial member. Where a Company is the member only one vote will be counted. The vote of the appointed voter of the company will be accepted over other votes from the same company.

15.5 Voting by Voting members at the meeting will be by a show of hands or by voice vote, as the Chairperson may determine. In the case of an equality of votes, whether on a show of hands, voice vote or a poll, the status quo shall prevail.

15.6 A Voting Member may exercise the right to vote by being present or by being represented by a proxy. A proxy is for a Voting Member entitled to attend and be heard at a meeting of Members as if the proxy were the Voting Member. A proxy must be appointed by a notice in writing, signed by the Voting Member and designated for a specified term. A proxy need not be a Member.

15.7 The quorum at General Meetings shall be ten financial members or one-sixth of the financial membership, whichever is the smaller.

15.8 All General Meetings shall be chaired by the Chairperson, or in the Chairperson's absence, by some other executive member elected for the purpose by the meeting, and any such Chairperson shall have a deliberative and casting vote.

15.9 Any Member wishing to give notice of any motion for consideration at any General Meeting shall forward written notice of the same to the Secretary not less than 28 days before the date for the meetings. The Executive may consider all such notices of motion and provide recommendations to Members in respect thereof.

15.10 If a quorum is not present within 30 minutes of the advertised starting time of the meeting, the meeting shall lapse. An informal meeting may still be held. However any business transacted will need to be ratified by a formal meeting held later.

16 Alteration of Rules

16.1 These Rules may be amended or replaced by resolution of any General Meeting passed by a two-thirds majority or those Individual Members present and voting.

16.2 Any proposed motion to amend or replace these Rules shall be signed by at least 15 Members and given in writing to the Secretary at least 28 clear days before the General Meeting at which the motion is to be considered, and accompanied by a written explanation of the reasons for the proposal.

16.3 At least 14 days before the General Meeting, at which any such proposal is to be considered, the Secretary shall post, fax or email written notice of the proposed motion, of the reasons for the proposal, and any recommendations from the Executive in respect thereof to all Individual Members and Associate Members

17 Professionalism and Skill

17.1 Members must at all times carry out their professional services to the best of their knowledge and ability, and always in accordance with proper professional standards and practice at the time.

17.2 Members must observe at all times the requirements of the Residential Tenancy Act.

Code of Ethics

The primary obligation of membership of the Independent Property Managers 'Association of New Zealand is the ethical practise of property management. This code sets out the ethics that guide the decisions and actions of Members.

1. At all times members of the IPMA will act with professionalism, honesty and integrity, ensuring that their actions do not bring the profession into disrepute.
2. Members will do their utmost to ensure staff or contractors adhere to the ethics of the Association when carrying out work on behalf of Members.
3. Members shall avoid deceptive practices.
4. Members will avoid or disclose any conflicts of interest to clients.
5. Members shall provide independent and objective advice to clients at all times, and not be impacted or affected by external influences.
6. Members shall respect the confidentiality of clients at all times and adhere to all privacy requirements relating to the receipt of information.

7. Members shall ensure that all clients have a realistic expectation of services provided prior to accepting contracts.

Code of Practice

Compliance with the Code of Practice is Mandatory for all Members.

Professional and Personal Conduct

1. Members shall conduct their professional duties and activities in a manner that reflects credit upon themselves and their profession.
2. Members shall not maliciously or carelessly do anything to injure, directly or indirectly, the reputation, prospects or business of other Members.
3. Members and/or their staff must not have been convicted of any Crime, being any offence under the Crimes Act 1961, or of any other offence that in the opinion of a majority of the IPMA Committee makes the member or applicant for membership unsuitable to be a member of the IPMA, unless the conviction is of such a minor nature and occurred sufficiently long ago as to be of no consequence.
4. Members must advise the Executive if they are being investigated for or have been convicted of any crime, being an offence under the Crimes Act 1961.
5. Members must adhere to the Residential Tenancies Act.
6. Members must keep full and accurate business records.
7. Members must operate a separate ledger account that clearly defines monies received and expended on behalf of their clients.
8. All money received from the owner or tenant to be banked within 5 working days.
9. Members will supply detailed statements to owners at least once a month.
10. Members will pay out to owners on a minimum monthly basis.
11. Members must thoroughly check credentials of ingoing tenants.
12. Members must take all reasonable steps to recover unpaid rents unless requested otherwise by the client.
13. Members must have Public Liability Insurance.
14. Members must comply with the Association's complaints procedure and have an individual company complaints procedure.
15. Members will fully co-operate with any request for information or directive from the IPMA where a complaint has been lodged or where there is deemed to be a prima facie breach of the residential Tenancies Act, the Code of Practice or the Code of Ethics. This may include their accounts undergoing an independent audit if required, at the owner's expense.

