



**MORTGAGE BROKER INDUSTRY COUNCIL**  
**9:00 a.m. – 12:00 p.m. Thursday, September 14, 2023**  
**Nakiska Boardroom, RECA Office, Calgary, Alberta**

**MINUTES**

- In Attendance:** Clarence Lee, *Chair*  
Nkem Onyegbula  
Guy Ouellette
- Resources:** Janice Harrington  
Warren Martinson  
Stacy Paquin  
Gary Siegle, *Mortgage Broker Regulatory Compliance Advisor*
- Recording Secretary:** Christina Harrington
- Absent:** Paul Bojakli  
Gord Appel  
Russ Morrow

**1. Call to Order**

The meeting of the Mortgage Broker Industry Council (“Industry Council”) was called to order at 9:08 a.m.

**2. Approval of Agenda**

The Chair presented the agenda of September 14, 2023.

***MOTION:** The Mortgage Broker Industry Council approves the September 14, 2023, meeting agenda as presented.*

***Moved by Nkem Onyegbula,***

***Seconded by Guy Ouellette***

***Carried***

**3. Conflict(s) of Interest Declared**

No conflicts of interest were declared.

**4. Chair’s Opening Remarks**

The Chair welcomed the Industry Council members to the meeting.

**5. Consent Agenda**

The Industry Council reviewed the consent agenda.

***MOTION:** The Mortgage Broker Industry Council approves the consent agenda, including the June 15, 2023, meeting minutes, as presented within the meeting package.*

*Moved by Guy Ouellette,  
Seconded by Nkem Onyegbula  
Carried*

## **6. Real Estate Act Rule amendments by Minister**

Management advised that the Minister approved the requested amendments to the *Real Estate Act* (“*REA*”) Rules 20(1)(d) to permit digital criminal record checks, Rule 39(1) to allow an appeal process relating to the Registrar’s decision on licensing applications, and Rules 82(1)(f) and 82(2)(f) to clarify electronic record storage.

## **7. Action Register Update**

Management presented the Action Register Update which was received as information.

## **8. RECA Board of Directors Report**

Management reported on the activities of the RECA Board of Directors (“Board”).

## **9. RECA Policy Training**

*Reimbursement of Expenses Policy and Professional Development Policy (collectively referred to as “Policies”)*

Management reviewed the Policies, amended by the Board to clarify that pre-authorization from the Board Chair and RECA CEO are required for certain expenses related to hospitality and hosting events. The Professional Development budget permits Industry Council to enhance their understanding of governance, administrative law, and regulatory trends through professional education. The Professional Development budget is provided annually and expires at the fiscal year-end.

## **10. Industry Council Election**

As the terms of the Board and Industry Council collectively expire on November 30, 2023, the Board has appointed MNP LLP as the Election Officer. The Election Officer is a qualified firm that is independent of the Board, Industry Councils, and RECA staff, who is appointed to supervise, validate, and certify results of the Industry Council nominations, voting and elections process.

Management presented the Industry Council Elections 2023 Candidate Information Package, in part. Public members will be appointed by the

Minister. Licensed individuals will be elected by peers in their respective industry sectors. Successful licensee candidates will begin their two-year terms on December 1, 2023.

## 11. Credentialing Report and Learner Success Rates

Management presented the credentialing report and learner success rates. The Industry Council discussed and considered the possibility of having a graduated licensing program for mortgage associates entering the mortgage broker industry.

*The Industry Council recessed at 10:25 a.m.  
The Industry Council reconvened at 10:38 am*

## 12. Rules Review Steering Committee Update

Management reported on the August 31, 2023, Working Session of the Industry Council to discuss amendments to the *REA* Rules.

The Industry Council considered the public's difficulty in discerning a licensed mortgage broker or associate, as mortgage brokers holding themselves out through a variety of titles (for example, mortgage specialist, mortgage professional, senior mortgage associate, mortgage consultant, etc.). For transparency, the Industry Council recommends the Rules Review Steering Committee consult on amendments to advertising rules to require a mortgage licensee to deal only in the name and class indicated on their licence. The Industry Council also awaits the results of the Rules Review Steering Committee's consultation on the introduction of a "Mortgage Associate Broker" class of licence.

The Industry Council discussed the privilege of self-regulation, the importance of accountability, and the disclosure of conflicts of interest. All amendments to the *REA* Rules must be in the interest of consumer protection to uphold the legislative purpose of the Board and Industry Councils. The consultation must include a review of unintended consequences of recommended Rule amendments.

For continuity, the Industry Council will review the appointee to the Rules Review Steering Committee at its November meeting.

## 13. Mortgage Broker Regulators' Council of Canada ("MBRCC") Strategic Plan

Management presented the MBRCC Strategic Plan 2023 – 2026. Priorities and strategic initiatives include monitoring market trends, fostering consistency, and increasing confidence in the mortgage industry by finalizing the *Principles for Mortgage Product Suitability Assessment*, which would ensure mortgage brokers are presenting consumers with options that are suitable to their unique circumstances.

**14. Newfoundland & Labrador *Mortgage Brokerages and Brokers Act*, repealing the Newfoundland & Labrador *Mortgage Brokers Act***  
Management presented the amendments to Newfoundland and Labrador (NFLD/LD) legislation which will introduce new continuing education requirements, precicensing education, trust account reporting, and errors and omissions insurance in the NFLD/LD mortgage sector.

**15. Private Lending Education/ Relicensing Education/ Licensing**

The Industry Council discussed the development of a mandatory course in Private Lending. The Industry Council considered implementing a course as a relicensing education module, as elective education, or as its own licensed sector of mortgage brokering.

***MOTION:** The Mortgage Broker Industry Council directs the Real Estate Council of Alberta Management to initiate discussions with potential course providers to establish the requirements for a private lending relicensing education course.*

*Moved by Guy Ouellette ,  
Seconded by Nkem Onyegbula  
Carried*

**16. In-Camera Session with CEO**

Not observed.

**17. In-Camera Session with Industry Council only**

Not observed.

**18. Final Adjournment**

***MOTION:** The Mortgage Broker Industry Council approves the final adjournment of the September 14, 2023, meeting.*

*Moved by Guy Ouellette  
Seconded by Nkem Onyegbula  
Carried*

The meeting adjourned at 12:48 p.m.

**19. Next Meeting(s)**

- November 16, 2023

Approved at Calgary, Alberta on November 16, 2023

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**Clarence Lee,**  
Industry Council Chair