

## ASSISTANTS – Condominium Management

Purpose: To explain the responsibilities condominium manager licensees have to supervise assistants and the tasks assistants may perform and not perform.

**This bulletin applies to all condominium manager licensees, including brokerages, brokers, associate brokers, associates, and assistants to any of these individuals.**

Effective December 1, 2021, in accordance with the *Real Estate Act* (the “Act”), an individual must hold a licence from the Real Estate Council of Alberta (RECA) to provide condominium management services in Alberta.

Condominium manager licensees often hire individuals to work directly with the condominium manager. These individuals may or may not hold a licence with the condominium manager licensee’s brokerage. If the individual holds a condominium manager licence, they can perform any activities that a condominium manager licensee is permitted to perform under the Act. If the individual does not hold a licence with the condominium manager licensee’s brokerage, their activities are much more restricted.

Assistants that do not hold a licence must not provide condominium management services. Their activities must solely be administrative tasks.

### **Condominium manager licensees employing assistants must:**

- only assign tasks assistants are competent to perform
- not assign tasks that requires a condominium manager licence
- disclose to clients, customers, public, and licensees that the assistant does not hold a licence to provide condominium management services
- ensure assistants identify themselves as assistants to their employer
- supervise the activities of the assistant
- ensure that the assistant complies with brokerage policies and procedures

### **Brokers must:**

- oversee activities of assistants in the employ of the brokerage and brokerage licensees

- approve the hiring of assistants
- establish policies and procedures regarding assistants
- ensure the assistant understands any policies for client confidentiality
- enter into a confidentiality agreement between the brokerage and the assistant
- enter into a written agreement outlining the assistant's job description and remuneration formula with a copy in the brokerage files

**Tasks unlicensed condominium management assistants may do: (under broker, associate broker, associate supervision):**

- answer and forward calls and emails
  - Answer condominium owner general enquiries where the information being sought is factual and in writing such as pulling accounting ledgers and providing the owners what charges and payments are on the ledger
- prepare and send correspondence at their condominium manager licensee's request under their manager's direction
- Assist condominium manager licensee with bylaw enforcement as set out in the *Condominium Property Act* and Bylaws (collectively, the CPA Act)
- maintain and update the employer's website
- maintain and update the condominium corporation's website(s) (e.g., Condo Genie, Building Link, etc.)
- witness documents that the condominium manager licensee presents to the client or customer
- assemble documents, for example:
  - prepare information statements, estoppels, caveats
  - prepare/provide documents under Sec. 44 and Reg. 20.52 of the CPA Act, whether uploading them to a website (Condo Papers) or providing them to an owner, purchaser or mortgagee as, per the CPA Act.
- secure public documents from the courthouse, utilities services, etc.
- copy keys for brokerage client common areas or storage at their condominium manager licensee's request
  - program fobs/openers, intercoms for building access
- post notices in buildings/elevators that have been approved by the condominium manager licensee
- record the deposit of condominium fees
- record and deposit client money being held in trust by the brokerage or directly to condominium corporation bank accounts
- fill in standard form contracts for their condominium manager licensee's approval
- order items or routine repairs at the request of their condominium manager licensee. This can also include setting up regular scheduled

maintenance contracts and requesting quotes from contractors for various work required at the properties

- act as a courier to deliver or pickup documents and keys for their condominium manager licensee
- set-up client files for licensee's approval
- open client common areas on behalf of their condominium manager licensee for service providers
- open condominium units on behalf of their condominium manager licensee for service providers if the condominium owner has given informed consent
- distribute their condominium manager licensee's marketing materials
- conduct a general inspection of properties' common areas (if qualified to do so), subject to verification by their condominium manager licensee
- perform bookkeeping functions for their condominium manager licensee
- Assist condominium manager licensee in Board meeting preparation
- Attend AGM/Board meetings to assist the condominium manager licensee
- Take minutes at AGM/Board meetings
- Prepare and send out arrears letters, caveat warnings, caveat notifications which have been approved by the licensee

#### INFORMATION BULLETINS

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#### **Tasks unlicensed condominium manager assistants must not do are:**

- represent themselves as a condominium management licensee
- answer questions from non-owners in a complex the condominium management brokerage manages regarding any condominiums managed by their brokerage
- discuss any condominium documents
- attend condominium management client meetings and presentations without their condominium manager licensee
- negotiate condominium management contracts
- negotiate or agree to any remuneration with clients
- act as a go-between for a client and the condominium manager when an agreement is in place
- place marketing materials or ads without their condominium manager licensee's approval

#### **Related information**

##### **Legislation**

- *Real Estate Act* – s.1(1)(s.1), s.1(1)(v), s.1(10)(x), and s. 17
- *Real Estate Act Rules* – s.44, s.46, 51(1)(e), 51(1)(f), and 53(e)
- *Condominium Property Act* Sec. 44 and Reg. 20.52