



February 13, 2019

Micheal Noseworthy  
Superintendent of Real Estate  
2800 – 555 West Hastings Street  
Vancouver, BC V6B 4N6  
Submitted by email: [Micheal.Noseworthy@gov.bc.ca](mailto:Micheal.Noseworthy@gov.bc.ca)

Dear Mr. Noseworthy,

**RE: Specialty licence for commercial practitioners**

As you know, the British Columbia Real Estate Association (BCREA) continues to have concerns with the ban on limited dual agency, which took effect on June 15, 2018.

In a REALTOR® survey we conducted in November 2018, completed by more than 1,200 REALTORS®, 60 per cent of respondents reported seeing an increase in the number of unrepresented consumers; **75 per cent** of commercial respondents report an increase in the number of unrepresented consumers. BCREA recently formed a Commercial Advisory Task Force with members from all around the province, and they confirmed our survey findings.

This is an urgent situation that requires immediate action.

You are aware of our proposal to Minister of Finance Carole James for the creation of a certificate of independent legal advice (aka waiver) as a short-term measure for both residential and commercial transactions.

In the longer term, we believe implementation of a commercial specialty designation will better meet the needs of professionals and consumers in that sector. As we have noted in the past, the Independent Advisory Group focused on residential real estate. The Rule changes that took effect on June 15, 2018 reinforced the differences.

The time has come to recognize that commercial real estate requires different training and different approaches than residential.

Under your authority granted through section 89.2 (1)(a) [Superintendent's Rules] of the *Real Estate Services Act*, we urge you to work with the Real Estate Council of British Columbia and BCREA to develop a commercial licence designation that would allow the use of limited dual agency. We believe the approach used in Alberta is a good starting

point, because it recognizes the need for specialized pre- and re-licensing education, yet provides some flexibility to licensees who can choose to remove the specialty from their licence upon renewal. We also welcome the higher level of professionalism dedicated training would bring to the commercial sector.

To begin the conversation, I suggest a meeting with you, Erin Seely and me, at your earliest convenience. As always, we look forward to working collaboratively to advance solutions that protect consumers and meet the needs of real estate professionals. To schedule this meeting, please contact me directly ([dhyde@bcrea.bc.ca](mailto:dhyde@bcrea.bc.ca); 604.742.2787).

BCREA is the professional association for about 23,000 REALTORS® in BC, focusing on provincial issues that impact real estate. Working with the province's 11 real estate boards, BCREA provides continuing professional education, advocacy, economic research and standard forms to help REALTORS® provide value for their clients.

Sincerely,



Darlene K. Hyde  
Chief Executive Officer

Copies: Hon. Carole James, Minister of Finance ([fin.minister@gov.bc.ca](mailto:fin.minister@gov.bc.ca))  
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BCREA Commercial Advisory Task Force