

## Publicly Available Disclosure Guide

**Yes Mortgages (2007) Limited**  
**www.yesmortgages.co.nz**  
**021 783 266 – Gavin Lynch**  
**021 027 62 747 – Kendall Nolan**

Here is some general information about our business to help you decide if you want to seek our advice.

### **Licensing information**

We, Yes Mortgages (2007) Limited (FSP770153); consisting of Gavin Lynch (FSP107589) and Kendall Nolan (FSP608609) as Financial Advisers; operate as a Financial Advice Provider under a current licence issued by the Financial Markets Authority (FMA) in the name of NZ Financial Services Group Limited (FSP286965).

There are no conditions attached to this licence on the advice that may be given.

### **Our advice and Product Providers**

We provide advice to our clients about loan products.

We only provide advice about products from certain providers, these are:

- |                  |                        |                         |
|------------------|------------------------|-------------------------|
| - ANZ            | - Westpac              | - BNZ                   |
| - ASB            | - ASAP Finance Limited | - Avanti Finance        |
| - Cressida       | - DBR                  | - First Mortgage Trust  |
| - Heartland Bank | - Liberty Financial    | - NZCU                  |
| - RESIMAC        | - SBS Bank             | - SELECT                |
| - Southern Cross | - Sovereign            | - The Co-operative Bank |
| - ZIP Business   | - Basecorp Finance     | - CFML                  |
| - Pepper Money   |                        |                         |

### **Commission**

On settlement of a loan or issuance of a risk or fire and general insurance policy, we usually receive commission from the applicable product provider. The commission is generally of an upfront nature but may also include a renewal or trail commission. From some product providers, we may receive a fee if we assist in refixing your loan.

This commission is used to remunerate the financial adviser that provides the advice, and to pay the expenses associated with running our business including any rent, staff costs and IT resources. From this commission we also pay NZ Financial Services Group Limited for services they provide to us in connection with our authorisation under their licence from the Financial Markets Authority.

We take steps to ensure that the receipt of commissions does not influence the advice we give to you and that our advisers prioritise your interests by recommending the best product for your purpose regardless of the type and amount of commission we or they may receive.

We do this by:

- Ensuring our advisers follow an advice process that ensures they understand your needs and goals and that their recommendations on insurance cover meets those needs and goals.
- Ensuring our advisers receive regular training on how to manage conflicts of interest.
- Providing you with a schedule showing commission amounts and types by product provider. This schedule is contained within each Financial Adviser's personalised Disclosure Guide. A Financial Adviser will provide you with more information about commissions during the advice process.

### **Fees and Expenses**

Generally we don't charge you any fee for the advice and transactional solutions that we provide to you. This is possible because, on settlement of a loan, we usually receive commission from the applicable product provider as described above. There are two exceptions to this general position which are explained below.

We may charge you a one-off fee in the following situations:

(a) No commission: If you request that we provide services in relation to a product or service and we do not receive a commission. Any such fee would be agreed and authorised by you in writing before we complete the services, and would be based on an estimate of the time spent providing the advice.

This may arise in the rare event that you request that we provide Services in relation to either a product that is offered by a provider that we do not hold an accreditation with, or a product that is outside our usual arrangements with our product providers.

(b) Repayment of commission: If a product or service provider requires that we repay commission within 27 months of settlement of your mortgage or issuance of your risk insurance policy. Any such fee would be no more than \$2,500 (plus GST) and would be calculated based on a rate of \$250 (plus GST) per hour of the financial adviser's time spent providing services to you in connection with the applicable mortgage or insurance. The fee charged will not exceed the amount of commission clawed back from the lender.

Should we need to charge you a fee, you will be invoiced and will be given 30 days to make payment.

### **Conflicts of Interest**

If there are any conflicts of interest apart from commission that could potentially influence the advice that we give, these will be shown in your Financial Adviser's Disclosure Guide.

If a conflict of interest is identified, we will manage this by recording the conflict and determining the course of action required – this can be either removing ourselves from the conflicted situation; fully disclosing the conflict to you and working through this with your interests and goals prioritised; or relinquishing the private interest that creates the conflict.

### **Complaints**

If you have a complaint about our service you need to tell us about it. You can contact us by phoning us on 021 783 266 or emailing us at [admin@yesmortgages.co.nz](mailto:admin@yesmortgages.co.nz) with the heading Complaint – Yes Mortgages: Gavin Lynch or Kendall Nolan.

Please set out the nature of your complaint, and the resolution you are seeking. We will acknowledge receipt of this within 24 hours. We will then record your complaint in our Complaints Register and notify our Licence Holder. We may want to meet with you to better understand your issues.

We will then investigate your complaint and provide a response to you within 7 working days of receiving your complaint. If we need more time to investigate your complaint, we'll let you know.

If we cannot agree on a resolution you can refer your complaint to our external dispute resolution service. This service is independent and will cost you nothing and will assist us to resolve things with you.

Details of this service are:

Insurance & Financial Services Ombudsman Scheme

Phone: 0800 888 202

Email: [info@ifso.nz](mailto:info@ifso.nz)

### **Our Duties**

Anyone within our business giving advice is bound by and supports the duties set out in the Financial Markets Conduct Act 2013. These duties are:

- Meet the standards of competence, knowledge, and skill and the standards of ethical behaviour, conduct, and client care set out in the Code of Professional Conduct for Financial Advice Providers.
- Give priority to your interests.
- Exercise care, diligence, and skill.