

EXEMPTIONS TO CONDOMINIUM MANAGER LICENSING

Purpose: To explain when a licence is not required to provide condominium management services.

There are specific situations, outlined in the *Real Estate Act* and the *Real Estate Act Exemption Regulation*, where a licence for condominium management is not required. Persons who meet the conditions set out are not required to hold a condominium management licence.

Real Estate Act

A condominium corporation that manages its own affairs is not required to be licensed. This means that the directors, officers, and employees of the condominium corporation are exempt from licensing requirements.

To qualify as an employee the condominium corporation must be making standard government tax deductions and submitting them to the Canada Revenue Agency. Independent contractors and consultants do not qualify as employees and are not exempt from licensing.

Real Estate Act Exemption Regulation

Under the Exemption Regulation, there are three situations where a person is exempt from requiring a condominium management licence:

- where all the condominium units of a condominium corporation are owned by the same person, group of persons, or entity
- where the only condominium management service engaged in is collecting, or offering, or attempting to collect on behalf of the condominium corporation money payable as:
 - rent for the use of corporation-owned units or property
 - contributions levied by the condominium corporation or other amounts levied by or due to the corporation under the *Condominium Property Act*
- an Administrator (typically appointed by the courts) who has been appointed to manage the affairs of a condominium corporation

Any person wanting clarification to determine whether they are required to be licensed for condominium management services should contact RECA.

Related Information

Real Estate Act—s.2(6)

Real Estate Act Exemption Regulation—s.2(4), (5), (6)