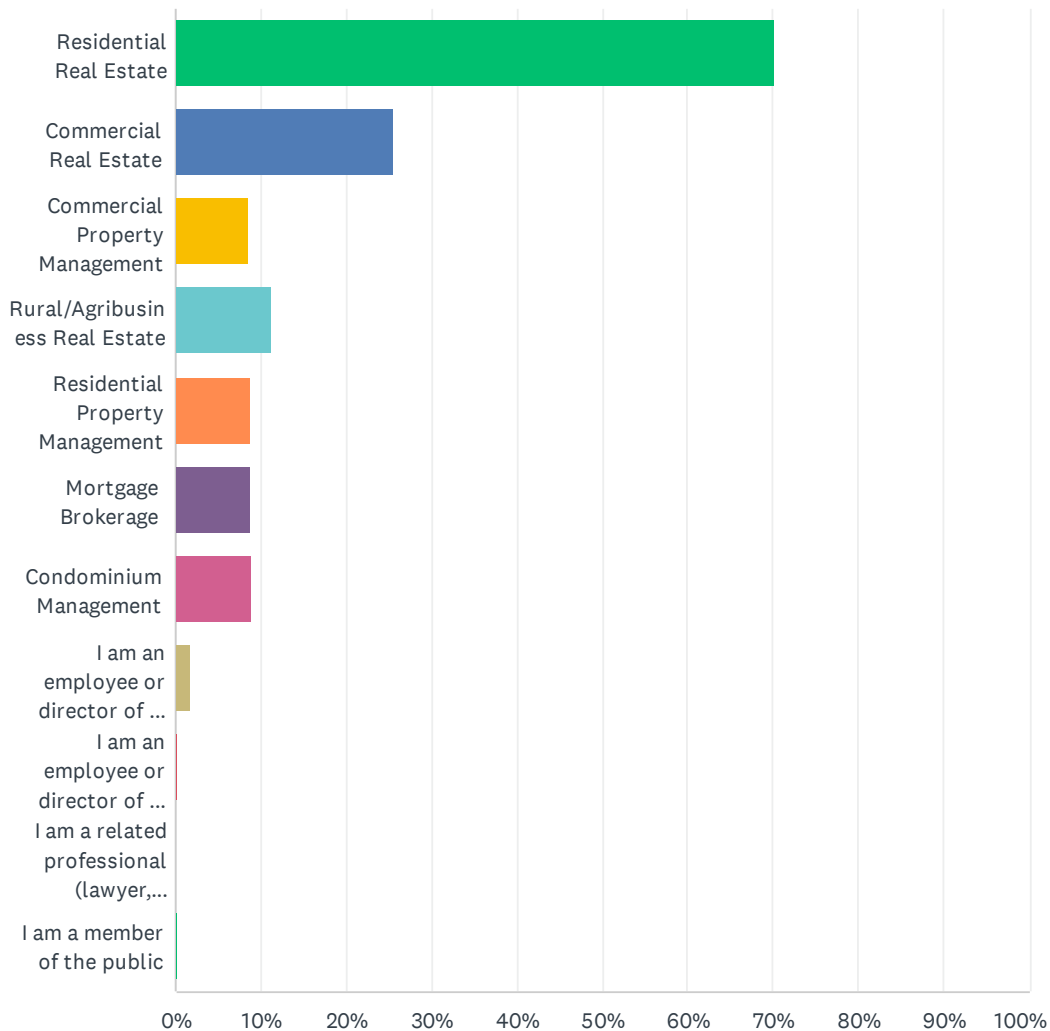


Q1 What sector do you primarily practice in?

Answered: 677 Skipped: 0

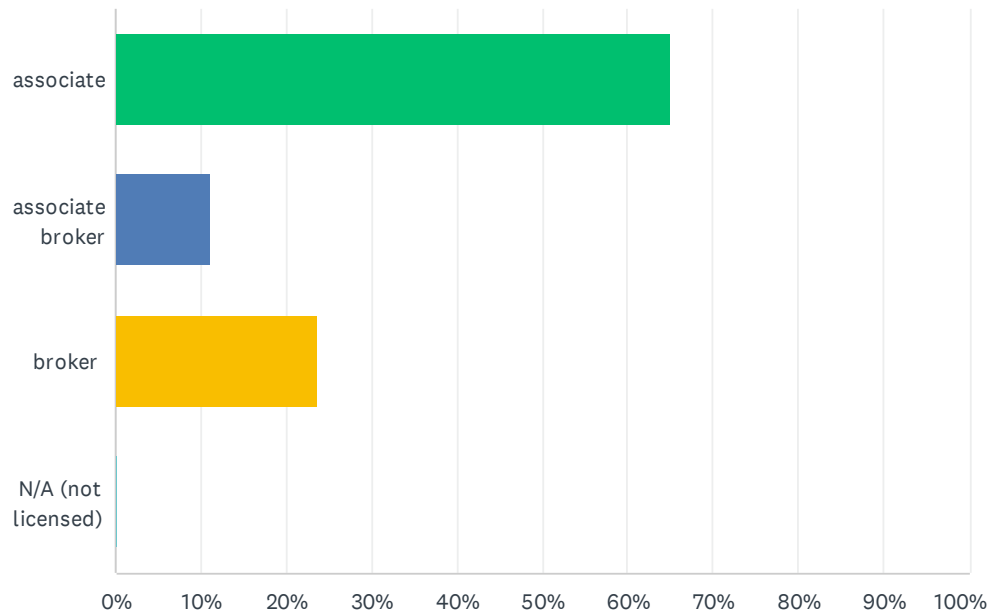


RECA Rules Review - Standards of Practice

| ANSWER CHOICES | RESPONSES | |
|---|-----------|-----|
| Residential Real Estate | 70.16% | 475 |
| Commercial Real Estate | 25.55% | 173 |
| Commercial Property Management | 8.57% | 58 |
| Rural/Agribusiness Real Estate | 11.37% | 77 |
| Residential Property Management | 8.71% | 59 |
| Mortgage Brokerage | 8.71% | 59 |
| Condominium Management | 8.86% | 60 |
| I am an employee or director of an Industry Association giving an official response | 1.62% | 11 |
| I am an employee or director of an association or organization unrelated to real estate | 0.15% | 1 |
| I am a related professional (lawyer, appraiser, accountant, home inspector, etc.) but I am not licensed by RECA | 0.00% | 0 |
| I am a member of the public | 0.30% | 2 |
| Total Respondents: 677 | | |

Q2 What is your licence class?

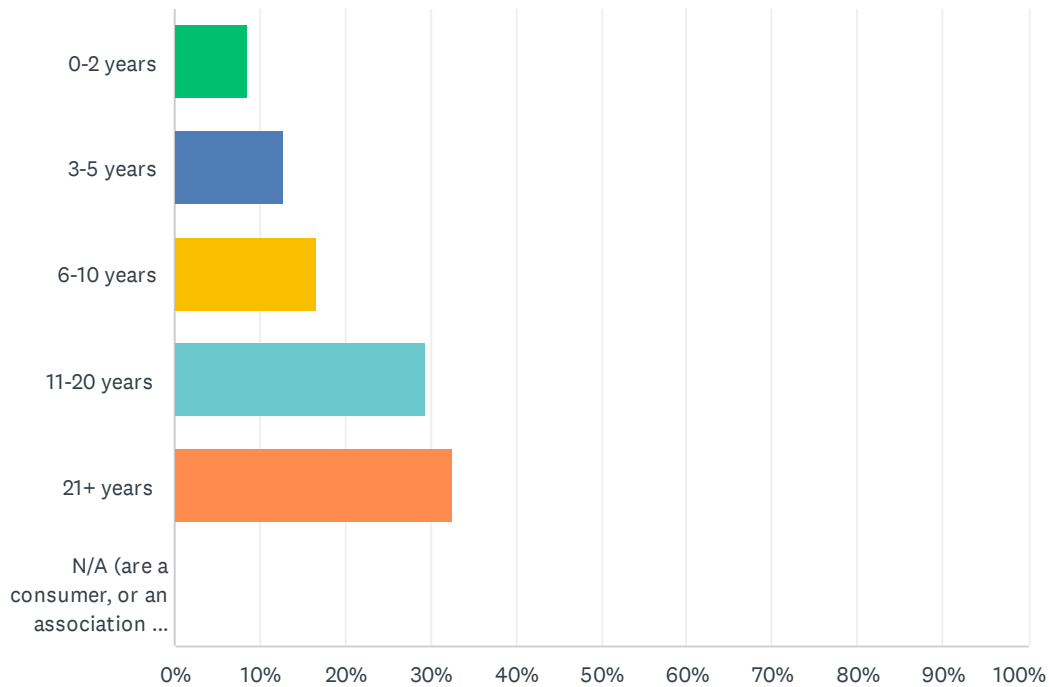
Answered: 667 Skipped: 10



| ANSWER CHOICES | RESPONSES | |
|--------------------|-----------|-----|
| associate | 65.07% | 434 |
| associate broker | 11.09% | 74 |
| broker | 23.69% | 158 |
| N/A (not licensed) | 0.15% | 1 |
| TOTAL | | 667 |

Q3 How many years experience do you have in the industry?

Answered: 675 Skipped: 2

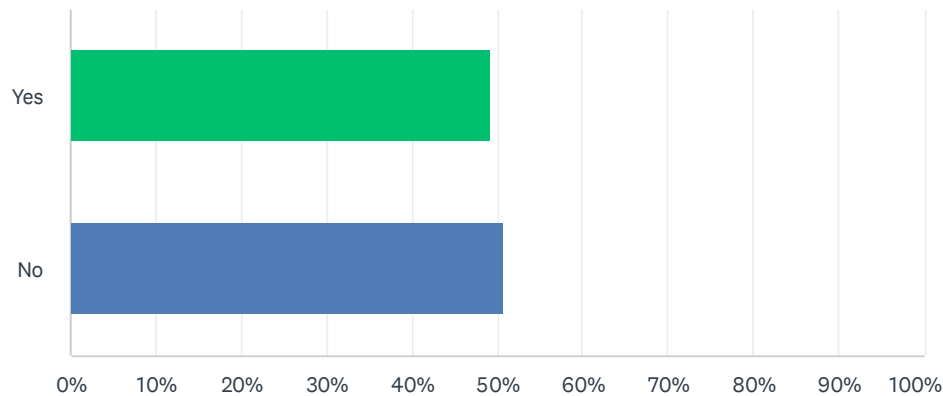


| ANSWER CHOICES | RESPONSES | |
|--|-----------|------------|
| 0-2 years | 8.59% | 58 |
| 3-5 years | 12.89% | 87 |
| 6-10 years | 16.59% | 112 |
| 11-20 years | 29.33% | 198 |
| 21+ years | 32.59% | 220 |
| N/A (are a consumer, or an association or organization representative) | 0.00% | 0 |
| TOTAL | | 675 |

| # | OTHER (PLEASE SPECIFY) | DATE |
|---|-------------------------|------|
| | There are no responses. | |

Q4 Should the responsibility on brokerages to validate the information they are collecting and submitting to lenders be strengthened to enhance consumer protection and improve fraud detection?