Conflict of Interest

1. Members shall not carry out any instruction where there may be, or may reasonably be construed to be a conflict of interest. Members shall withdraw from any instruction if a conflict of interest arises or

becomes known after an instruction has been accepted. An exception to this rule is where the conflict of interest is disclosed to and accepted by the party or parties once they have sought independent professional advice.

Client Relationships

1. Members will have a clear written upfront policy for charges to owners.
2. Members will enter into a legally sound written management agreement with owners.
3. Members will provide regular inspection reports as per owner's instructions and management agreement.
4. Members shall have a written complaints policy relevant for tenants and clients.
5. Members shall not disclose to any other person or party any confidential information provided directly or indirectly by a client or to a client without the permission of the client ,except where there is a legal requirement for disclosure or the information is of public or common knowledge.
6. Members shall not allow the performance of their professional duties to be improperly influenced by the need or preferences of a client or other party.

Advertising

1. Any advertisement by a Member must not reflect adversely on the professional integrity of the IPMA or its Members.

Reference to the Association

1. No member of members shall purport to represent the views of the IPMA unless expressly authorised to do so.

End of Membership

1. Serious breaches of management practices or the Residential Tenancies Act may result in revoking of membership.
2. Any serious or continual breach will be reviewed by the committee whose decision will be binding.

Complaints Procedure

1. Any IPMA Member or IPMA Members' client may lodge a complaint with the IPMA regarding an alleged breach of the Residential Tenancies Act or the IPMA Code of Practice or Code of Ethics concerning any Member Company or individual of the IPMA.
2. Independent Management Company employees must lodge a complaint with their own company first before resorting to approaching the IPMA.
3. Tenants have recourse though the tenancy tribunal and should be directed to use this avenue.
4. All complaints must be in writing.
5. A check is made that the Member/Company being complained about is a current financial member.

6. As soon as the complaint is received, it is to be acknowledged by the Chairperson or a delegated Executive Member.
7. The Chairperson, or delegated Executive Member, will discuss the complaint with the complainant in person, or by phone, e-mail or in writing, within 2-3 weeks of receipt of the complaint.
8. The Chairperson, or delegated Executive Member, will try to mediate between the complainant and the Member or Member/Company.
9. If the complaint is not satisfactorily resolved at this stage the Chairperson of the IPMA will then delegate the matter to a Complaints Committee of not less than three Executive Members.
10. The Complaints Committee shall investigate the complaint and interview the parties involved either in person, or by phone, email or in writing.
11. If either party to the complaint wishes to present their case to the Complaints Committee in person, at the Committee's designated location, any travel or accommodation costs incurred will be at their own expense.
12. The Chairperson and committees decision regarding the complaint shall be final and binding. No further correspondence/discussion will be entered into.
13. All parties concerned will be advised of the outcome in writing.
14. Complainants seeking compensation/remuneration will be advised to do so through the Small Claims Court/Disputes Tribunal.
15. Members found to be in breach of the RTA or IPMA Codes/constitution will be censured according to the severity of the breach by;
 - (a) a written warning and offers of advice/help to rectify faulty systems involved in the breach occurring, or
 - (b) by having their IPMA membership and all membership rights revoked, including the use of the IPMA logo and claims of membership in advertising etc and have their expulsion published.

Rules

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(a) Provide a foundation for a national management structure which will give effect to the mission statement and the objects.

Initially to establish a local (Canterbury) branch of the IPMA and actively encourage the formation of other district IPMAs.

Protect and promote the interests of Independent Property Managers and the interests of the public in relation to matters pertaining to property management and related subjects.

Promote and encourage ethical conduct among the Members and other property managers.

Provide a means for dealing with complaints against Members including the establishment of appropriate disciplinary procedures.

Provide ongoing educational opportunities and support to Members.

Consider, promote and lobby for amendments to laws pertaining to property management and related subjects and to initiate and lobby for law reform to meet the continuing change in the property industry, and produce efficiency and effective outcomes to benefit Members and the public.

