



RESIDENTIAL PROPERTY MANAGER INDUSTRY COUNCIL

9:30 AM Friday, September 23, 2022
In Person Meeting

MINUTES

In Attendance:

Don Brown
Keith McMullen
Don Newell, *Chair*
Carrie Plett
Cyril Pratt

Resources:

Russ Morrow, *CEO*
Stacy Paquin
Warren Martinson
Janice Harrington
Doug Dixon (*item #11*)

Guests:

Assistant Deputy Minister Ronda Goulden, *Service Alberta (item #10)*
Executive Director, Lois Flynn, *Service Alberta (item #10)*

Recording Secretary:

Christina Harrington

1. Call to Order

The Chair called the meeting to order at 9:28 a.m.

2. Approval of Agenda

The Residential Property Manager Industry Council ("Industry Council") reviewed the agenda.

MOTION: The Residential Property Manager Industry Council adopts the September 23, 2022, meeting agenda as presented.

Moved by Cyril Pratt

Seconded by Keith McMullen

Carried

3. Conflict(s) of Interest Declared

No conflicts of interest were declared.

4. Chair's Opening Remarks

The Chair welcomed attendees to the Industry Council meeting.

5. Consent Agenda

The Industry Council reviewed the consent agenda, which included the June 6, 2022, meeting minutes, the Action Register, and Regulatory Activity Scorecard, and correspondence received from the Honourable Nate Glubish, Minister of Service Alberta, dated June 24, 2022, which supported RECA's practice of auditing consumer funds held in trust.

***MOTION:** The Residential Property Manager Industry Council approves the minutes of the meeting of June 6, 2022, and receives the Action Register Update, the Regulatory Activity Scorecard, and correspondence from the Honourable Minister Nate Glubish as information, as presented within the meeting package.*

Moved by Carrie Plett,

Seconded by Don Brown

Carried

6. Licensing Update and Credentialing Report

The Registrar deferred the topics of the Licensing Update and Credentialing Report to the update on Condominium Manager Licensing.

7. Industry Council Chair Position Description

Management presented the Industry Council Chair Position description. The Industry Council Chair Position description will be recommended to the Board for approval in accordance with Bylaw 3.20 and will be included in the RECA Governance Manual.

ACTION: Management will outline the public engagement guidelines regarding Industry Council members.

8. Industry Council Chair Election

Management advised that the Chair's term will expire November 30, 2022. Pursuant to the *Real Estate Act* (REA) section 7.1(6) and REA Bylaws 3.18 and 3.19, the Industry Council must elect a new Chair at its final meeting of the year prior to December 1. Nothing precludes the current Chair from running in the election.

RECA CEO called for nominations for the position of Industry Council Chair. Council Member Plett nominated Don Newell. RECA CEO called twice for further nominations. Hearing none, nominations were closed.

***MOTION:** The Residential Property Manager Industry Council elects Don Newell to the position of Industry Council Chair for the term of two years, effective December 1, 2022, by acclamation.*

Moved by Carrie Plett,

Seconded by Keith McMullen

Carried

9. RECA Board of Directors Report

RECA Board Member Plett presented the Board Report. The Board approved the 2022/2023 Budget and Business & Financial Plan, and the 2022-25 Strategic Plan. The Board established the Rules Review Steering Committee. The Hearings Committee is recruiting to fill vacant positions on the Hearing Panel roster and has amended and clarified the conflict-of-interest rules regarding Hearing Panel Roster members.

Management advised that two vacancies remain on the Hearing Panel Roster, being two vacant positions to be filled by two condominium manager brokers or associates, and two real estate brokers or associates with the specialty of Property Management. The opportunities are posted on the RECA Website and qualified applicants are encouraged to apply. The Industry Council members will circulate the listings.

The Industry Council discussed the proposed meeting calendar. RECA Management raised concerns regarding the demands on staff resources resulting from quarterly meetings versus tri-annual meetings. The Industry Council contended that three meetings a year may not be sufficient given the rules review initiative.

10. Government of Alberta Discussion

Ronda Goulden, Assistant Deputy Minister of Consumer, Registry and Strategic Services, of Service Alberta (ADM Goulden) and Executive Director, Lois Flynn, of Consumer Services, Service Alberta (ED Flynn) joined the meeting.

Service Alberta members and the Industry Council discussed changes to governing legislation (the REA and its Regulations), the Industry Councils mandate of consumer protection, the divestiture of education, the importance of red-tape-reduction. Service Alberta and the Industry Council also discussed transitioning conditionally licensed condominium manager brokers, associate brokers and associate licensees, and strategies to encourage practitioners to ensure consumer service-levels are maintained.