Answered: 67 Skipped: 610



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|----|
| Yes | 49.25% | 33 |
| No | 50.75% | 34 |
| TOTAL | | 67 |

| # | IF YES, PLEASE OUTLINE ANY SUGGESTIONS TO STRENGTHEN THESE REQUIREMENTS. IF NO, PLEASE EXPLAIN YOUR REASONING. | DATE |
|---|--|--------------------|
| 1 | The new anti-money laundering legislation is going to require it and in general helps transparency | 4/18/2024 6:00 PM |
| 2 | I think there should be basic and common sense due diligence done by the broker, but the lender really should should due the ultimate due diligence. I think with a private lender, it's important that the broker tells that lender 'I haven't verified, or dug into this document' etc. so it's clear as to what has and has not been done. | 4/18/2024 3:39 PM |
| 3 | We as brokers are already doing our due diligence to try and catch fraud. As fraudsters are becoming more sophisticated, we can only do so much. | 4/18/2024 10:48 AM |
| 4 | Potentially there are additional requirements to document the review of the information that is completed by the mortgage broker vs. the validating of the information. A few suggestions on how to strengthen these requirements: 1) The ability to verify information with CRA would assist to ensure that we are not receiving fraudulent tax information easily 2) Regarding down payment documents, allowing systems to link directly to bank accounts so that there is nothing sent from the clients minimizes human manipulation of documents. 3) Responsibility also falls on the broker/broker owner for education and process development to ensure understanding current responsibilities to detect fraud and current red flags (fraud schemes) are considered by mortgage brokers at the brokerage | 4/15/2024 10:52 AM |
| 5 | Brokers should take reasonable steps to ensure that the documentation they are presenting is a fair representation of the facts they are claiming as facts. Reasonable steps would include reviewing the documentation to ensure the documents appear legitimate, comparing the details in the documents with the application details and credit reports as well as ensuring the statements are reasonable for the circumstances. For example it's not reasonable for a grocery | 4/2/2024 6:56 PM |

RECA Rules Review - Standards of Practice

store clerk to have accumulated (from employment income alone) savings over \$1m at the age of 20.

| | | |
|----|---|--------------------|
| 6 | It would be good as long as it is not a too much of a burden on the mortgage firm and it is beneficial to the industry, but with an efficient process. | 4/2/2024 3:58 PM |
| 7 | We already go through a lot of due diligence and checking documents. Anything more would be redundant and unnecessary. | 4/1/2024 12:24 PM |
| 8 | I am not that familiar with this however, having recently worked with a mortgage broker they requested what I felt was a lot of information, identification, verification already, now certain what more they could add to that. | 3/27/2024 8:36 AM |
| 9 | Brokers already have plenty of responsibility in this regard. The lender is the one making the profit. As long as the broker relays what steps were taken to verify the info, shouldn't it be up to the lender to decide if same was suffice? | 3/26/2024 10:31 AM |
| 10 | Currently private lending does not have a requirement to confirm equity requirements. The lending is based off of the security; however, this opens up the door to fraud. Another reason is that consumers in hot markets are putting competitive offers to win bids on homes with unreasonable timelines for condition of financing approvals and closing dates. They are then going to brokers to seek financing. In some circumstances the only option is private lending; however, the cost burden may be significant to the client. There should be protections in place for the brokerage, as well as the industry. | 3/24/2024 6:13 PM |
| 11 | That is too complex an answer for this small area and depends on a variety of factors concerning the private lender and the broker as well as type of deal and how it is presented | 3/23/2024 11:29 AM |
| 12 | Private lenders are much more liberal with their guidelines for lending and many of them lend on the equity in a property and not so much emphasis if at all on peripheral information such as income or credit. In dealing with an equity lender there should be no requirements to verify anything because it will be up to the lender to decide if they are lending on the property and most of the time nothing more is required. The lawyer will verify the identity of the person by viewing id and the lawyer will verify that the property is owned by the customer. | 3/21/2024 1:34 PM |
| 13 | I'm not sure of this answer but, I feel confident in the processes in place right now. | 3/20/2024 3:51 PM |
| 14 | Mortgage agents already collect ID and personal info on each client. But it's the lender who is handing out the mortgage funds, thus they must also perform their due diligence on the client. | 3/20/2024 3:48 PM |
| 15 | Brokerages need to take more accountability to review and vet documentation and files being worked on by new agents to the industry, perhaps rules around overseeing inexperienced agents and mandatory file and document reviews for agents less than 1 year licensed would give more responsibility to broker owners to properly oversee agents they onboard to their brokerage as new agents are more at risk for receiving and not recognizing fraudulent situations. | 3/20/2024 2:22 PM |
| 16 | My company is a private lending company and we often receive very weak applications from brokers. Brokers should act in their best ability to provide accurate information about the property and applicants. We often have to dig deeper to get the real story. | 3/20/2024 12:46 PM |
| 17 | To align with upcoming changes in federal anti-fraud regulations | 3/20/2024 10:48 AM |
| 18 | No, as currently the associates are doing a review as part of the routine and the licensing education covers it, and as well as the broker of record reviews the information. The ultimate and final responsibility should fall on the lender underwriters, as they are the ones that do the final review before disbursing the funds. | 3/19/2024 6:10 PM |
| 19 | We should be represent both the lender and the client. We need to make sure that we are always doing what is right for the client. Just because a private lender is all we can do, we need to make sure that the client realizes what the complications could be for them and have clients sign off on this information. The lender needs to be informed of this as well and should receive a copy of this document signed by the client. | 3/19/2024 2:47 PM |
| 20 | Consumer protection and fraud detection are two very important matters in the mortgage brokering and lending industry. It only makes sense that we do our utmost best to protect the consumer and prevent fraud. Both of these also can related to one another. On the part of consumer protection it is important to not commit the consumer to a predatory lender with high rates and extreme mortgage contract terms. On the other hand, lenders have the right to be | 3/19/2024 11:35 AM |

RECA Rules Review - Standards of Practice

protected from fraudulent applicants since the lender is providing funds on behalf of their investors. Therefore, validating the information of the consumer / customer should be done diligently to avoid any issues that may arise from fraudulent information or inaccurate information.

| | | |
|----|--|--------------------|
| 21 | the lender should have that responsibility | 3/19/2024 9:09 AM |
| 22 | No—Creating more rules and guidelines makes it harder for brokers to participate in the private mortgage space, leading to fewer brokers doing private mortgages and more business for the ones who put up with the hassle of the paperwork. Do you know who is exceptionally good at doing paperwork? Fraudsters. By creating more rules and more work you are hurting the general public not helping. | 3/19/2024 9:03 AM |
| 23 | brokers/agents should be doing their due diligence to confirm employment is valid and income is reasonable. in addition, the broker/agent should be very certain about the source of funds for down payments | 3/19/2024 8:22 AM |
| 24 | I believe we should already be doing our best to protect consumers and lenders and detect fraud. | 3/19/2024 7:16 AM |
| 25 | Broker should be able to determine if the nature of the information supplied is reasonably accurate and actually supports the request for financing being made. It is unacceptable that some brokers simply forward information such as financial statements, construction budgets, appraisals; and are unable to determine if they actually support the request. Fed Ex can deliver information to lender, without understanding the documents being sent, why should a broker be remunerated to do the same unless they can actually point out the strengths and weakness in the information being sent as well as to provide mitigating solution for the weaknesses or challenges with the information supporting the request to finance. A broker should be able to support and provide the reasons for their recommendation to lender. The lender can make his own decision on whether to finance, but the broker, if he is to be helpful as an intermediary, needs to be able to explain to the borrower where the challenges are with respect to the financing request and set the right expectations for what the lender will require to mitigate the challenges in the transaction. Too many brokers are unable to carry on an intelligent conversation with the lender to adequately mitigate the challenges of transactions in today's market. Too many brokers are simply chasing \$\$ by simply forwarding a list of documents without really correctly understanding what the lender requires to be comfortable moving forward and committing to financing requests. | 3/19/2024 5:25 AM |
| 26 | The paperwork we send to our lenders is reviewed and confirmed. In many case, it now goes through a second review to ensure no errors. As a professional broker, we have been trained to spot potential fraudulent documents. The lawyers and Realtors are doing Photo Identification at the start of a deal and then as the last step with the lawyer. How many times do we need to make them show ID. There are bad people in every industry and they will get around every rule we implement. We are all now in a much more stringent process with federal rules. | 3/18/2024 11:22 PM |
| 27 | We already do a high level of compliance on every file. I think the risk for the final say should be on lender. | 3/18/2024 7:26 PM |
| 28 | Yes, it should be a shared responsibility where by you Make it part of the policies procedures to verify employment, paystubs and ID, collecting bank statements statements etc | 3/18/2024 6:39 PM |
| 29 | Not enough experience with private lenders to know. | 3/18/2024 6:06 PM |
| 30 | There is no benefit for consumer protection and improving fraud detection as individuals who will be engaging in such illicit activities will continue directly through banks instead of using a broker. If you want to enhance consumer protection and improve fraud detection, push the banks to complete the validation so that the validation is done unanimously instead of only through the brokerage channel. | 3/18/2024 5:48 PM |
| 31 | The rules that are currently in place provide protection for the consumer and with incoming Fintrac rules fraud prevention will be more than sufficient. | 3/18/2024 5:28 PM |
| 32 | It is always good practice to collect accurate and reliable data/information. As for the collection of the private information, it should always be the responsibility of the lender, as is the case with banking institutions currently. | 3/18/2024 5:03 PM |
| 33 | There should be a document signed by the lender that identifies the documents they have received for review from the mortgage broker and that they have had the opportunity to review | 3/18/2024 4:25 PM |

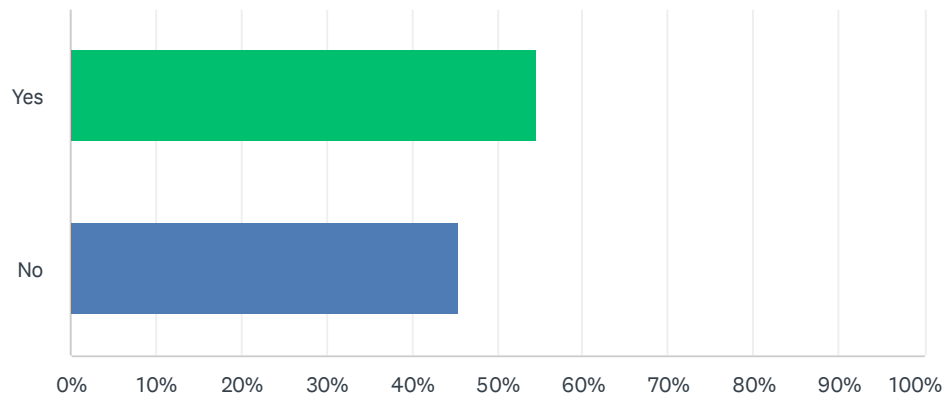
RECA Rules Review - Standards of Practice

them and request additional information if they so chose.

