



REGULAR MEETING OF THE REAL ESTATE COUNCIL OF ALBERTA

9:30 am, Wednesday, April 17, 2019
Nakiska Boardroom, Calgary, AB

MINUTES

In Attendance: Bobbi Dawson
Amina Deiab
Ramey Demian
JT Dhoot
Bill Kirk
Brian Klingspon, Past-Chair
Tiago Lage
Warren Martinson, RECA Corporate Services Director
Phil McDowell
Stan Mills, Chair-Elect
Robyn Moser
Stacy Paquin, RECA Corporate Secretary
Rob Telford, Chair
Christine Zwozdesky

Absent: Bob Myroniuk, Executive Director

Invited Guests: Lee Chantal, Manager, Marketing & Industry Standards, Service Alberta

Recording Secretary: Rina Hawkins

1. Call to Order

The Chair, called the meeting to order at 9:33 am.

Council welcomed Lee Chantal, Manager, Marketing & Industry Standards, from Service Alberta, who was present on behalf of Lois Flynn, Executive Director, Consumer Services.

The Chair introduced Stacy Paquin as RECA's new General Counsel and Corporate Secretary.

Council discussed the agenda and agreed to move some of the agenda items around in order to ensure the best use of time.

***MOTION:** Council amends the agenda, moving in camera Tabs 12, 13, 14, 15A, and 15B to after item #2 Chair Report.
Phil McDowell / Carried*

2. Chair Report

The Chair provided a verbal report to Council.

The Chair attended the AIC Alberta 2019 Conference and AGM on March 8-9, 2019. He, along with Jean Flanagan and Michael McLaughlin from RECA, met with the Board of Directors and provided an update. The Chair advised that he provided a RECA update to the conference attendees.

On April 12, 2019, RECA Communications sent out a notice to industry professionals, industry associations, and consumers advising of the upcoming Annual General Meeting, which will take place on-line on May 13, 2019.

3. In-Camera Session

Council met in-camera and after the session, the following motion was made.

***MOTION:** Council directs the Governance Committee to review and bring back recommendations on bylaws, Rules, and policies that pertain to the end of Council and Committee members' terms.
Bobbi Dawson / Carried*

4. Council Appointments

• Appointment of Officers for 2018/2019

In accordance with s.5(3)(a) of the *Real Estate Act* Bylaws, any member of Council wishing to stand for election to the position of Chair-Elect should declare their intention to the Executive Director by e-mail at least 30 days prior to the April 2019 meeting of Council at which time the Chair-Elect will be elected to Council. Four Council members expressed interest in the Chair-Elect position.

Candidates had the opportunity to outline their reasons for seeking the position, and then Council held a vote by secret ballot to determine the next Chair-Elect.

The result of the secret ballot was five (5) votes for Phil McDowell, and seven (7) votes for Stan Mills.

Stan Mills was elected Chair-Elect commencing today, April 17, 2019 and ending October 31, 2019.

5. Strategic Issues

- **Residential Measurement Standard (RMS) Consultation**

The Director, Education Programs joined the meeting to provide feedback to Council on the results of the consultation on the consequences of the current RMS methodology for measuring semi-detached and attached properties.

RECA Administration brought forward the following recommendations:

1. Council amend the composition of the RMS Working Group by adding:
 - An appraisal representative (AIC)
 - An appraisal representative (CNAREA)
 - A mortgage broker
 - An representative from the insurance industry
2. Council refer the issue back to the amended working group for a recommendation to Council
3. As per RECA's Consultation Policy, post all consultation input and results on RECA's website, and communicate to stakeholders how their feedback affected Council's decision.
4. As required by the Stakeholder Engagement Policy and RECA's desire to consult on matters that affect the regulation of Alberta's industry professionals, including any new legislation and standards, Council to engage with all stakeholders after a decision to change the RMS is made.

Council discussed the results of the consultation, noting a number of the responses suggested reverting to a consistent measurement from the foundation.

Council discussed: 1) the history of the RMS; 2) the lack of response from builder organizations; 3) how other jurisdictions address measuring; and 4) the ANSI standard. Following this discussion, the following motion was made.

***MOTION:** Council approves the creation of an Ad Hoc committee to consolidate the methodology of the measurement of detached, semi-detached, and attached homes. The Committee will consist of Stan Mills (Chair) and four (4) members of Council (Ramey Demian, JT Dhoot, Tiago Lage, and Robyn Moser). The Committee will bring back recommendations to Council at the July 2019 meeting.*

Stan Mills / Carried

- **Regulation of Condominium Managers**

The Director, Strategic Initiatives & External Relations joined the meeting for this agenda item.

In March 2019, Service Alberta Administration advised RECA Administration that the process for government to pass *Real Estate Act Exemption Regulations* takes at least six (6) months. Given RECA's implementation plan for condominium manager licensing, Service Alberta advised it would require RECA's list of proposals for the exemption regulation as soon as the Alberta election ends in order to meet timeframes set out in the plan.

***MOTION:** Council proposes to Service Alberta that condominium corporation employees be exempt from licensing requirements under amendments to the Real Estate Act Exemption Regulation.*

Christine Zwozdesky / Carried

- **2016-2020 Business Plan Quarterly Report**

The Director, Strategic Initiatives & External Relations presented RECA's business plan quarterly update to Council. She highlighted a number of projects that RECA is working on.

