



RESIDENTIAL PROPERTY MANAGER INDUSTRY COUNCIL

9:00 a.m. Thursday, March 23, 2023
Virtual 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 #13*)
Rina Hawkins

Recording Secretary: Christina Harrington

1. Call to Order

The meeting of the Residential Property Manager Industry Council ("Industry Council") was called to order at 9:00 a.m.

2. Approval of Agenda

The Industry Council reviewed the agenda.

MOTION: The Residential Property Manager Industry Council approves the March 23, 2023, meeting agenda as presented.

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

3. Conflicts(s) of Interest Declared

No conflicts of interest were declared.

4. Chair's Opening Remarks

The Chair welcomed members to the meeting.

5. Consent Agenda

The Industry Council reviewed the Consent Agenda, which included the minutes of the December 15, 2022 meeting, the Action Register Update, and the Regulatory Activity Scorecard.

Council Member McMullen joined the meeting at 9:09 a.m.

***MOTION:** The Residential Property Manager Industry Council approves the consent agenda, including the December 15, 2022 meeting minutes, as presented, and accepts for information purposes the Action Register Update, and the Regulatory Activity Scorecard, as presented within the meeting package.*

*Moved by Don Brown,
Seconded by Cyril Pratt
Carried*

6. RECA Board of Directors Report

The Industry Council's Board member provided a report on the activities of the RECA Board of Directors ("Board").

7. Industry Council Annual Evaluation Results

The Chair discussed the results of the annual self-assessment of the Industry Council required by section 4.4 of the REA Bylaws. The assessment results were received as information.

8. Staggered Board and Industry Council Member Terms

Management reported that, under *Real Estate Act* ("REA") Bylaws, the terms of elected and appointed Industry Council members will expire collectively on November 30, 2023. To ensure greater stability and retention of knowledge on the Board and Industry Councils, the Board recommended an amendment to the REA Bylaws to allow staggered Board and Industry Council member terms. The Industry Council discussed the process of advertising elections and nominations. The Industry Council supported the proposed amendments to the REA Bylaws to implement staggered Board and Industry Council terms.

9. Rules Review Steering Committee Update

Management presented the Rules Review Steering Committee ("RRSC") consultation plan. The Industry Council will call a special meeting to collate its requested amendments to the REA Rules during the first phase of the RRSC consultation.

ACTION ITEM: Management will poll the Industry Council's availability to attend a special meeting to discuss proposed amendments to the REA Rules in April 2023.

10. REA Rule Amendments

a) *REA* Bylaws & *REA* Rules Concerning Real Estate Insurance Exchange (“REIX”)

Management presented that, pursuant to the *REA* and *REA* Bylaws, the Board has the authority to establish and administer an insurance or indemnity plan for licensees. Through the *REA* Rules, the Industry Councils have the authority to require licensees to acquire, maintain or provide insurance against their liability for errors and omissions, and may set the amount and form of insurance, and terms and conditions. The Real Estate Insurance Exchange (“REIX”) is the reciprocal insurance exchange established by the *REA* Rules. However, insurance coverage is not extended to condominium manager nor condominium manager broker licensees.

Following discussions with the Board, and in consultation with the Industry Councils and REIX, the Industry Council accepted the proposed amendments to the *REA* Bylaws and Rules with respect to REIX.

b) *REA* Rule 20(1)(d) Criminal Record Check

Management presented a proposed amendment to *REA* Rule 20(1)(d) to digitize criminal record checks as part of RECA’s efforts toward red tape reduction. The amendment would eliminate the cumbersome mail-in and drop-off process currently required with certified criminal record checks. In addition, the new process would accelerate eligibility review, be more forgery-proof, and would be convenient and discreet for licensees and applicants.

c) *REA* Rule 39 *Fair Registration Practices Act* and *Labour Mobility Act*

The *Fair Registration Practices Act* (“*FRPA*”)(March 1, 2020) and the *Labour Mobility Act* (“*LMA*”) (not yet in force) require regulatory bodies to carry out registration practices that are transparent, objective, impartial and procedurally fair. *FRPA* & *LMA* require a process of internal review/appeal of interim registration decisions and decisions to refuse to register a licensing applicant. Management presented proposed amendments to Rule 39 to comply with *LMA* & *FRPA* requirements.

d) *REA* Rules 82(1)(f) & 82(2)(f) Electronic Record Storage

Management presented *REA* Rules 82(1)(f) and 82(2)(f), which permit a broker to “convert and store written, printed, or any paper records into electronic format if the following conditions are met” and “[...] (f) the electronic records are located in a physical premise, accessible by the broker in Alberta [...]”.