| | | |
|----|---|-------------------|
| 34 | CRA should allow income verification via tax filed documents | 3/18/2024 4:24 PM |
| 35 | We don not have the means to verify documents, income, and identification besides the visual inspection of documents provided. Private mortgages rely on equity and it is up to the appraisers and lawyers to provide the necessary documents to the lender for review so that they can make a decision to proceed and fund the deal. | 3/18/2024 4:17 PM |
| 36 | This is ultimately done by the lenders and their lawyers. This does not need to be done at the commercial brokerage stage. | 3/18/2024 4:14 PM |
| 37 | We as brokers are currently obligated to collect and validate multiple income documents, 90 day history of bank statements etc. We are also required to know our client and source of business. The consumer should be ultimately liable for providing fraudulent information or forged documents, as it is not always clear that information is constructed. Brokers that intentionally withhold information that could be fraudulent from the lender would be exposed upon audit and sanctioned accordingly. | 3/18/2024 4:11 PM |
| 38 | Lenders are already validating the information if they want to. Getting the broker or agent in between to validate anything does nothing to stop the fraud as there is always a chance the agent or broker is part of the fraud, or has other financial motivation to overlook something they shouldn't. We all know to say something if we feel there is a reason to. | 3/18/2024 4:05 PM |
| 39 | The standard procedures if you are a good mortgage broker are enough. | 3/18/2024 4:04 PM |
| 40 | There is a trust built into dealing with a licensed broker. Information gathered should be verified by cross referencing to different forms and social media or other news articles about the applicant. When we send business for their consideration, there should be a reasonable assumption that they are receiving material that we feel is legitimate. SIN Numbers are not appropriate to share, so if they are on a document, it needs to be redacted. Redacted NOA's would prove to the lender that CRA is current and would be one example of a way to give the lender the information they need to make an informed and confirmed decision. | 3/18/2024 4:00 PM |
| 41 | The responsibility of validation should sit with the lenders. There is too much room for error and liabilities by having the brokerages responsible for this. Also, the lender is the final decision maker so all validations should sit with them. | 3/18/2024 3:56 PM |
| 42 | Because you can be licensed for a day and lend private money without having a clue. | 3/18/2024 3:45 PM |

Q5 Should a mandatory relationship be established when a licensee is managing an individual private lender and, if so, under what circumstances?

Answered: 66 Skipped: 611



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|----|
| Yes | 54.55% | 36 |
| No | 45.45% | 30 |
| TOTAL | | 66 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|----|---|--------------------|
| 1 | Transparency | 4/18/2024 6:00 PM |
| 2 | Yes. Absolutely. There should be separate licensing specifically for dealing with private individual's money. It's not the same as 'A' or 'B' deals or even MIC's. Private individuals rely on their broker/sub-broker to wear many hats, i.e. give opinion on security/property, loan structure etc. Allowing 'general' brokers or sub brokers to deal with private investors is like handing a gun to someone who has never seen one. | 4/18/2024 3:39 PM |
| 3 | When a licensee is managing an individual private lender, it should be clear to both the private lender and the borrower what that relationship is. | 4/18/2024 10:48 AM |
| 4 | This should be added to reflect the guideline within the rules. | 4/15/2024 10:52 AM |
| 5 | I'm not sure why this would be mandatory. Written service agreements state the details of the relationship and the transactional obligations. That should be sufficient. Having any mandatory or predetermined relationship requirements is unnecessary red tape. | 4/2/2024 6:56 PM |
| 6 | At minimum there should be industry guidance provided. | 4/2/2024 3:58 PM |
| 7 | Although I appreciate RECA is trying to lessen brokers' risks, it is not RECA's role to mandate best practices. | 3/26/2024 10:31 AM |
| 8 | Intermediary Agency Relationship. | 3/24/2024 6:13 PM |
| 9 | Individuals investing in mortgages generally have expectations of professionals providing deals and information and when these go bad it is a blemish on the entire industry. | 3/23/2024 11:29 AM |
| 10 | I am not familiar with a mortgage broker managing a private lender. This type of relationship where the broker is making decisions on behalf of a lender is a conflict of interest. | 3/21/2024 1:34 PM |

RECA Rules Review - Standards of Practice

| | | |
|----|---|--------------------|
| 11 | Please provide clarity on the term "managing" - thank you | 3/21/2024 11:02 AM |
| 12 | I'm not sure of this question | 3/20/2024 3:51 PM |
| 13 | Disclosures to the client should be required so that the borrower understands the relationship between the broker and the lender | 3/20/2024 2:22 PM |
| 14 | Individual private lenders are often ill equipped to make proper underwriting decisions and they are often taken advantage of. Our company only uses a mortgage fund and we complete all the underwriting. Our investors are shareholders of the fund. This is a much safer road for investors. | 3/20/2024 12:46 PM |
| 15 | The current model of operation works fine without any need for further mandatory relationship establishing. This will hinder the services that brokers can provide at times, and will make it harder on the general public to obtain funding as less mortgage professionals will be engaging private lenders. Essentially it will create a road block akin to what Ontario has at the moment and will hurt Alberta as a whole. | 3/19/2024 6:10 PM |
| 16 | we need to represent both lender and client | 3/19/2024 2:47 PM |
| 17 | Transparency and disclosure in a mortgage transaction are very important. A licensee should very clearly state his or her relationship with the lender they are representing and recommending to a potential borrower. There should be proper disclosure documents that the licensee has to provide to both the lender and the borrower. | 3/19/2024 11:35 AM |
| 18 | This should fall under Alberta Securities Commission not RECA. This doesn't protect the general public it protects wealthy investors. They have a whole securities team established so they don't lose money. | 3/19/2024 9:03 AM |
| 19 | Since we have access to many private lenders, and in many instances work with the client to help provide the best course of financing for their situation, I find it odd to then switch to representing a private lender and treating the borrower as a customer. The private lenders can underwrite the file and make their own decision to fund while the broker/associate provides the information regarding the borrower. I feel that every time, a relationship does need to be established and communicated to all parties, but I don't feel it would always be one of representing the private lender. Not sure if mandatory means the same relationship (representing the lender) or means always establishing and communicating what the relationship is. I would say yes to the latter but not necessarily the former. | 3/19/2024 7:16 AM |
| 20 | It is not just a mandatory relationship but also a responsibility of the licensee to both the lender and the borrower to ensure that the request has been adequately reviewed for the risk being taken, and the licensee must be in a position to understand and explain the risks related to the transaction to both the lender and the borrower. It is too easy to get the lender and the borrower to sign off on a simplified regulatory form where both parties say they understand and have been advised of the risk they are taking. Mandatory training on reading understanding, and finding the relevant information in the documents provided to the lenders will be helpful. I hear too many licensees saying that the appraisal says the property is worth \$XXX. They seem to gloss over and not take into account the hypothetical assumption in the appraisal that actually notes that the property will have the indicated value only once certain conditions are met... it boggles the mind that most licensees can not read and understand the details of most professional reports: appraisals, environmental, construction budgets, financial statements, etc... while being mandated to ensure that a proper mortgage is secured. | 3/19/2024 5:25 AM |
| 21 | Yes, with private lending situations, it is important to ensure the client know all the details and relationships between all the parties. | 3/18/2024 11:22 PM |
| 22 | If you are acting in two capacities then yes it should be disclosed. | 3/18/2024 7:26 PM |
| 23 | Disclosure on the fact that they will be representing the lender and not that borrower and if both , the disclosure that we would no preference given to either | 3/18/2024 6:39 PM |
| 24 | Again, Not enough experience to comment. | 3/18/2024 6:06 PM |
| 25 | Private lenders should not be individually managed by a licensee, it should be considered a conflict of interest. Private lenders should be subject to their own set of RECA rules and regulations for consumer protection and should be handled by the licensee the same as any other A or B lender. Private lenders should have the option to stay private (away from RECA regulation), and advertise and manage their business without the involvement of a licensee, or | 3/18/2024 5:48 PM |

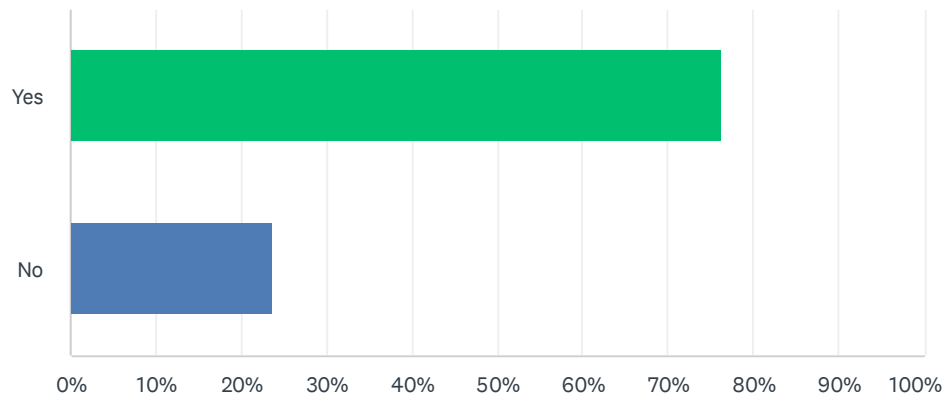
RECA Rules Review - Standards of Practice

come under RECA regulation and be utilized in the same manner that any other lender is being used through a licensee.

| | | |
|----|---|-------------------|
| 26 | In all cases If a brokerage is managing an individual private lender the disclosure that is provided to the borrower must disclose that the brokerage represents the lender. | 3/18/2024 5:28 PM |
| 27 | I firmly believe that we as the real estate professional representing clients in selling or buying properties should be able to focus our energy on doing just that and allowing for the mortgage brokers and professionals to deal with lenders be it any of the major banks or private lenders. | 3/18/2024 5:03 PM |
| 28 | I do not feel the question properly outlines what is meant by 'managing an individual private lender'. A mortgage broker should never be managing the private lender funds or payments on the mortgage. | 3/18/2024 4:25 PM |
| 29 | Should be | 3/18/2024 4:24 PM |
| 30 | We present the lender the deals we have and they, as sophisticated investors with their team of financial and legal advisors, decide if the deal is a fit for them. We do not manage or influence any of their decision making. We only present deals that we feel are minimal risk to our lenders and they decide to proceed based on the information they ask for. | 3/18/2024 4:17 PM |
| 31 | Under all circumstances. There are already instances where clients are getting engaged by brokerages/associates who ultimately use the Brokerages connected lender. Rarely are the deal really brokered for best options (clients interest) and there are servicing fees and referral fees paid by the client that are not disclosed. This practice should stopped immediately, and those clients should be presented with all offers of finance and be able to see the actual LOI's. | 3/18/2024 4:14 PM |
| 32 | As we have recently seen issues with lenders exceeding their risk tolerance, and consumers improperly calculating their exit strategies; by having a mandatory template for lender prepayment penalties and privileges, consumer exit strategy, and risk tolerance for both consumer and lender, it may mitigate uneducated agents and consumers from working with the wrong private lender. | 3/18/2024 4:11 PM |
| 33 | I am not sure I understand the question. If a licensee is talking to the public and looking to provide a specific product they should 100% disclose if they have any interest in that product. | 3/18/2024 4:05 PM |
| 34 | There is a relationship already as part of the lender's team, but decisions of the lender need to be the Lender's decision. Our job is to lay out the program and the exit strategy. The lender then needs to work with the rest of their team (lawyer, Accountant, Business manager) to give it the thumbs up or the thumbs down. It is not our job to disagree and fight for the borrower, because we represent the lender and respect the decision made. | 3/18/2024 4:00 PM |

Q6 Should these proposed Rules be implemented to regulate the orderly transfer from one condominium or property management company to another before the management agreement's termination?

