

# COMPLAINTS – CONDOMINIUM MANAGEMENT

**Purpose:** To explain the condominium related complaint issues that the Real Estate Council of Alberta (RECA) is able to respond to and the process that RECA follows when responding to complaints.

The Real Estate Council of Alberta (RECA) is responsible for the regulation of the condominium management industry. As part of that process RECA investigates complaints that are related to services being provided by condominium management brokerages and condominium managers.

Normally complaints about condominium management services should come from the board of the condominium corporation employing the condominium management brokerage. The reasoning for this is that the board oversees the services being provided to the condominium corporation under contract with the condominium management brokerage. The board is usually in the best position to determine if the brokerage and/or condominium manager is not meeting their obligations under the service agreement.

Should a unit owner have a complaint about the condominium manager or the condominium management brokerage, RECA encourages the unit owner to communicate their concerns to their condo corporation's board. The board would be in the best position to determine if there is an issue. If the board agrees with the unit owner's concern, the board should address the issue with the condominium manager. If the board is not happy with the response from the condominium manager, then they should next discuss the issue with the broker for the condominium management brokerage. Should the board not be satisfied with that response, including what can be done to resolve the issue, then the board could initiate a complaint. Although this process is preferred, it does not prevent a unit owner from lodging a complaint with RECA directly, as the *Real Estate Act* requires RECA to investigate all complaints it receives.

It is strongly recommended that boards for condominium corporations or an individual unit owner try to resolve the issue with the condominium manager and their brokerage before submitting a complaint.

**Unlicensed practice** - There may also be complaints about persons or companies providing unlicensed management services. RECA takes

unlicensed practice very seriously. RECA encourages anyone who is aware of unlicensed practice to report it to RECA.

## Complaint process

Complaints can be submitted through the RECA website at this link: [Submitting a Complaint | RECA](#). Once RECA receives a complaint the following process takes place:

- RECA Investigations will analyze the complaint to confirm whether or not the complaint falls under the authority of RECA
- The complaint will be reviewed to determine if there is adequate grounds to proceed with a full investigation
- If it is determined RECA will not be proceeding with a full investigation, the complainant will be informed in writing
- If RECA does proceed with an investigation, the complaint will be assigned to an investigator
- If, after an investigation, it is determined there are no grounds to proceed, the complaint is dismissed, and the complainant is notified
- If the investigation determines there have been breaches of legislation or the standards of practice, the matter could result in an administrative sanction or be sent to a hearing panel
- If a licensee is sanctioned, they have the opportunity to appeal the sanction
- Once the process is finished the complainant is notified of the outcome

## Related Information

[Real Estate Act: 37, 38, 38.1, 39](#)