



BRITISH COLUMBIA
REAL ESTATE
ASSOCIATION

May 1, 2018

Erin Seeley
Executive Officer
Real Estate Council of British Columbia
900 – 750 West Pender Street
Vancouver, BC V6C 2T8
Submitted by email: eseeley@recbc.ca

Dear Erin,

Re: Rule Changes under the *Real Estate Services Act*

As the Council works to finalize materials for the June 15, 2018 implementation of important changes to real estate practice, the British Columbia Real Estate Association (BCREA) asks you to consider the following points related to the recent Rule changes announced by the Office of the Superintendent of Real Estate on April 27, 2018. Our organizations share a commitment to protecting consumers and ensuring high professional standards for REALTORS®.

English language proficiency requirement

We support this Rule change. We suggest that, for applicants who have been licensed in other Canadian jurisdictions, the English language proficiency requirements of those jurisdictions must at least meet BC's requirements.

Continuing professional education requirements for licensees

We are disappointed that the Rule change was not approved, though we urge the Council to make the online course available as soon as possible. REALTORS® are anxious for this opportunity to learn about the Rule changes in a concise, comprehensive way.

We believe managing brokers should be educated first, and that specific content be created for commercial practitioners, as their work differs significantly from residential. We understand that the course will be available online, and we expect that technical support will be easily accessible. In addition, licensees should have at least a week to complete the course, once they begin.

1420 – 701 Georgia Street W, PO Box 10123, Pacific Centre, Vancouver, BC V7Y 1C6

President James Palanio
Past President Jim Stewart

President-Elect Michael Trites
Chief Executive Officer Darlene Hyde

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Remuneration disclosure

We had suggested to the Superintendent that BCREA's Multiple Listing Contract could be altered to include a dollar amount for a range of potential prices, with the Council form being completed once the negotiations are final. We hope you will consider this suggestion, as a way to avoid overwhelming sellers.

Please also consider how a licensee can comply with this Rule when they are instructed by a seller to only present offers that meet certain parameters.

Conflicts of interest

REALTORS® around the province continue to struggle to understand the exemption to the impending ban on limited dual agency. The Council has, to some extent, explained the term "impracticable," but no additional description has been provided regarding "under-served" or "remote location." Please provide as much guidance as you can, so licensees and consumers can avoid confusion and uncertainty.

BCREA's primary recommendation on this matter is that the impending ban on limited dual agency be thoroughly reviewed before it takes effect, particularly as it impacts small communities and commercial practitioners, so the consequences for consumers and the economy are well understood. The most effective approach is a joint review by the government, regulator and licensees, in which more workable alternatives could be fully explored.

Specific to new Rule 5-18, we firmly believe that discussions of how to handle conflicts of interest must happen at the time agency relationships are created. As the Council finalizes information for licensees and the public, please encourage this approach, which ensures that consumers and licensees have a clear and shared understanding of how conflicts would be handled from the outset.

Please note that, instead of the term "recusal" which is most appropriately used with judges or other decision makers, we use the term "withdrawal."

We look forward to continuing to work with the Council, OSRE and the UBC Sauder Real Estate Division to ensure a smooth implementation of these changes. As the Council creates new interpretations, BCREA is happy to connect you with accomplished professionals who can provide input before final decisions are made.

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As you know, 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,

A handwritten signature in black ink that reads "Darlene K Hyde". The signature is written in a cursive, flowing style.

Darlene Hyde
Chief Executive Officer

Copy: Micheal Noseworthy, Superintendent of Real Estate (micheal.noseworthy@gov.bc.ca)
Robert Holmes, Chair, Real Estate Council of British Columbia
(rholmes@recbc.ca)
Hon. Carole James, Minister of Finance (FIN.Minister@gov.bc.ca)
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