Answered: 122 Skipped: 555



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|------------|
| Yes | 76.23% | 93 |
| No | 23.77% | 29 |
| TOTAL | | 122 |

| # | PLEASE EXPLAIN YOUR REASONING. DO YOU HAVE ALTERNATIVE SUGGESTIONS? | DATE |
|---|--|-------------------|
| 1 | Yes, the proposed rules should be implemented to regulate the orderly transfer from one condominium or property management company to another before the management agreement's termination. Implementing these rules will provide a clear, standardized process that enhances transparency and efficiency during transitions. | 4/19/2024 5:25 PM |
| 2 | 1. NO - Where the contractual notice period is 60-90 days, 30 days is more than ample time to allow the outgoing manager to be afforded a reasonable period to thoughtfully accumulate the turnover package to the new manager. 1.1 NO - 10 Days is not reasonable. If 10 days is decided, at least specify 10 BUSINESS days. • YES + the list of owners including names, address, and in some cases mortgage holder, legal description for each unit OR COPIES OF AVAILABLE LAND TITLES. • YES – legal description for each unit • YES - unit factor for each unit • YES + tenant info for offsite owners. ADD AVAILABLE Not all owners comply. • YES + budget WITH CONDO FEE ALLOCATION – some bylaws allow for another method of calculating fees, this must be disclosed if not calculated on a conventional basis. • YES/NO You would need to define what 'current' trades people are CONTRACTORS UNDER CONTRACT WITH THE CORP. WOULD BE MORE APPROPRIATE. • NO - PAD agreements – I don't believe RECA is within its jurisdiction here and cannot create rules that fall under federal jurisdiction. https://www.payments.ca/sites/default/files/h1eng.pdf THIS IS VERY IMPORTANT. IF THE PAD AGREEMENT AUTHORIZATION PAYEE IS THE MANAGEMENT COMPANY, THEN NO BANKING INFORMATION MUST NOT BE HANDED OVER. IT MUST BE PROTECTED. THE MANAGEMENT COMPANY COULD BE SUED BY EACH AND EVERY OWNER POTENTIALLLY AND EVEN LOOSE THEIR ABILITY WITH THE FINANCIAL INSTITUTION TO PERFORM APW's. THIS IS A BUSINESS DECISION AS TO HOW THE MANAGER OPERATES THEIR BROKERAGE. THIS FALLS UNDER THE PAYMENTS CANADA RULES. LAWYER THAT SUGGESTS, YOU ONLY HAVE THE INFORMATION BECAUSE YOU WERE THE MANAGER HAVE NO LIABILITY AND ARE JUST STRONG ARMING AND CREATING A HOSTILE TAKEOVER ENVIROMENT. 1.2 NO - | 4/19/2024 9:11 AM |

RECA Rules Review - Standards of Practice

For disorderly transitions (when a manager is released for cause), the above information must be transferred within 24 hours, and everything else within 10 days. THIS IS COMPLETELY UNREASONABLE. WHILE I AM SURE CONDO. BOARD CAN SUGGEST CAUSE, UNTIL A COURT RULES ON IT, IT MAY NOT BE CAUSE. WE TOOK ON A CONDO WHERE THE BOARD CLAIMED CAUSE, CANCELLED THE PREVIOUS MANAGERS CONTRACT. IT WAS NOT TRUE, THE CONDO CORP HAD TO PAY THE BALANCE OF THE CONTRACT AND DAMAGES. I HAVE PERSONALLY PREPARED AND RECEIVED TURN OVER PACKAGES AND THERE ARE TIMES THAT NO MATTER HOW ACCOMIDATING YOU ARE, THERE ARE EMOTIONS THAT NEED TO BE PASSIFIED AND BOTH BROKERAGES (AND THEIR CONDO MANAGERS) NEED TO BEHAVE PROFESSIONALLY. EVEN UNDER THE WORST TAKOVERS I'VE BEEN INVOLVED WITH, EVERYTHING COMES TOGETHER AND THE INSINUATION THAT ANOTHER BONIFIDE LICESED BROKERAGE IS MISBEHAVING BRINGS THE INDUSTRY INTO DISRUPTUTE. ADDITIONALLY, THIS WOULD FALL UNDER THE CONTRACT LAW. 1.3 YES/NO In either an orderly or disorderly transfer, all funds must be transferred to the new condominium manager on the day of transfer. THIS IS TO STATIC AND NOT ENTIRELY REASONABLE. THE CM MIGHT NOT HAVE SIGNING AUTHORITY OR TWO SIGNATORIES ARE REQUIRED, OR ARRANGEMENTS WITH THE BANK CAN NOT ACCOMIDATE SUCH A STATIC IRON FIST RULE. WHEN THE ACCOUNT IS HELD IN TRUST, THEY STILL NEED TO COMPLETE THEIR OWN BOOKS TO BE IN COMPLIANCE WITH THE THEIR TRUST AUDIT. AGAIN, I THINK RECA SHOULD REFRAIN FROM MEDDELING IN BROKERAGES OPERATIONS AND SYSTEMS AND CONTROLS THAT IMPLY ANY WRONGDOING, AT THIS STAGE. 1.4 YES/NO - That all GICs must be in the condominium corporations' name and not held in trust. THIS IS A GREAT IDEA, UNLESS THE BOARD OTHERWISE PASSES A RESOLUTION. WE MUST ALLOW FLEXIBILITY IN HOW THE MAJORITY OF CORPS. AND MGMT COPMANIES OPERATE WITHOUT ISSUES 4. NO - Should these proposed Rules be implemented to regulate the orderly transfer from one condominium or property management company to another before the management agreement's termination? THESE PROPOSED RULES, IN THEM SELF, BRING DISRUUTE TO THE INDUSTRY. THE CONDO ACT COVER THIS. 17.2. (1)(2)(3) I don't agree that RECA should implement any of these rules, but have indicated how I would modify, add or omit to each point.

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| 3 | Too often the current management does not provide the information needed in a timely manner and this creates many disruptions of payments and condo fees etc. This directly affects the owners and causes tremendous extra stress for the employees of the new management company. Previous management companies need to be held accountable for all information required and need to participate in what is best for the client. This is an ongoing issue so tighter time frames would likely provide more active and prompt participation. | 4/18/2024 6:54 PM |
| 4 | Orderly transfer and organized records are a must. | 4/18/2024 3:40 PM |
| 5 | Transfer of this information is vital in servicing the contract/customer. I would also include the account numbers of all utilities as this information is vital to get accounts switched over and keep the lights on. I would also suggest that all utility accounts must be in the name of the Condo Corporation and not the brokerage. We have had numerous occasions where we cannot switch an account because the old brokerage has the account in their name. This is a very bad practise that should be unacceptable. | 4/16/2024 1:41 PM |
| 6 | A Corporation chose to leave our company. The Board reviewed and approved all the cheques. The new company demanded the funds the day of the transfer. 25-30 vendors had Board approved cheques bounce. The new management firm was unresponsive and venders were left without payment for work they did. Their only option was to put a lean on the property. It is important that some funds be left in the account to cover cheques approved and PAD payments for utilities prior to the new company getting everything set up. Leave a few thousand for a month or so and then take the rest of the funds. It impacts how the public view the industry when this happens. | 4/9/2024 8:36 PM |
| 7 | Cause is the key here. If the manager has been deemed to not be doing the job, 24 hours is not unreasonable. | 4/3/2024 11:17 AM |
| 8 | This will help to make the transition smoother and ensure condo boards can carry out the business of the corporation in an effective and efficient manner. | 4/2/2024 8:22 PM |
| 9 | Agree with all points in #1 except transferring PAD forms. Every one of our condos has unique needs and their PAD forms can be different. Some give us permission to withdraw things outside of condo fees (such as parking, storage, dining room fees etc.). Plus, PAD forms can be disputed and banks typically side with the consumer. We have no easy way to verify PAD | 4/1/2024 6:02 PM |

RECA Rules Review - Standards of Practice

forms submitted from prior management are done properly. Lastly, our banking institution has strongly advised us against this in the past for legal reasons, even when other management companies have offered it. For #2, 2 business days should be fair. 24 hours is not reasonable given this could happen on a weekend. Plus, 24 hours does not even give an opportunity for response or action. The broker who authorizes these transfers could be out for a day at site inspections, in court on behalf of a condo corporation, or something else that ties up a whole day. #3, "All Funds" needs to be clarified. Keep in mind, we have to keep the property running until our termination date, that likely means writing cheques and making payments up until the end of our management. Practically speaking, not all cheques are cashed by vendors before the transfer date and there can still be final payments that need to be done. For a lot of condos, their insurance payments come out on the last business day of the month. To close a commercial bank account and have bank drafts generated typically takes 2-3 days from the request being made. This could jeopardize insurance policies if bank accounts are being closed early to comply with the legislation. It also destabilizes the reputation of the industry when we are forced to close accounts and essentially bounce cheques on third party vendors. Suggestion is something along the lines of: In either an orderly or disorderly transfer, all funds in excess of any outstanding cheques written must be transferred to the new condominium manager on the day of transfer. Or In either an orderly or disorderly transfer, all of the reserve funds and any surplus operating funds not required to finalize any third party vendor payments must be transferred to the new condominium manager on the day of transfer. In general, we are supportive of #3, as we have seen some management companies purposely wait the full 30 days out of spite to transfer any funds. This certainly hurts the condo's operations. But on the other hand, being too strict will also hurt condo operations, as management companies will be overly cautious and close accounts too soon, bouncing cheques and putting things like insurance in jeopardy. What we currently do with any of our transfers is have cheques available to new management on the day of transfer for any operating and reserve funds less a small amount to ensure all required vendor payments go through. We then ensure all accounts are closed within 30 days and the final funds are made available then. We find we have never had a complaint with this strategy. Lastly, if some compromise can be made on this, it should help make the actual logistics of this smoother. Because it is very easy to write a simple cheque for 90% of all funds right away to the new management company. But if we need absolutely 100% of funds, we have to close the accounts, as we can't keep incurring bank fees for the condos. So again, this means we have to get bank drafts, stop all payments, cancel insurance payments etc. This is more detrimental to the condo than them getting almost all funds, with the final balance coming in 30 days or less. #4 Agree that all GIC's should be held in the condo corporation's name.