Encourage networking among Members in order to enhance the business of Members and their professional standing in the community.

(b) Make regulations to advance the attainment of any of the above objects.

(c) Do any act or thing incidental or conducive to the attainment of any of the above objects.

2.2 Notwithstanding any other provision, the IPMA shall not expend any money;

(a) Other than to further purposes recognised by law, nor

(b) For the sole personal or individual benefit of any Member.

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3.1 In addition to its statutory powers, the IPMA may:

(a) Use such of its funds to pay the cost and expenses of furthering or carrying out its objects, and for that purpose may employ such people as may seem expedient, and

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5.2 Membership shall be open to all Independent Property Managers, who operate as Sole Traders or as a Property Management Company, and who comply with the IPMA's Code of Practice, who subscribe to the Objects and Code of Ethics and pay the prescribed fees.

5.3 One Individual membership is allocated per company.

5.4 Membership is not open to any Member or employee of a Member of the Real Estate Institute of New Zealand.

5.5 No restrictions shall be imposed on any prospective Member by virtue of religious or political beliefs, sex, nationality, race or age, or domicile.

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11.1 The Secretary shall record the minutes of all General Meetings and Executive meetings, and all such minutes, when confirmed by the next such meeting and signed by the Chairperson of the meeting, shall be prima facie evidence that that meeting was duly called and shall prima facie be a true and correct record of what occurred at that meeting.

11.2 The Secretary shall hold the IPMA's records, documents and books.

11.3 The Secretary shall deal with and answer correspondence and perform such other duties as directed by the Executive.

11.4 The Secretary may be employed from outside the Association Membership.

12 Registered Office

12.1 The Registered Office of the IPMA shall be at such place as the Executive from time to time determines.

13 Finance

13.1 The Treasurer shall keep such books of account as may be necessary to provide a true record of the IPMA's financial position, report on the IPMA's financial position to each Executive meeting, and present an Annual Statement of Accounts (Income and Expenditure Account and Balance Sheet) to the Annual General Meeting.

13.2 The Executive shall maintain bank accounts in the name of the IPMA, and all cheques and withdrawal forms shall be signed by the Treasurer and one of two other designated members of the Executive.

13.3 All monies received on account of the IPMA shall be banked within seven days of receipt.

13.4 All accounts paid or for payment shall be submitted to the Executive for approval of payment.

13.5 The IPMA's financial year shall commence on the 1 April each year and end on 31 March the following year.

13.6 The Annual General Meeting each year may appoint an auditor (who is a member of the New Zealand Society of Accountants and not a Member of the IPMA) to audit the annual accounts of the IPMA, and provide a certificate of correctness of the same, and if any such auditor is unable to act the Executive shall appoint a replacement auditor.

14 Execution of Documents

14.1 The Common Seal of the society, if any, shall be retained by the Secretary.

14.2 Documents shall be executed for the Association pursuant to a resolution of the Executive:

(a) By affixing the Common Seal, if any, witnessed by any one of the president, Vice-President or Secretary and some other member of the Executive, or

(b) By any one of the President, Vice-President or Secretary and some other member of the Executive signing on behalf of the Association.

15 General Meetings

15.1 An Annual General Meeting to be held in April/May each year at a time and place fixed by the Executive.

15.2 Special General Meetings may be called by the Executive, or by written requisition to the Secretary by not less than quarter of the financial Individual Members.

15.3 At least 14 days before any General meeting the Secretary shall forward to all Individual and Affiliate members written notice of business to be conducted at the General Meeting, (including in the case of the

Annual General Meeting copies of the Annual Report, Statement of Accounts, and list of and information about nominees, and notice of any motions and the Executive's recommendations in respect thereof under Rule 14.9.), and the failure for any reason of any Member to receive such notice shall not invalidate the meetings or its proceedings.

15.4 There is one vote per financial member. Where a Company is the member only one vote will be counted. The vote of the appointed voter of the company will be accepted over other votes from the same company.

15.5 Voting by Voting members at the meeting will be by a show of hands or by voice vote, as the Chairperson may determine. In the case of an equality of votes, whether on a show of hands, voice vote or a poll, the status quo shall prevail.