6. **Business Arising or Issues Requiring Council Action**

- **Election of Committee Chairs, Appointment of Committee Members & Composition of Committees**

The Chair provided an update on the composition of Council committees. A Council member proposed the following motion.

***MOTION:** Committee Chairs shall select their Committee members based on relevant experience, skills and interest and shall review and amend Committee Terms of Reference for ratification by Council and/or the Chair of Council.*

Amina Deiab /

The Chair stated he believed the above motion to be out of order.

***MOTION:** A Council member appeals the Chair's decision that the above motion is out of order.*

Robyn Moser / Carried

Council discussed the proposed motion and amendments to it.

***MOTION:** Committee Chairs shall select their Committee members based on relevant experience, skills and interest.*

Amina Deiab / Carried

- **Appointment of Nomination Committee for Real Estate Appraiser & Property Manager to Council**

The Chair of Council indicated the current terms of the Real Estate Appraiser and Property Manager members of Council expire on October 31, 2019. Council will need to form a nomination committee to fill these vacancies.

***MOTION:** Pursuant to the REA bylaws, Council appoints Ramey Demian as Chair of the Nominating Committee for Real Estate Appraiser & Property Manager to Council to:*

- a) review the recommendations received for the real estate appraiser and property manager positions on Council that are in compliance with the Real Estate (Ministerial) Regulations;*
- b) interview any or all of the individuals recommended; and*
- c) provide Council with the names of all individuals who have been recommended as candidates (in compliance with the Real Estate (Ministerial) Regulations.*

Phil McDowell / Carried

The Chair of the Nomination Committee selected Bobbi Dawson, JT Dhoot, Stan Mills, and Robyn Moser as Nominating Committee members.

7. Administration Reports

- **Competition Bureau Tribunal v. Toronto Real Estate Board & Disclosure of Pending Sales**

The Director, Strategic Initiatives & External Relations provided an information update on this item and advised that RECA Administration will continue to dialogue with RAE, CREB and AREA. Administration will provide Council with any updates on further discussions on this subject with stakeholders.

- **Registrars Report: Conduct Proceedings**

The Registrar joined the meeting to provide a presentation on the current investigation file status of RECA's conduct proceedings.

ACTION: In future reports to Council, the Registrar will provide the PCR file inventory going back five (5) and ten (10) years.

- **Real Estate Assurance Fund**

RECA's General Counsel and Corporate Secretary reviewed the report, which provided Council with a summary of pay-outs from the Real Estate Assurance Fund ("Assurance Fund") over the past year.

ACTION: A Council member had questions regarding the report. RECA's General Counsel and Corporate Secretary will follow up with the Council member on his specific questions and provide the response to all Council members.

8. Business by Council Consent

- **Approval of Minutes**

Council reviewed the minutes of the January 23, 2019 Regular Meeting of Council and the January 29, 2019 Special Meeting of Council.

MOTION: Council approves the January 23, 2019 Regular Meeting of Council minutes as amended.

Stan Mills / Carried

MOTION: Council approves the January 29, 2019 Special Meeting of Council minutes as presented.

Bobbi Dawson / Carried

- **Decisions between Council meetings**

The Chair advised Council that following voting on the Boardvantage system, the following Committee Chair appointments had been made:

- Finance & Audit Committee – Tiago Lage (April 3, 2019)
- Governance Committee – Amina Deiab (April 3, 2019)
- Policy Sub-Committee – Bill Kirk (March 27, 2019)
- Hearings Committee – Stan Mills (March 27, 2019)
- Commercial Real Estate Advisory Committee – Ramey Demian (April 3, 2019)
- Residential Real Estate Advisory Committee – Robyn Moser (March 27, 2019)
- Condominium Managers Implementation Advisory Committee – Christine Zwozdesky (March 27, 2019)
- Consumer Advisory Committee – Bobbi Dawson (March 27, 2019)
- Legislation Review Committee – Amina Deiab (April 5, 2019)
- Real Estate Appraisers Advisory Committee – Rob Telford (by acclamation on March 27, 2019)
- Property Management Advisory Committee – Christine Zwozdesky (by acclamation on March 27, 2019)
- Mortgage Brokers Advisory Committee – Phil McDowell (by acclamation on March 27, 2019)
- Executive Director Selection Committee – Amina Deiab and Christine Zwozdesky (co-chairs) (February 11, 2019)

Council addressed a housekeeping item; a decision made by Council between meetings which had not been previously noted in prior meeting minutes.

***MOTION:** Council ratifies the appointment of Susanita de Diego to the Hearing Panel Roster using the Boardvantage voting system (February 7, 2019).*

Robyn Moser / Carried

9. In-Camera

Council went in-camera at 5:44 pm.

Following the in-camera session, the following motion was made.

***MOTION:** Council approves the amendments to the Executive Director Selection Committee Terms of Reference as presented in the meeting material.*

Bobbi Dawson / Carried

REGULAR MEETING
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COUNCIL OF
ALBERTA

Minutes of Meeting

April 17, 2019

10. Adjournment

The meeting adjourned at 6:05 pm

11. Next Meeting(s)

- July 17, 2019 (9:30 am) Regular Council Meeting

Approved at Calgary, Alberta on July 17, 2019

Rob Telford, Chair

Stan Mills, Chair-Elect