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| 10 | Yes, I see this problem often. However, even with cause, 24 hours is not reasonable. More like within 1 week. And for the purpose of regular, within 3 weeks. Maybe 2 weeks but that is a bit tight. The first week of every month is already so busy with regular work that adding one more thing to the first 10 days of a month is unreasonable. Eventually we will need separate staff for only the first 10 days of the month. Totally agree with GICs. PAD info: This issue often feels like the outgoing manager is not cooperative but FOIP is confusing here. Occupants/tenants could sign that they give permission to the Condo Corp/Owner and their Manager, and that the Manager and transaction provider can change at any time without notice. | 4/1/2024 4:09 PM |
| 11 | There are too many delays in seeing information forwarded, which causes stress and frustration for the clients involved, especially where it is tenant-clients. | 3/28/2024 11:43 AM |
| 12 | I feel that all money should be in the Corporations name and not held in trust by the Property Management company. There should also be something to ensure any outstanding payments to the old company are taken care of immediately. | 3/27/2024 8:38 AM |
| 13 | One issue that constantly comes up is invoicing for the Condo between advising of termination and last day of service. There should be a hold on some funds being transferred to allow for finalizing invoicing | 3/26/2024 7:39 AM |
| 14 | - To ensure a seamless and timely transfer of all operating information | 3/25/2024 2:01 PM |
| 15 | #1 - I have no objection to #1, provided the PAD form is general rather than specific. #2 - I do have a concern about the 24 hour time limit. A letter sent by email at 4:00 p.m. not read until the next afternoon gives no time for compliance. I also don't like the term "Disorderly Transitions" as it implies that the current management company is deliberately breaching its ethical obligations. The term Immediate Transitions would be a better term. I propose The following: 2. For Immediate Transitions (when a client alleges the Management Company is being fired for cause), the documents referred to in sub-rule 1 must be provided: (a) If the new | 3/25/2024 12:43 PM |

RECA Rules Review - Standards of Practice

management company takes over immediately, within 48 hours of a written request; or (b) If the new management company does not take over immediately, but on a future date, then documents referred to in sub-rule 1 must be provided: (i) within 10 days of a request if the commencement date for the new management company is greater than or equal to 20 days; or (ii) within 48 hours if the commencement date for the new management company is less than 20 days.

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| 16 | - Need specific language surrounding what qualifies as for cause vs not-for-cause - 24 hours to transfer documents is extremely tight, even if it is for cause. Realistically, even for a condo board, a week should be more than sufficient to set-up accounts and continue operations in most cases. - Condo managers will not always have every tenant's information, particularly if the bylaws do not make registration of tenancy a necessity. This should have a caveat for if known - Second the suggestion for PADs only if the agreement is between the owner and the condo corp not the management company. - Transferring of all funds on day of transfer is very difficult as there are always bills that were ordered by the previous management company that become payable around the time of transfer. There are almost always hold-backs in place for this to be covered and should remain the case. - The risk with the GIC being in the name of the corporation may not give them the best interest rate if the agreement is in the name of the condo corp vs management company c/o condo. Further, it may pose challenges depending on how the agreement is structured with the bank for the operating account | 3/25/2024 10:34 AM |
| 17 | Most of what you have noted above is doable within 10 days. PAD agreements are not normally transferable between firms. Wording above could be clearer. Tenant info is not consistently provided by investor owners to management companies. Even after multiple requests. This information is made available if the firm has it. Exclusionary clause or better wording is needed. 24 hours could be problematic if a firm is released for cause on a Friday. | 3/23/2024 1:16 PM |
| 18 | It is way to short of time and does not consider holidays, employee vacations etc. You cant send all of the funds immediately as there are outstanding invoices that need to be paid out of the operating account. | 3/23/2024 6:55 AM |
| 19 | As Bank closings happen everytime due to management companies like Boards to use there abnks in contracts it takes longer sometimes due to people cashing cheques to clear banks so partial money transfer i always due as quickly as possible so the new management has money to act on behalf of the client and just keep some so that there is no bounce payments or cheques that could cost the corporation leaving wich can take 14 to 20 days on average with closing and waiting on cheques from the bank for closing. | 3/21/2024 3:49 PM |
| 20 | 24 hours might be a bit short for number 2. | 3/21/2024 1:35 PM |
| 21 | Far too often when switching between managers there is a lack of communication. AREA/CREA have standard sales forms for real estate transactions why can't our local boards supply property managers with a professional management transfer form? All the above items can be listed and must be included. If this was available online and could be sent electronically that would be even better. | 3/21/2024 9:55 AM |
| 22 | There are far too many moving parts when there is a transition between management companies to provide a prescriptive list to follow. A general time line to have the materials completed would be better. | 3/20/2024 3:50 PM |
| 23 | Transferring information and documents electronically is a quick and simple process. There is no excuse for delays of any kind when transferring documents. In some instances, PAD's are specific to a bank account. when a trust account will be closed instead of being assigned/transferred, there needs to be prompt communication and the provision of a list of PAD's to the new manager. In addition to that, the customer (condo owner) needs to be promptly notified that their existing PAD will be cancelled, and that new documentation will be provided by the incoming manager. | 3/20/2024 11:26 AM |
| 24 | We haven't seen a situation yet whereby we've taken over, and the former management co wasn't forthcoming with all of the documents, funds, etc. It is good to have it formalized, so that there is a standard set for all. | 3/20/2024 10:47 AM |
| 25 | Because some companies drag their feet on the transfer of information, making it difficult for the new property management group. | 3/20/2024 9:08 AM |
| 26 | Timelines are too short. | 3/19/2024 9:15 PM |
| 27 | There are flaws in the suggested items. 1. Just because someone asks doesn't mean they | 3/19/2024 8:13 PM |

RECA Rules Review - Standards of Practice

should get it. For example, if a new firm is chosen three months prior to the termination date, they don't require this information that far in advance. The current condo manager should provide the above documents within 10 days after the cessation of the contract. As the current firm is in care and control of all documentation until the end of its term, there is a liability for the ending firm. After a firm does the data entry for a PAD, they're required to shred the documentation as per legislation. This can be removed from the list of items. I would also add the email addresses of owners to this list. 2. Since a disorderly transition will be messy, 24 hours is not a feasible amount of time. This should be extended to 3 business days. 3. Funds should be provided within 15 days. The exiting management firm has a requirement to provide complete financials. This means balancing the account. In addition, holidays, weekends and stats are of concern. There is no dire situation that would require a new management firm to immediately have access to funds. The existing firm should ensure that the financials are produced in an ethical, sound and clear manner. 4. This has nothing to do with transfers. It is a valid addition, but not in this section. The current protocol is that the new management firm sends an introduction to the ownership. It's rather cold and gossip-inducing. I'd recommend a standardized letter that the exiting firm is required to send to ownership to verify the changeover prior to the new firm reaching out. The standardized document would ensure that no negative details are provided and give the optics of a professional handover.

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| 28 | The suggestion is to have the process of transfer documented well, with checkpoints and forms signed for every step of the way for a good transparent audit. | 3/19/2024 6:12 PM |
| 29 | The delay in getting the require information is not acceptable. | 3/19/2024 3:07 PM |
| 30 | sorry I do not have any knowledge in this area | 3/19/2024 2:48 PM |
| 31 | The timeline allows the new pm company time to transition and enter details into their system. | 3/19/2024 2:23 PM |
| 32 | 24 hours for document transfer even if there were cause is not enough time. | 3/19/2024 1:42 PM |
| 33 | Most of these changes need to be made but the transfer of funds could be difficult if cheques have not cleared the bank on day 1 | 3/19/2024 1:27 PM |
| 34 | I would also look to include a breakout of any deposits held, as well as information on any rental agreements in place. For example some corporations rent out parking stalls and/or storage lockers. This information is very poorly transferred and honestly very poorly stored/accounted for in most cases. Also the 10 days of request...just to confirm this information is needed ahead of the new management firm taking over management. I believe the current rules are within 30 days of the cessation of services. We typically start contacting owners 45 days ahead of our services starting and vendors at about 30 days ahead. I would also like to see the unit owner ledgers to be sent within 24 hours of the cessation of services. Without knowing what a owner may owe to the corporation we struggle to issue Estoppels when sales are occurring during a transition. We typically don't get full financial information until 25 days after transition. | 3/19/2024 12:08 PM |
| 35 | The whole purpose is to gather enough information to be able to collect condo fees on a timely basis upon inception, to avoid not getting funds in for condo fees and causing jeopardady to the corp | 3/19/2024 12:06 PM |
| 36 | Yes, all those items are easy to transfer now with digital copies. Would only take 1 email with attachments. These items are not onerous to provide within 10 days. Some other items are more onerous and would take time, but those are not listed here. | 3/19/2024 10:55 AM |
| 37 | The PAD agreement would change based on the account information with the new property management company. Providing the PAD agreement would give the old property management's in trust bank account information. This way the PAD agreements are fully separated from one PM company to the other. Bank accounts can not be closed until any/all outstanding cheques cut have cleared the bank account. I do think any "extra funds" for operating account should be transferred on the date of an orderly transfer; but the amount for the outstanding cheques, bank fees would need to be held back accordingly. Within 30 days of transfer, this operating account should then be able to be fully transferred to the the PM company as cheques and charges would then be cleared. If any cheque is not cleared the Old PM company would need to notify the new PM company of the amount and the vendor so a new payment could be issued. I do believe the reserve funds should be transferred 100% on the date of the transfer to new PM company; and in disorderly transition with 5 business days not 10. There should be no reason to be holding reserve funds. GIC in CCN names is a must; and agree to the rest of the recommendation/changes | 3/19/2024 10:38 AM |