15.6 A Voting Member may exercise the right to vote by being present or by being represented by a proxy. A proxy is for a Voting Member entitled to attend and be heard at a meeting of Members as if the proxy were the Voting Member. A proxy must be appointed by a notice in writing, signed by the Voting Member and designated for a specified term. A proxy need not be a Member.

15.7 The quorum at General Meetings shall be ten financial members or one-sixth of the financial membership, whichever is the smaller.

15.8 All General Meetings shall be chaired by the Chairperson, or in the Chairperson's absence, by some other executive member elected for the purpose by the meeting, and any such Chairperson shall have a deliberative and casting vote.

15.9 Any Member wishing to give notice of any motion for consideration at any General Meeting shall forward written notice of the same to the Secretary not less than 28 days before the date for the meetings. The Executive may consider all such notices of motion and provide recommendations to Members in respect thereof.

15.10 If a quorum is not present within 30 minutes of the advertised starting time of the meeting, the meeting shall lapse. An informal meeting may still be held. However any business transacted will need to be ratified by a formal meeting held later.

16 Alteration of Rules

16.1 These Rules may be amended or replaced by resolution of any General Meeting passed by a two-thirds majority or those Individual Members present and voting.

16.2 Any proposed motion to amend or replace these Rules shall be signed by at least 15 Members and given in writing to the Secretary at least 28 clear days before the General Meeting at which the motion is to be considered, and accompanied by a written explanation of the reasons for the proposal.

16.3 At least 14 days before the General Meeting, at which any such proposal is to be considered, the Secretary shall post, fax or email written notice of the proposed motion, of the reasons for the proposal, and any recommendations from the Executive in respect thereof to all Individual Members and Associate Members

17 Professionalism and Skill

17.1 Members must at all times carry out their professional services to the best of their knowledge and ability, and always in accordance with proper professional standards and practice at the time.

17.2 Members must observe at all times the requirements of the Residential Tenancy Act.

Code of Ethics

The primary obligation of membership of the Independent Property Managers' Association of New Zealand is the ethical practise of property management. This code sets out the ethics that guide the decisions and actions of Members.

1. At all times members of the IPMA will act with professionalism, honesty and integrity, ensuring that their actions do not bring the profession into disrepute.
2. Members will do their utmost to ensure staff or contractors adhere to the ethics of the Association when carrying out work on behalf of Members.
3. Members shall avoid deceptive practices.
4. Members will avoid or disclose any conflicts of interest to clients.
5. Members shall provide independent and objective advice to clients at all times, and not be impacted or affected by external influences.
6. Members shall respect the confidentiality of clients at all times and adhere to all privacy requirements relating to the receipt of information.
7. Members shall ensure that all clients have a realistic expectation of services provided prior to accepting contracts.

Code of Practice

Compliance with the Code of Practice is Mandatory for all Members.

Professional and Personal Conduct

1. Members shall conduct their professional duties and activities in a manner that reflects credit upon themselves and their profession.
2. Members shall not maliciously or carelessly do anything to injure, directly or indirectly, the reputation, prospects or business of other Members.
3. Members and/or their staff must not have been convicted of any Crime, being any offence under the Crimes Act 1961, or of any other offence that in the opinion of a majority of the IPMA Committee makes the member or applicant for membership unsuitable to be a member of the IPMA, unless the conviction is of such a minor nature and occurred sufficiently long ago as to be of no consequence.
4. Members must advise the Executive if they are being investigated for or have been convicted of any crime, being an offence under the Crimes Act 1961.
5. Members must adhere to the Residential Tenancies Act.
6. Members must keep full and accurate business records.
7. Members must operate a separate ledger account that clearly defines monies received and expended on behalf of their clients.
8. All money received from the owner or tenant to be banked within 5 working days.
9. Members will supply detailed statements to owners at least once a month.
10. Members will pay out to owners on a minimum monthly basis.
11. Members must thoroughly check credentials of ingoing tenants.
12. Members must take all reasonable steps to recover unpaid rents unless requested otherwise by the client.
13. Members must have Public Liability Insurance.
14. Members must comply with the Association's complaints procedure and have an individual company complaints procedure.
15. Members will fully co-operate with any request for information or directive from the IPMA where a complaint has been lodged or where there is deemed to be a prima facie breach of the residential Tenancies Act, the Code of Practice or the Code of Ethics. This may include their accounts undergoing an independent audit if required, at the owner's expense.