

PROFESSIONAL ETHICS OF CONDOMINIUM MANAGERS

Purpose: To explain the professional and ethical obligations a condominium manager has to condominium corporations under management and to their condominium manager brokerage.

To ensure the success and the enjoyment of condominium living in Alberta, it is necessary to establish and maintain public confidence in the honesty, integrity, professionalism, and ability of condominium managers. Professional ethics will promote the continued development of a mutually beneficial relationship among condominium managers, condominium corporations, condominium residents, suppliers, the condominium manager's brokerage and the public.

1. JOINT OBLIGATIONS

A condominium manager owes a duty jointly to their brokerage and the brokerage's clients to be competent to perform the managerial services for which they are responsible. RECA recognizes that the condominium manager must balance the joint obligation in a manner which reflects positively on the condominium management industry. In exercising judgment in matters of joint obligation, the condominium manager must keep the guidance of professional ethics foremost in their mind.

2. COMPLIANCE WITH LAWS AND REGULATIONS

A condominium manager shall always conduct their professional activities with knowledge of and in compliance with the *Condominium Property Act*, the *CPA Regulations*, the *Real Estate Act*, the *Real Estate Act Rules*, all other pertinent legislation, the Bylaws and Rules of the client, and the provisions set out in the service agreement between their brokerage and the client. A condominium manager shall not engage in acts which constitute discrimination or harassment and shall provide their services considering reasonable accommodations for people with disabilities.

3. OBLIGATION TO CLIENTS

The client is defined to be the condominium corporation or proposed corporation to whom the condominium manager's brokerage (or the condominium manager, as employee) is

providing service for a fee. A condominium manager shall always exercise business loyalty to the interests of the client and shall be diligent in the maintenance and protection of the client's properties and assets with due regard for the rights, responsibilities and benefits of the owners and residents. To achieve this goal, a condominium manager shall provide reliable and responsive service and not engage in any activity that could be reasonably construed as contrary to the best interests of the client or the client's property and/or assets. The condominium manager shall not represent personal interests divergent from, or conflicting with, those of the client, unless the client has been previously notified, in writing, of the actual or potential conflict of interest and has also, in writing, assented to such representation. A condominium manager, as a fiduciary for the client, shall not receive, directly or indirectly, any rebate, fee, commission, discount, gift, or other benefit, whether monetary or otherwise, related to services provided to the client that has not been fully disclosed to and approved by the client in writing.

4. OBLIGATIONS TO BROKERAGE

The condominium manager shall conduct their activity in a manner which enhances the ability of their brokerage to provide the best possible long-term service to the brokerage's clients. The condominium manager shall not engage in any activity which could be reasonably construed as contrary to the best interests of their brokerage. The condominium manager shall not represent personal interests divergent or conflicting with those of their brokerage unless the brokerage has been previously notified, in writing, of the actual or potential conflict of interest, and has also assented, in writing, to such representation. A condominium manager shall not receive, directly or indirectly, any rebate, fee, commission, discount, gift or other benefit, whether monetary or otherwise, that has not been fully disclosed to and approved by their brokerage.

5. ADVISING BROKERAGE AND CLIENTS

The condominium manager must be both candid and honest when advising their brokerage and the brokerage's clients to promote and protect the client's best interests.

6. DISCLOSURE

A condominium manager shall not disclose to a third-party confidential information about the business of their brokerage or a client without prior written consent of the brokerage or the client, except as may otherwise be required or compelled by law.

7. OUTSIDE INTERESTS AND THE PRACTICE OF CONDOMINIUM MANAGEMENT

The condominium manager who engages in another profession, trade, business, or occupation concurrently with the practice of condominium management must not allow such outside interests to jeopardize their professional integrity, independence, or competence.

8. RECORDS AND REPORTS

A condominium manager shall always ensure that accounting and other records concerning the properties and assets managed for the client are accurate, kept up to date, and in good standing as required by the *Condominium Property Act (CPA)* and *Real Estate Act*, the *CPA Regulation*, the *Real Estate Act Rules* and the normal practices of the client and brokerage, and that such records shall be available for inspection at all reasonable times by each client. A condominium manager shall ensure that the client is furnished, at intervals to be agreed upon between the brokerage and the client, regular reports regarding that client's properties and assets. That such records are returned to the client completely, promptly, and as otherwise directed by the client upon termination of the relationship between the client and the condominium manager.

9. PROTECTION OF FUNDS AND PROPERTY

A condominium manager shall always ensure due diligence in protecting client's funds, property, and assets in the possession or control of the condominium manager against all reasonably foreseeable contingencies or losses.

10. RELATIONS WITH OTHERS

The condominium manager shall promote a positive image and reputation in their dealings with others. A condominium manager shall not make, authorize, or otherwise encourage any defamatory, disparaging, or unfounded comments about the practices of another condominium manager, a client, or the personnel of their brokerage or another condominium management company. A condominium manager shall not exaggerate or misrepresent the services offered by their brokerage or themselves as compared with competing condominium managers or management companies. Nothing, however, shall restrict legal and reasonable business competition by and among condominium managers.

11. UNLAWFUL INSTRUCTIONS FROM CLIENT

A condominium manager must make clients aware, in writing, of any instructions given to them by the client that conflict with the *Condominium Property Act* and *Real Estate Act*, the *Regulations*,

the *Real Estate Act* Rules, all other pertinent legislation, the Bylaws and Rules of the client and the service agreement between their brokerage and the client.

12. CONTINUING PROFESSIONAL EDUCATION

In order to assure the continued retention and further growth and development of their skills, knowledge and competence, a condominium manager shall utilize, to the highest extent possible, the facilities offered to them for continuing professional education and refinement of their management skills. The condominium manager will play an active role in their ongoing professional development.

Related information

Legislation

- [Real Estate Act Rules: 41, 42, 44, 80.84, 80.86, 80.87, 80.88, 80.89](#)