The Registrar recommended proposed amendments to Rules 82(1)(f) and 82(2)(f) to clarify the intention that electronic records must be

accessible by the broker but do not necessarily have to be stored in Alberta. The amendment would clarify that brokers may store digital records off-site, for example, in cloud-based storage.

The Industry Council considered and discussed the above proposed amendments to the REA Rules.

ACTION ITEM: Management will return to the Industry Council with an overview of risk identified by insurers relating to the condominium management industry sector.

MOTION: *The Residential Property Manager Industry Council approves the proposed amended Real Estate Act Rules with respect to REIX as presented in "TAB 12(A)" of the meeting materials and requests the RECA Board of Directors transmit the proposed amended Real Estate Act Rules to the Minister of Service Alberta and Red Tape Reduction for final approval.*

Moved by Keith McMullen,

Seconded by Carrie Plett

Carried

MOTION: *The Residential Property Manager Industry Council approves the proposed amendment to Real Estate Act Rule 20(1)(d) as presented in "TAB 12(B)" of the meeting materials and requests the RECA Board of Directors transmit this amendment to the Minister of Service Alberta and Red Tape Reduction for final approval.*

Moved by Cyril Pratt,

Seconded by Don Brown

Carried

MOTION: *The Residential Property Manager Industry Council approves the proposed amendment to Real Estate Act Rule 39(1) as presented in "TAB 12(C)" of the meeting materials and requests the RECA Board of Directors transmit this amendment to the Minister of Service Alberta and Red Tape Reduction for final approval.*

Moved by Don Brown,

Seconded by Cyril Pratt

Carried

MOTION: *The Residential Property Manager Industry Council approves the proposed amendment to Real Estate Act Rules 82(1)(f) and 82(2)(f) as presented in "TAB 12(D)" of the meeting materials and requests the RECA Board of Directors transmit the amendments to the Minister of Service Alberta and Red Tape Reduction for final approval.*

Moved by Carrie Plett,

Seconded by Don Brown

Carried

The Industry Council recessed at 10:20 a.m.
The Industry Council reconvened at 10:27 a.m.

11. Labour Mobility Update

Management presented that under the Canadian Free Trade Agreement (“CFTA”) and the *LMA* and *LMA* Regulation (unproclaimed), RECA must register an applicant who provides proof of certification in another province/territory regardless of where they are a resident in Canada. The “residency” of an applicant is not defined in the *REA* Rules. As such, no amendments to *REA* Rules 16(2) or (3) are required. RECA has amended its Labour Mobility Policy to permit applicants licensed and/or educated in another jurisdiction, while being an Alberta-based resident, to apply to receive a licence in Alberta.

12. Credentialing Report

Management presented the Credentialing Report and learner success rates. The report was received as information.

13. Relicensing Education

Management presented, and the Industry Council considered, relicensing education for property managers and condominium manager licensees.

ACTION ITEM: Management will review the Occupational Health and Safety (“OH&S”) course offered by the Government of Alberta and report back to the Industry Council.

14. Stakeholder Engagement Policy Update

Management presented proposed amendments to the Stakeholder Engagement Policy. The Industry Council will receive the final proposed Stakeholder Engagement Policy at its September meeting for review.

ACTION ITEM: Management will present the final amendments to the Stakeholder Engagement Policy at the September 2023 meeting.

15. Residential Measurement Standards (“RMS”) Committee Update

The RMS Committee member reported on the activity of that committee.

16. Pilot Project: Graduated Licensing for Condominium Licensees

Management presented the proposed graduated licensing pilot project, which would introduce tiered licensing for condominium manager licensees. The Industry Council reviewed the proposed graduated structure and provided amendments.

***MOTION:** The Residential Property Manager Industry Council authorizes management to continue with the development of the proposed pilot project for graduated licensing program for condominium managers and condominium management brokers.*

Moved by Carrie Plett,

Seconded by Keith McMullen

Carried

17. In-Camera Session with the CEO

The Industry Council moved in-camera with the CEO.

18. In-Camera Session with Industry Council only

The Industry Council moved in-camera.

19. Final Adjournment

***MOTION:** The Residential Property Manager Industry Council approves the final adjournment of the March 23, 2023 meeting.*

Moved by Carrie Plett,

Seconded by Cyril Pratt

Carried

The meeting adjourned at 1:29 p.m.

20. Next Meeting(s)

- May 5, 2023 REA Rules Review Working Session
- June 22, 2023

Approved at Calgary, Alberta on June 22, 2023

Don Newell,
Industry Council Chair