

SPECIAL MEETING OF THE REAL ESTATE COUNCIL OF ALBERTA

**8:00 am, Thursday, December 13, 2018
Nakiska Boardroom, Calgary, AB**

MINUTES

- In Attendance:** Bonny Clarke, Chair
Krista Bolton (*by conference call*)
Bobbi Dawson
Amina Deiab
Ramey Demian
Bill Kirk
Brian Klingspon
Phil McDowell
Stan Mills
Robyn Moser
Bob Myroniuk, RECA Executive Director
Rob Telford, Chair-Elect
Christine Zwozdesky
- Guests:** Lois Flynn, Executive Director, Consumer
Services, Service Alberta
- Recording Secretary:** Rina Hawkins

1. Call to Order

The Chair, called the meeting to order at 8:30 am.

Council members Amina Deiab, Ramey Demian, Bill Kirk, Stan Mills, and Robyn Moser objected to the attendance of Bonny Clarke and Krista Bolton at the Council meeting, as it was their belief these two individuals were no longer members of Council.

The Executive Director indicated that Council should operate under the current legislation and bylaws until it has further information about the interpretation of the sections in question.

2. Section 76, *Real Estate Act* Review (Lois Flynn)

Ms. Lois Flynn, Executive Director, Consumer Services, of Service Alberta, attended the meeting as Service Alberta's representative tasked to work with Council during the upcoming review of RECA. Ms. Flynn provided a summary of the November 23, 2018 letter from the Minister of Service Alberta Letter to Council from Minister. The appointed reviewer will complete a full governance and operational review of RECA, using the *Real Estate Act* as the foundational piece. It will also look at RECA's relationships with stakeholders.

Ms. Flynn noted that work is underway to identify a reviewer. Service Alberta estimates the reviewer will be in place in mid-January and that the review should take about six months to complete.

Ms. Flynn indicated that the Minister requests that Council work together to make the two necessary Council appointments as the Minister has very limited authority to step in at this time.

Council Chair, Bonny Clarke, handed over the meeting to Chair Elect Rob Telford, and left the meeting for the next agenda item.

Rob Telford provided a summary of the actions Council has taken in the past year. He reiterated that in order to work effectively, it is important for all Council members to consider their fiduciary duties.

3. Council Appointments

- **Report & Recommendation(s) of Nomination Committee re: Non-AREA Member (s.6(1)(e)(i), *Real Estate Act*) and A Member of the Public at Large (s. 6(1)(e)(ii), *Real Estate Act*)**
Phil McDowell, Chair of the Nomination Committee, provided a recap of the work of the Nomination Committee.

- **Appointment of a Member from the Public at Large to Council**
MOTION: The six AREA Council appointees and one AMBA Council appointee approve the appointment of Tiago Lage to the Public Member position on Council effective immediately.
Phil McDowell / Carried

- **Appointment of Non-AREA Industry Member to Council**
At the October 17, 2018 Regular Meeting of Council, Council tabled the following motion:

MOTION: The six AREA Council appointees and one AMBA Council appointee approve the appointment of Bonny Clarke to the Non-AREA position on Council effective November 1, 2018 for a three-year term.

Phil McDowell / Tabled

Those members tasked with approving the appointment did not agree at that time.

Council discussed the candidates for the Non-AREA position on Council. Following that discussion, the seven voting members, along with Ms. Lois Flynn met in private to discuss this nomination. The group did not reach a decision.

Phil McDowell made the following motion:

MOTION: The six AREA Council appointees and one AMBA Council appointee approve the appointment of Bonny Clarke to the Non-AREA position on Council effective November 1, 2018 for a three-year term.

Phil McDowell / Defeated

A Council member requested this vote be recorded. The vote was three (3) in favour (Bobbi Dawson, Brian Klingspon, Phil McDowell), and four (4) opposed (Ramey Demian, Bill Kirk, Stan Mills, Robyn Moser).

MOTION: The six AREA Council appointees and one AMBA Council appointee approve the appointment of JT Dhoot to the Non-AREA position on Council effective November 1, 2018 for a three-year term.

Ramey Demian / Defeated

A Council member requested this vote be recorded. The vote was four (4) in favour (Ramey Demian, Bill Kirk, Stan Mills, Robyn Moser), and three (3) opposed (Bobbi Dawson, Brian Klingspon, Phil McDowell).

MOTION: Council recognizes the interpretation of the word "jointly" as a majority vote.

Robyn Moser / Tabled

Ms. Flynn reviewed alternative options in light of Council not reaching a resolution.

MOTION: Council will prepare a letter to the Minister of Service Alberta that all Council members will sign, requesting the Minister make the Non-AREA appointment to Council. Council agrees to appoint the Minister's decision.

Bobbi Dawson / Defeated

Council will schedule another meeting to address the above issue.

4. **Adjournment**

The meeting adjourned at 12:31 pm.

5. **Next Meeting(s)**

- January 23, 2019 (9:30 am) Regular Council Meeting

Approved at Calgary, Alberta on January 23, 2019

Robert Telford. Chair-Elect

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Minutes of Meeting

December 13, 2018