

# Media Release



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## Convicted fraudster - caught again

One of SA's worst fraudsters, John Gorcilov of West Lakes, who is currently serving a 5 year jail sentence has been convicted again, this time for acting as a real estate sales representative.

Yesterday in the Adelaide Magistrates Court, Mr Wilson SM convicted Gorcilov on 2 counts of acting contrary to the *Land Agents Act 1994*.

In late 2003, the Office of Consumer and Business Affairs (OCBA) received information from the Serious Fraud Branch of the South Australian Police that Mr Gorcilov was working as a sales representative. Legislation prohibits a person from acting as a land sales representative if they have been convicted of an offence of dishonesty. Mr Gorcilov has been convicted of many such offences.

Commissioner for Consumer Affairs, Mark Bodycoat said, "Sales representatives must have the required qualifications and satisfy the criteria set out in the Act."

Mr Gorcilov represented that he was an employee of a licensed real estate agent in Fulham. He induced two separate consumers to enter into sales agency agreements for the sale of their properties, a combined total property value of \$260,000.

"You are not entitled to work in the real estate industry as a sales representative if you have been convicted of an indictable offence of dishonesty. Gorcilov's fraud convictions immediately prohibited him from ever being a land sales representative."

Gorcilov's extensive criminal history includes false pretences convictions and a conviction for practising law without being enrolled as a barrister and solicitor or holding a practising certificate.

Given the seriousness of the offending, and the defendant's significant record of prior dishonesty offending, Mr Wilson SM noted that had he been able to impose a fine, he would have imposed a fine of \$6,000. However, he declined to do so, due to Gorcilov's inability to pay. In addition to being in prison, Gorcilov is an undischarged bankrupt. Given the length of the defendant's incarceration, the court also considered this was not an appropriate case in which to order community service.

"Thanks to the quick action of OCBA and the tip from Police, Mr Gorcilov was prevented from creating havoc for consumers buying or selling homes."

For more information about the licensing requirements and qualifications of land agents and sales representatives contact OCBA on 8204 9686 or 131 882 for country callers, visit [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au).



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