ACTION: Management will ensure information on the RECA website clarifies the legislative authority of RECA, the Industry Councils, and will ensure the website directs condominium owners and condominium corporations (boards) to the relevant Service Alberta resources.

a. Timing of Education and Licensing Requirements

The Registrar reported course enrolment rates, examination results, and the remaining number of conditionally licensed condominium manager brokers and associates in Alberta.

The Industry Council agreed that regulation of the condominium management service industry was not intended to undermine condominium boards nor prevent them from functioning, and consumers are not well-served if practitioners are barred from entry. The Industry Council reiterated the importance of core competencies and standards of practice in support of consumer protection.

Doug Dixon, RECA Real Estate Regulatory Compliance Advisor, reported some practitioners may simply age-out of the industry as opposed to challenging the licensing examination. Mergers, acquisitions, and share-sales of some existing brokerages have already begun as a result. This is the natural progression of an emerging regulated industry.

The Industry Council agreed that the divestiture of education timelines impacted the transition. Industry perceptions surrounding the difficulty of the education and examinations have deterred practitioners.

***MOTION:** The Residential Property Manager Industry Council approves an extension of condominium manager broker conditional licences from November 30th, 2022 to March 31st, 2023 subject to*

- A)** passing all required examinations (either by challenge or the required courses) by November 30th, 2022; or*
- B)** applying for an extension, in a form and manner determined by RECA's Registrar, with proof of registration with a RECA recognized course provider by November 30th, 2022 and passing the required examination by March 31st, 2023.*

***Moved by Carrie Plett,
Seconded by Cyril Pratt
Carried***

b. Pilot – Graduated Licenses for Condominium Managers

Management reported that, as the condominium management industry is currently under capacity to provide condominium management services and that there is great difficulty recruiting new people into the

industry, the Industry Council may consider a pilot staged licensing structure.

The Industry Council agreed that attracting new practitioners would be a welcomed improvement.

ACTION: Management will provide the Industry Council with the framework for a proposed staged licensing structure to encourage new practitioners in the condominium management sector.

11. Alberta Municipal Affairs: New Home Buyer Protection Review Engagement Session

On June 23, 2022, Vice-Chairman Brown attended the New Home Buyer Protection Review Engagement Session hosted by Alberta Municipal Affairs. The session provided a platform for consumers to voice their experiences & concerns with the new home buyer program(s).

12. Stakeholder Engagement & Communication Report

RECA's COO presented the Stakeholder Engagement & Communications Report (June 7-Sept 9 /22). RECA will conduct licensing surveys and benchmarking workshops to gather stakeholder perspectives.

ACTION: Management will provide a calendar of upcoming industry engagement opportunities and consultation sessions.

13. Publication of Licensee Names Prior to Expiration of 30-day Right of Appeal Period

The Registrar presented; in accordance with s. 55 of REA, the Board, Industry Councils and the Registrar share equal authority to publish information respecting prosecutions and disciplinary actions. The Registrar introduced a process to bring uniformity to the current publication practice, in response to industry request.

The Industry Council supports withholding the publication of licensee name(s) prior to the expiry of the 30-day right of appeal period, except where a matter is egregious and would support earlier publication in the interest of consumer protection.

14. Rules Review Steering Committee

The Registrar advised, the Board has established the Rules Review Steering Committee in June 2022, consisting of one public chair and seven industry sector representatives ("Committee"). The Committee will complete a comprehensive review of the REA Rules to identify opportunities for red tape reduction, recommend rule changes to set

and enforce standards of conduct for licensees and the business of licensees to the relevant Industry Council(s), and will promote industry integrity. The Committee will consult with industry associations, stakeholders and the greater public over a two-year period. The Industry Council looks forward to reviewing the consultation plan, and communication & approval process between the Industry Council and the Committee.

The Committee is chaired by public member, Neil McCrank, former Alberta Deputy Justice Minister (1989-1998), former chairman of the Alberta Energy Resources Conservation Board (1998-2007), and retired Senior Counsel of BLG Canada. Mr. McCrank brings with him a wealth of regulatory insight, and formerly authored the "McCrank Report" or "Road to Improvement" which examined best governance practices and structures of Alberta public agencies, boards and commissions.

15. Residential Measurement Standards (RMS) Committee Update
Council member McMullen reported the RMS Committee has recently examined below-grade measurement standards, and the RMS Committee continues its pursuit of uniform, provincial RMS practices.

16. In-Camera Sessions

The Industry Council went in camera with the CEO.

The Industry Council went in camera with the Industry Council, only.

17. Final Adjournment

***MOTION:** The Residential Property Manager Industry Council approves the final adjournment of the September 23, 2022, meeting.*

Duly moved and seconded

Carried

The meeting adjourned at 12:55 p.m.

18. Next Meeting(s)

- December 15, 2022

Approved at Calgary, Alberta December 15, 2022

Don Newell
Industry Council Chair