



Department of Justice and Regulation

Consumer Affairs Victoria

Level 17
121 Exhibition Street
Melbourne Victoria 3000
GPO Box 123
Melbourne Victoria 3001
Telephone: (03) 8684 0735
Facsimile: (03) 8684 6040
consumer.vic.gov.au
DX: 210220
Our ref: CD/17/367360

PUBLIC WARNING NOTICE

REAL ESTATE SERVICES SUPPLIED BY CRAIG ALAN McINTOSH

I, Simon Cohen, Director of Consumer Affairs Victoria, issue this public warning under section 223 of the Australian Consumer Law (Victoria) (ACL (Vic)) and section 228 of the *Australian Consumer Law and Fair Trading Act 2012*.



Mr McIntosh, pictured above, is not and has never been a licensed estate agent.

On 17 March 2015, Consumer Affairs Victoria obtained injunctions against Mr McIntosh under the ACL (Vic), barring him from acting as an estate agent until he was licensed to do so.

While Mr McIntosh is currently eligible to be employed an agent's representative, Business Licensing Authority records currently show he is not employed by any licensed estate agent.

On 16 February 2017, McIntosh ceased employment as an agent's representative with a licensed estate agent operating under various trading names, including:

- 'McIntosh Lincoln';
- 'McIntosh Lincoln City Residential'; and
- 'McIntosh Lincoln Property Concierge' –
(collectively, "**the estate agency**").

The estate agency was located at Level 11/180 Russell Street, Melbourne.

Consumer Affairs Victoria has been informed that since 16 February 2017, Mr McIntosh has held himself out as able to provide real estate services and to receive money on behalf of persons selling or purchasing real estate.

I am concerned that Mr McIntosh is continuing to:

- undertake the business of an estate agent while not being licensed as an estate agent
- hold himself out to be an agent's representative while not under the supervision of a licensed estate agent, and
- request payments for the purchase of real estate into a bank account that is not an authorised trust account and to which he has sole access.

Further, consumers should be aware that any money provided to Mr McIntosh since 16 February 2017 may not be considered trust money under the *Estate Agents Act 1980*, and will therefore not be protected under the Victorian Property Fund.

I urge consumers not to engage Mr McIntosh's services as an estate agent or provide him with any funds for the purchase of real estate.

Any consumer who has been approached by Mr McIntosh since **16 February 2017** in relation to the purchase or selling of real estate, or has provided or been asked to provide any form of payment to him in relation to any real estate transaction, can contact Consumer Affairs Victoria on 1300 55 81 81.

I strongly urge consumers to deal only with licensed estate agents when buying or selling property.



Simon Cohen
Deputy Secretary, Regulation &
Director, Consumer Affairs Victoria