RECA Rules Review - Standards of Practice

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| 38 | These are unrealistic timelines. There is no determining extenuating circumstances surrounding both the tenant and or the property management corporation and what may be occurring at the time of transfer. | 3/19/2024 10:12 AM |
| 39 | I do not agree with the transfer of the PAD information. Historically the PAD information does not get transferred to the new management company, at least this has not been my experience. The PAD agreements along with the Corp cheques should be destroyed, and owners should fill out new forms. All other information above I agree with. | 3/19/2024 9:46 AM |
| 40 | I believe that 30 days gives more time to wrap loose ends up and be more of a smooth transfer. Tighter time lines leaves to much possibility for invoices coming in late, banking and transfers can take up to 10 days alone to clear. | 3/19/2024 9:03 AM |
| 41 | in a perfect world, these timelines are not realistic at all.....how can you possible enforce this? | 3/19/2024 8:42 AM |
| 42 | This makes sense so that there is no disruption to the tenants and the business of managing the property. | 3/19/2024 6:46 AM |
| 43 | These are reasonable expectation in an orderly transfer. anything short of that suggest there is an issue. | 3/19/2024 5:27 AM |
| 44 | CPA dictates time of transfer already. Need time to finish final bank reconciliation. Most of the information in your survey question can be found on land titles and provided by the condo board. RECA rules should align with CPA and Regulations. | 3/18/2024 10:04 PM |
| 45 | I'm not sure this applies to mortgages?? But if I had a say I would say yes, all information should be transferred promptly to allow replacement the tools to perform their duties. | 3/18/2024 7:27 PM |
| 46 | I don't at this time | 3/18/2024 6:41 PM |
| 47 | Have a little experience with Condos, and think there's room for improvement with Condo Docs in general. | 3/18/2024 6:08 PM |
| 48 | I agree with all parts except item #3. It is not practical to have the month end closed and good accounting records available on the day of transfer (which is likely the first day of the month). I would suggest that having a certain portion of funds available within 10 days and the remainder within 30 days would be reasonable. | 3/18/2024 5:31 PM |
| 49 | It is a great idea to implement the above as we have experienced first hand how difficult some condominium property management companies can be to deal with when they know they have to hand over the documents to our brokerage. | 3/18/2024 5:05 PM |
| 50 | It should be an instruction from the Board not the new manager. They are the source of authority here. PAD agreements should not be included in this. It would be a rare exception for this to ever be allowed, particularly with how banks have tightened things up. It creates a situation where the new manager might feel entitled to demand proof that they cannot be transferred. Other than that, I agree. | 3/18/2024 4:45 PM |
| 51 | I fully agree the proposed rules should be implemented as our office has seen the delay in transfer of all required information from previous management, sometimes past 30 days. | 3/18/2024 4:40 PM |
| 52 | Add: Bank account statements for Operating and Reserve Fund accounts Owner and tenant information Accounts receivable report Accounts Payable Quotes received for work not completed Where a rental pool exists report of accounts payable and receivable related to rental pool units | 3/18/2024 4:29 PM |
| 53 | PAD Agreements should not transition as they are proprietary to the condo management company. | 3/18/2024 4:25 PM |
| 54 | Item 1. I agree with the first five bullet points. Item 2. 24 hours seems too short of a time frame. For clarity I have never been terminated for cause. Item 3. In the case of trust accounts sufficient funds should be retained to meet the coming debts of the corporation. This should also be changed to on or before the day of transfer. Item 4. I fully agree and support this suggestion as written. | 3/18/2024 4:18 PM |
| 55 | There should be zero reason that information is not provided to the new condominium manager. If there is a delay there should be fines and penalties payable to the condo corp that has had their information withheld or mismanaged. | 3/18/2024 4:16 PM |
| 56 | #1 - as a best practice, this is already taking place, except perhaps for teh last 2 bullets. #2 - | 3/18/2024 4:11 PM |

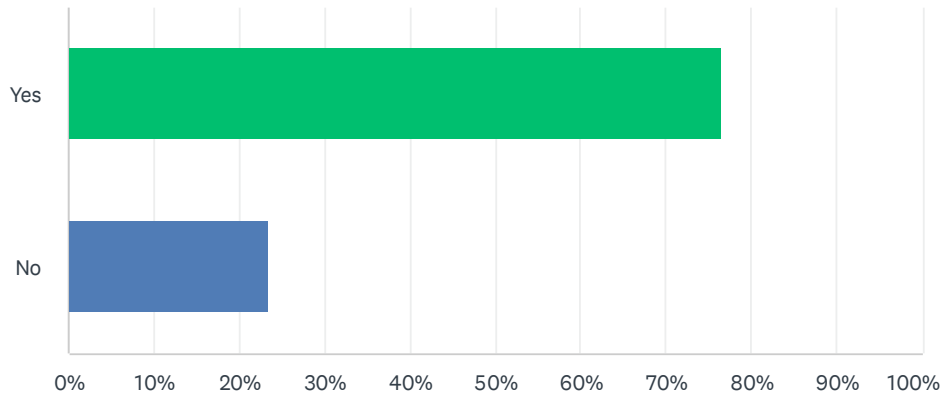
RECA Rules Review - Standards of Practice

A "disorderly" transition would be fairly rare, and almost always disputed. Most service agreements will have some language wherein the burden of proof would be too onerous, and in many cases subject to arbitration. So the courts essentially would decide - this is a civil issue, not a legislative one one I would think. I think #3 is almost impossible. There are vendors that need to be paid and final bank reconciliations to consider to prepare a proper closing balance for the new manager to create an accurate opening balance. Reserve Funds held in trust, yes, these can likely be transferred in the 10 day (is it days or business days BTW?) period. Re. #4 - I believe that the majority of GIC's are already held this way.

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| 57 | For 1.1 above, 30 days is more reasonable timeline than 10 days. | 3/18/2024 4:07 PM |
| 58 | Should be mandatory to continue services efficiently. | 3/18/2024 4:03 PM |
| 59 | I'm not licensed in that area of real estate, but my opinion is based on an expectation of efficiency. | 3/18/2024 4:03 PM |
| 60 | Absolutely. This should 100% be in place. But the management company should be required that PADs authorize the condo corporation to withdraw funds as well so there is no reason to not transfer PADs. Here is a full list of what I ask the outgoing manager for: -owners list including civic unit number, legal unit number(s), and known contact information -current vendors list including account numbers especially for utilities -most current EFT report -signed PAD forms -draft for 1/2 operating account -draft for full reserve fund account -all documents held on behalf of the corporation that fulfill S20.52(1)(b) through S20.52.(1)(q) of the Alberta Condominium Property Regulation. -any existing disclosures under S20.52.(1)(a) of the Alberta Condominium Property Regulation that is not unit specific. | 3/18/2024 3:59 PM |
| 61 | I fear condo mgmt specific changes will trickle over to residential PM or other industries as often realtor/sales brokerage rules do. These rules to anything non condo wouldn't be practical. I think instead implementing a regulatory control over transfers of client/condo accounts IF there is an issue with transfer could be more effective. I see the reason for this. I wonder if instead a process where IF a transfer is not happening quickly enough there is a RECA process (possibly charges to the non cooperative party to offset this expense) where mediation and regulatory supervision and involvement could take place. I also think that regardless of the reason for transfer, 24hrs is not a reasonable amount of time to prepare, organize, and transfer info and docs. | 3/18/2024 3:58 PM |
| 62 | protect the client and implement some basic rules for transfers. | 3/18/2024 3:49 PM |
| 63 | 10 days to transfer funds is not practical as the management company needs to wait until all cheques have cleared to transfer all funds and close accounts. | 3/18/2024 3:49 PM |
| 64 | PAD agreement (RECA staff suggestion dependent on PAD agreement, if it specifies an authorized a specific brokerage.) -These can not be transferred based on PAD form naming the brokerage not the condo corp -These can not be transferred based on the PAD rules provided by the Canadian Payments Association The vast majority of brokers are collecting new PADs in a transition. | 3/18/2024 3:48 PM |

Q7 Should Rule 41 provide examples of “competent service” to enhance enforcement mechanisms, increase public protection, and to ensure licensees possess the knowledge, skills, and abilities necessary to provide service, to give appropriate advice, and to comply with fiduciary duties?

Answered: 676 Skipped: 1



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 76.48% | 517 |
| No | 23.52% | 159 |
| TOTAL | | 676 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVES. | DATE |
|---|--|--------------------|
| 1 | Defining expectations of competent service makes it clear what is our duty | 4/19/2024 11:20 PM |
| 2 | Rule 41 should provide examples of "competent service" to enhance enforcement mechanisms, increase public protection, and to ensure licensees possess the knowledge, skills, and abilities necessary to provide service, to give appropriate advice, and to comply with fiduciary duties. | 4/19/2024 5:27 PM |
| 3 | Licensees should be held to the standards that befit their education. This means that they should demonstrate relevant knowledge, skills, and attributes appropriate for each matter they handle. Giving examples of competent service would limit the discretion of the regulator on determining if the licensee had not provided 'competent service', as the scope of the interpretation would be narrowed. | 4/19/2024 1:51 PM |
| 4 | How can you possibly define that; just like "reasonable" according to whom? | 4/19/2024 11:44 AM |
| 5 | Too subject. | 4/19/2024 11:05 AM |
| 6 | To fully service the clients with Trust and Integrity in compliance with Fiduciary duties. I am not sure though about to give appropriate advice? well it depends of what I advice we are talking here. | 4/19/2024 10:09 AM |
| 7 | This should form a part of our mandatory testing and be made the job of Brokers. If done so, Brokers would have a greater obligation to the industry to engage with their Associates and ensure they are representing the consumer correctly. I do not support another money-grab under the guise of "Education". Personally I uphold all of my judiciary obligations concerning reiteration and ask of the rules, and all of my clients would attest to this. It's called integrity. If consumers are dealt without integrity? The consequences brought to RECA should be dealt | 4/18/2024 11:04 PM |

RECA Rules Review - Standards of Practice

with accordingly. I personally had a mortgage broker cost my client their home. I brought it to RECA, it was bounced around like a toy and then suppressed. That Mortgage Broker should not be practising to this day. She is friends with all of her b lenders and gets a portion of their profits and will lie on the system to get people who shouldn't get mortgages, mortgages. One of my clients who came here from the UK pays her 42% on one of her mortgages because she was told by said lawyer that this was the cost in owning a second mortgage. I brought this to RECA's attention when she wouldn't renew my client who lost their home because of her abs nothing was done. RECA needs to represent the consumers properly first! Others will follow suit.

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| 8 | More definition in this area provides better guidance. | 4/18/2024 8:48 PM |
| 9 | Don't claim to be an expert in a certain property field such as condos unless you are fully knowledgeable about condos because you will be held at a higher standard by the board | 4/18/2024 8:16 PM |
| 10 | When reading the case summaries it seems many licensees pretend to not know what the rule was or there is some sort of understanding barrier to common sense of right and wrong. Examples would clarify and create less grey area for those that need to be held accountable for their actions. | 4/18/2024 6:56 PM |
| 11 | - RECA and its Board Members and Committee Members should be competent enough to provide a definition which defines competency and the service to be provided. - By providing examples if an element of competent service is overlooked then an opportunity to slip questionable service exists. - Education, training and licensing should be detailed enough to establish the level of not only understanding, but also competency to provide appropriate advise compliant with fiduciary responsibilities and duties. - If RECA chooses to have oversight and provide enforcement then the Executive Directors, Board, Committee Members and Brokers should be of a competency level to arrive at an appropriate and competent definition. - Real Estate is one of the industries where enormous amounts of wealth are created and in that those working within and providing service within the industry should be at an appropriate level of competency and ability. - I suggest if individuals entering the industry have questions on "competent service" they probably should not be licensed into the industry. | 4/18/2024 6:44 PM |
| 12 | More clarity the better | 4/18/2024 6:02 PM |
| 13 | This is not the route to take for sure as it will lead to all sorts of lawsuits. What is competent service? Experience? Knowledge? This is open to all sorts of interpretations | 4/18/2024 5:10 PM |
| 14 | It will confirm the meaning of the Phrase "Competent Service" to some Realtors by providing examples. | 4/18/2024 4:37 PM |
| 15 | This can be a very subjective topic so clear examples would be helpful to everyone: Ability to write an effective Request for Proposal Ability to read and understand contracts are key skills for Condominium Managers and the lack of those skills can lead to litigation or ineffective contract fulfillment | 4/18/2024 3:44 PM |
| 16 | No. Its too broad, ambiguous and will only make things more complicated | 4/18/2024 3:40 PM |
| 17 | More info is always better | 4/18/2024 2:09 PM |
| 18 | Only if specific action is listed as an example but not if a generalized idea as that can be misconstrued | 4/18/2024 2:03 PM |
| 19 | There is not an efficient way to comprehensively demonstrate what "competent service" means by way of examples. | 4/18/2024 1:50 PM |
| 20 | While I feel it would onerous to provide many examples. Competency is a very loose word to use and is subjective. | 4/18/2024 11:35 AM |
| 21 | Limited examples would be a benefit. | 4/18/2024 11:25 AM |
| 22 | Anything to help the public understand and keep the agent honest. | 4/18/2024 11:19 AM |
| 23 | I believe there are differences between commercial, agricultural, condo, mortgage and residential clients. For example a business (be it a Mom&Pop shop or a 1,000,000 sq. ft. tenant) they will have a level of understanding of the business exposure when signing a lease or purchasing a property. A first time home buyer will need more "hand holding" than a tenant with several lawyers on their payroll. | 4/18/2024 11:13 AM |
| 24 | Who defines "competent service"? If licensees follow through on their fiduciary duties there will | 4/18/2024 11:09 AM |

RECA Rules Review - Standards of Practice

be less to worry about. This sounds like weak attempt at prevention and more administration red tape that is up to interpretation by the regulator. I would need to see real working examples of how the current rules are not working before adding to or expanding rule 41.

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| 25 | Especially when a professional claims special skills. | 4/18/2024 11:07 AM |
| 26 | The list would be taken by some as full and accurate. It would still be open to interpretation even with examples. could have ie - not acting outside of your educational proficiency | 4/18/2024 11:04 AM |
| 27 | Competent service is best practice | 4/18/2024 10:19 AM |
| 28 | This should be included in the licensing education and it should be well known what the definition is before the individual is issued a license. | 4/16/2024 1:42 PM |
| 29 | The rule currently lacks a definition of competence. While it is not feasible to exhaustively cover every aspect of competence due to limitations in clearly identifying all dimensions, it is essential to offer supplementary guidance on the process of attaining and maintaining competence. This would provide a foundational framework for hearing panels to evaluate actions and behaviours effectively. The primary objective is to enhance transparency regarding the duties and obligations of licensees. Without adequate elaboration, the public may struggle to discern the criteria for competence and its maintenance. While specific examples may not be necessary, it is imperative to include additional details outlining the requisites for achieving and sustaining competence, possibly by referencing relevant informational bulletins. | 4/15/2024 10:53 AM |
| 30 | brokerages should be responsible for the ongoing training and skills and it should be up to the brokerage as to whether or not an agent has the skills, knowledge etc. | 4/12/2024 9:23 AM |
| 31 | Maybe examples of what incompetent service is, or what is typically experienced as incompetent service would be more direct. | 4/11/2024 10:58 AM |
| 32 | I think the information bulletin is sufficient. The Rules should main concise, rather than clogged up with examples and ancillary information. The information bulletin works well because it can be much greater in length. If there was going to be any change, I would suggest making the information bulletins formal documents that can be referenced in the Rules. Something like: 41(b) provide competent service; (for more information see _____) | 4/10/2024 2:00 PM |
| 33 | Yes, with consultation. The rest of Rule 41 describes competent service so perhaps remove this line from this section. If examples are chosen, they should be vetted by the industry to ensure they are accurate of what everyone is in agreement on and do not lead to further confusion. | 4/9/2024 8:40 PM |
| 34 | RULE 41 SHOULD MAKE CLEAR EXAMPLES OF WHAT "COMPETENT SERVICE" IS. NEW AGENTS ARE GIVEN VERY LITTLE INSTRUCTION OR ADVICE BY THEIR BROKERS SO ANY HELP POSSIBLE IS IMPORTANT. | 4/9/2024 5:19 PM |
| 35 | And it should include that having local market knowledge & experience is a competent service. A realtor should not be going into areas across the province where they have no local knowledge and experience of the market and representing clients. | 4/9/2024 11:34 AM |
| 36 | Examples might be helpful at the first level, but if it goes to a hearing panel, the industry members who are on the hearing panel will be able to determine if the service provided was competent. That said, I think it would be difficult to include enough examples to clarify with certainty incompetent service | 4/7/2024 9:56 AM |
| 37 | It is not necessary to provide examples of "competent service." To protect the public and other industry members, I feel it is the Broker's responsibility to be engaged in the practice of the licensee to ensure they are "competent" to provide the appropriate real estate services to members of the public. Also the onus is on the individual licensee to understand and acknowledge when they are practicing outside of their competency. | 4/6/2024 12:19 PM |
| 38 | I believe that providing examples in the Rule is not a good idea. I believe it can lead to a licensee discounting other scenarios. Examples should be left to Practice Bulletins. | 4/4/2024 4:36 PM |
| 39 | This is very important, but also such a broad range of situations arise, I don't know how it would be well documented. The bulletin is pretty good. | 4/4/2024 10:42 AM |
| 40 | Competent service could be increased by simply mandating a shadowing or mentoring system mandating new agents be mentored for a min period. | 4/3/2024 10:31 PM |
| 41 | "Competent Service" should be better defined. | 4/3/2024 11:18 AM |

RECA Rules Review - Standards of Practice

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| 42 | In general, where examples can help to clarify the nature of "competent service" they should be provided. I also suggest pulling examples of incompetent service from case histories of misconduct/disciplinary actions. | 4/2/2024 8:25 PM |
| 43 | It should provide a general definition within the scope of the rule. | 4/2/2024 4:00 PM |
| 44 | Examples make reading law take too long. I do think a list of examples is a great idea. Maybe do it in another area of the published law. Addendums or Regulations or an official page of previous examples and conclusions. This would help with consistency/reference much like precedent. | 4/1/2024 4:12 PM |
| 45 | Whatever you do will still make it defensible to skirt the descriptions and still not follow the spirit of the Rule. Trump will be Trump | 3/30/2024 1:06 PM |
| 46 | If it helps us get more professional as a group, I'm all for it. | 3/30/2024 8:35 AM |
| 47 | I'm sure examples would be nice, however each case is different from the other, but I still think some examples would be nice. | 3/29/2024 9:19 AM |
| 48 | Here is the problem: the definition of "appropriate advice" in a self-regulated profession in my view rests strictly with the licensed professional and their brokerage office, NOT with the regulator. When consumers hire a licensed professional, it is up to the consumer to do appropriate due diligence and research to hire the best option available. If they do not receive advice or service that they had expected, they bear responsibility as they chose the service provider. The consequence to the licensed professional: if proper advice is not provided, their business will pay a price because the consumer is (a). not likely to hire them in the future; and (b). not likely to refer them in the future. This is very important: to reduce red tape in the real estate industry, this involves largely a hands-off regulator approach without "excessive investigation and enforcement" UNLESS the issue involves something extremely serious (i.e. mortgage fraud; theft of deposits; criminal gang involvement; use of violence when not acting either in self-defence or in defence of a client who was attacked; etc.) | 3/29/2024 6:25 AM |
| 49 | na | 3/28/2024 3:00 PM |
| 50 | People will make mistakes if there is no set standard of understanding clearly defined. Perhaps even before looking at examples the bulletin information on what that set standard of understanding is needs to actually be inserted into this section. | 3/28/2024 11:44 AM |
| 51 | It's sad that we have to "explain" that we're a professional but if it means better understanding on the client and realtor parts, then it's a good thing. | 3/27/2024 11:40 AM |
| 52 | This should be the responsibility of the broker to ensure their employees are providing competent service. With all the new upcoming managers, there are learning curves and they may not have all the knowledge, skills etc. right away, but they need to be trained properly and not just thrown out there to manage. Not all management groups do onboarding due to timing and should. To say this right off the top could result in a lot of disputes. | 3/27/2024 8:42 AM |
| 53 | Although I can see how it could practically be helpful as a sidebar including it in the rule removes the broadness and creates loopholes for misconduct | 3/26/2024 10:46 AM |
| 54 | This is a slippery slope. Our judicial system is already set up to handle unforeseen variables. At first a few examples seems like a good idea, but then more are needed until there is a never-ending list. Education, and fraternity among well-meaning, competent professionals, is the best way to ensure competency. | 3/26/2024 10:35 AM |
| 55 | The more information that is provided, the better the understanding of what constitutes competent service. | 3/26/2024 8:21 AM |
| 56 | I feel it would be difficult to provide "Examples" of competent services without being specific. Every situation could use a different example. | 3/26/2024 8:19 AM |
| 57 | Outlining the expectations should be defined | 3/26/2024 7:41 AM |
| 58 | Clarity | 3/25/2024 2:51 PM |
| 59 | - if the lack of clarity gives rise to a challenge of any sorts, clarification should be given in order to maintain the integrity of the industry. | 3/25/2024 2:02 PM |
| 60 | I think the word "competent" is descriptive enough for the rule itself. I do think that providing | 3/25/2024 1:22 PM |

RECA Rules Review - Standards of Practice

additional guidance such as bulletins or case studies is good but this doesn't need to be part of the actual rule.

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| 61 | Once you start providing examples, any behaviour that falls outside the examples would be fair game. Unless you plan on providing examples that cover EVERY possible example of non-competent service, you are better off not including any examples. As a Condominium Manager (17 years) I have on many occasions suggested to listing realtors that before listing a condominium they obtain a copy of the Bylaws and include in the listing restrictions that will affect a purchaser's decision to make an offer. For example, if the Bylaws restrict residents to 1 pet with a maximum height &/or weight, put that in the listing rather than the typical, "pets must be approved by the board." If there is an age restriction, put the minimum age in the listing! From my perspective these are examples of laziness, bordering on incompetence, but these are just two examples. There are a lot more if you want to start making a list. Don't include examples. | 3/25/2024 12:55 PM |
| 62 | There is a lack of competent service in the industry as a whole. I find licensees are finding ways to skirt the rules and I think examples of competent service might eliminate some of this. | 3/25/2024 9:55 AM |
| 63 | An example in this scenario would be MIC or private lending. A borrower should be presented with a minimum of two options. Another example is alternative lending, the borrower should be aware why they are being recommended a higher rate and fees. | 3/24/2024 6:14 PM |
| 64 | Multiple examples will be required. | 3/23/2024 1:16 PM |
| 65 | Providng examples can limit what people think it means. | 3/23/2024 11:30 AM |
| 66 | I THINK WE ARE CAPABLE OF KNOWING WHETHER WE ARE GIVING COMPETENT SERVICE, IT IS UP TO THE INDIVIDUAL TO MAKE SURE THEY POSSESS THE KNOWLEDGE,SKILLS, AND ABILITIES NECESSARY TO PROVIDE SERVICE AND WHETHER THEY HAVE THE CAPABILITIES TO GIVE APPROPRIATE ADVICE, WHICH IS CALLED COMMON SENSE AND IF THEY ARE NOT SURE THEN THEY CAN ASK THEIR BROKER. FIDUCIARY DUTIES SHOULD BE A GIVEN IN OUR LINE OF WORK AND SURELY THE COURSES HAVE ALWAYS OUTLINED THIS..IF NEW ENFORCEMENT MECHANISMS COME ALONG THEN EVERYONE SHOULD BE INFORMED AT THAT TIME. | 3/22/2024 4:04 PM |
| 67 | Examples could possibly narrow the scope and unintentionally cause some members to believe that only those scenarios covered by the examples apply. The reality is that members shouldn't need examples; they should be approaching their broker when there are gaps in their knowledge, or they are dealing with something they have not encountered before; it then becomes the responsibility of the broker to ensure service is competent. | 3/22/2024 10:18 AM |
| 68 | The definition of competent service is interpreted in different ways in context by different people and could leave licensees and brokerages open to excessive claims of wrongdoing that are false. I feel the rule is fine as it is. The education part of our Real Estate licensing is ample to ensure competence along with Broker training and guidance | 3/21/2024 9:56 PM |
| 69 | makes sense to give examples | 3/21/2024 1:36 PM |
| 70 | Examples can be a guideline for licensees to follow. Gives more direction | 3/21/2024 1:17 PM |
| 71 | Having examples will help new realtors, old realtors and provide a basis for any RECA complaints. | 3/21/2024 12:38 PM |
| 72 | I also feel if there is an issue that arises - it should be put forth to the associated IC so they can ensure the validity of the claim. | 3/21/2024 11:04 AM |
| 73 | Competent Service can mean different things to different people. More clarity may help licensees better with examples. | 3/21/2024 10:42 AM |
| 74 | I feel there should be basics listed as a guide for consumers as to what to expect. | 3/21/2024 10:22 AM |
| 75 | As per the real estate act, we as real estate professionals HAVE to act in the best interest of the public and our clients; customers, however, will not have an in-depth understanding of what competent service is.... some sort of example, and or form to be signed, would be beneficial. | 3/21/2024 10:09 AM |
| 76 | Even more so than defining what "Competent Service" is perhaps RECA can help define what is not competent service. Most new Tenants brought on have no idea what a CAC reconciliation really means. I believe property managers and landlords purposely keep their | 3/21/2024 9:57 AM |

RECA Rules Review - Standards of Practice

tenants in the dark in order to exploit their knowledge gaps. Not competent property managing in my mind.

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| 77 | Members of the public would benefit from a better understanding what the rules are and examples would help with that | 3/21/2024 9:47 AM |
| 78 | I recently had a new agent show me sections from their "learning" to take the Real Estate exam. They are teaching about native american history from 300 years ago. They are learning what the percentage of 85 out of 100 is. Literally grade 3 math. These aren't competency measurements. These are silly questions aimed at allowing everyone to pass the course. Competent realtors should be quizzed on legal precedent. About housing structure. About sales and marketing. About legal ramifications of contract law. About analyzing data. | 3/21/2024 8:23 AM |
| 79 | The rule is grey, it makes it difficult for the Realtor and the public to understand. It leads to misunderstanding between the public and the professional and can cause conflict that is open to a subjective option at the time. As professionals relying on a governing body the rules should be laid out clearly and we rely on RECA to define "competent" before a situation occurs, not after the fact. | 3/20/2024 7:09 PM |
| 80 | Yes, because "competent service" has a different definition to every one. With for example a REALTOR Fiduciary Duty is very specific on the Consumer Relationships Guide and "competent service" needs to have clarity. | 3/20/2024 4:39 PM |
| 81 | The better that licensee's understand the base line for what competent service is, the better protected that the public is. | 3/20/2024 3:52 PM |
| 82 | Everyone seems to have a different idea of what 'competent' means, so examples would help! | 3/20/2024 3:50 PM |
| 83 | Competency in our industry is quickly decaying. More and more realtors are focusing their business models around recruiting and content creating to fill their business pipelines and gain more clients, but their skills as a professional are lacking and it shows. Lack of respect for sellers properties, lack of professionalism with fellow Realtors and it seems knowledge has taken a back seat to social media. | 3/20/2024 3:21 PM |
| 84 | I believe it would help licensees have a clearer understanding to have an example, however, it may be better to provide courses with tests, that are taken intermittently to help go through many different scenarios. | 3/20/2024 3:09 PM |
| 85 | We have witnessed many brokers providing incompetent service to their clients. Some brokers send applications directly to private lenders without trying Alt lenders because it is easier for them. | 3/20/2024 12:48 PM |
| 86 | Examples will be helpful. the term competent service is too vague. | 3/20/2024 11:27 AM |
| 87 | It appears in our current society that common sense is lacking so the more thorough you can be the better as to avoid misinterpretation of "Competent service". | 3/20/2024 11:17 AM |
| 88 | Competence and fiduciary duties are broad concepts but they are not complicated. There should absolutely be examples of competent service and an attempt to define it. | 3/20/2024 10:41 AM |
| 89 | RECA needs to go further. It needs to define skills (synonym for abilities really), and what it means by knowledge; or, at the very least identify key understandings required for both. The way it is now or will be is vague and one can argue a large range of possibilities for each. | 3/20/2024 9:45 AM |
| 90 | The more specific, the definition becomes the less enforceable it becomes for other things outside of the definition. This is micro management by RECA. Unnecessary | 3/20/2024 9:43 AM |
| 91 | Clarity is imperative when governing the actions of Associates. | 3/20/2024 9:08 AM |
| 92 | Brokerages as a whole are doing a poor job educating their associates | 3/20/2024 5:42 AM |
| 93 | Yes, they should do so in order to avoid any possible ambiguity. | 3/19/2024 9:16 PM |
| 94 | This is a slippery slope. My version of competence and the next person may drastically differ depending on the situation. In addition, most firms have a termination clause for gross negligence, specifically for these items. Competence and its vastness is up to a judge to decide on, not RECA. | 3/19/2024 8:15 PM |
| 95 | I would say yes but also remind people the lowest isn't always the best. example - The banks saw that MICS were going to boom and invested hundreds of millions of dollars. These MICS | 3/19/2024 7:37 PM |

RECA Rules Review - Standards of Practice

sent super low rates trapping 1000 of Canadians and then somehow the rates doubled and the fees tripled. The MICS knew or ought to have known and Mortgage brokers I believe had the fiduciary duty to not send so many clients into a financial death trap. Did the rising market bail some of these people out? yes but on average I believe many brokers lacked in their care for their clients. Brokers need to be smart enough to smell a trap. Rate shock is just poor planning, or actually really good planning by a small select few.

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| 96 | examples are always helpful, and an example of what is expected conduct is, will be beneficial for all. | 3/19/2024 6:13 PM |
| 97 | One can't cover all the bases and may inadvertently mislead on areas not mentioned | 3/19/2024 5:02 PM |
| 98 | This area is too broad for specific examples to be of value. | 3/19/2024 4:52 PM |
| 99 | this would ensure less gray area and more accountability. | 3/19/2024 4:27 PM |
| 100 | In my day to day dealings with agents it is clear that most are more concerned with a deal than they are with potent customer service. | 3/19/2024 4:20 PM |
| 101 | Many agents are not knowledgeable because the training does not teach them enough | 3/19/2024 4:20 PM |
| 102 | Imho, there will always be a component of an "unknown" in any definition whether we have clear examples or not. As of now, it is clear that without proper experience in the field providing competent services is hard to impossible by just learning the rules. I feel the rules are the framework "...to ensure licensees possess the knowledge, skills, and abilities necessary to provide service, to give appropriate advice, and to comply with fiduciary duties" and should stay that way. | 3/19/2024 4:18 PM |
| 103 | If you list one, then you have to list them all or people will say that it wasn't on the list or get ultra focused on only the ones given as examples. | 3/19/2024 4:13 PM |
| 104 | it will provide clarity and avoid confusion | 3/19/2024 3:53 PM |
| 105 | There are so many circumstances that I think each case needs to be looked at individually. | 3/19/2024 3:19 PM |
| 106 | As the public perceives us to be professionals, being competent directly correlates with expectations and protections to the consumer with their largest investment. Our professional standards need to be raised and those who do not follow this should not practice in the industry. | 3/19/2024 3:16 PM |
| 107 | Honestly and competent service is pretty self explanatory. | 3/19/2024 3:14 PM |
| 108 | We need to keep our knowledge and protection of our clients up to date. Also the overall reputation of a mortgage broker needs to be the utmost importance to protect our industry | 3/19/2024 2:50 PM |
| 109 | Competent Service is directly related to experience. Rookie Realtors are very incompetent. | 3/19/2024 2:49 PM |
| 110 | A lot of people have varying terms of what competent means. I don't believe holding a license (with the current course training) is actually pertinent information in knowing how to be a property manager. | 3/19/2024 2:25 PM |
| 111 | I believe "Competent Service" may have different meanings to different people. Outline a clear understanding maybe necessary | 3/19/2024 2:23 PM |
| 112 | More information is better than less. | 3/19/2024 2:07 PM |
| 113 | You're opening up all sorts of interpretations. | 3/19/2024 1:51 PM |
| 114 | The bulletin is enough | 3/19/2024 1:49 PM |
| 115 | If licensees are having difficulty understanding what providing competent service and having fiduciary obligations to their clients perhaps this would help, obviously the examples would be preceded by "without limiting the generality of the foregoing"; thus it is not limited to the examples provided. | 3/19/2024 1:17 PM |
| 116 | As there are more people entering this industry I do feel it is very important to "lay it out" in this rule | 3/19/2024 1:09 PM |
| 117 | Pros and cons to providing examples would be there is no way for them to cover the entire scope so would need a disclaimer however some ideas would be good so as to give new and older agents an idea what is considered appropriate. | 3/19/2024 12:56 PM |

RECA Rules Review - Standards of Practice

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| 118 | Just like how common sense is not common knowledge, competent service is not common knowledge. There should be at least some guideline o what competent service means so that agents cannot find the grey area and get around it. | 3/19/2024 12:40 PM |
| 119 | Keep the rules as clean as possible. Examples should be separate from legal rules. | 3/19/2024 12:35 PM |
| 120 | Examples will quickly limit the definition to what is in the examples. Leave it vague. Use common sense. | 3/19/2024 12:26 PM |
| 121 | Competent and appropriate are words where the definition will evolve based on legal cases and as the industry evolves. I think by adding examples these examples may become outdated to quickly and unfortunately everything we deal with has so many nuances i don't think the examples can capture this and may be more of a disservice. | 3/19/2024 12:12 PM |
| 122 | I think the bulletin is sufficient If we actually have to provide examples because licencees do not understand what comptent service is - we should be upgrading the education process | 3/19/2024 12:07 PM |
| 123 | Specific examples would narrow the field - competent service and fiduciary duties are sound concepts that have endured | 3/19/2024 12:01 PM |
| 124 | Examples are a very good method for conveying complex ideas, the more the better | 3/19/2024 12:00 PM |
| 125 | I am shocked often how simpleminded many of my fellow real estate associates are... However I am practicing in the area of development land where knowledge must be extensive. the board does not offer courses to understand these areas | 3/19/2024 11:54 AM |
| 126 | Anything we can do in the industry to enhance the level of service and professionalism towards the consumer is welcome. By providing examples of comeptent service can help licensee's better understand the rules related to competency. They can even compare it to how they have acted in the past with their clients to gauge whether they were on the right track or whether their competency was not the best and needs improvement. | 3/19/2024 11:39 AM |
| 127 | Leave it judged by peers. Publish the results of agents that got in trouble as example, maybe make those findings part of continuing education. What would happen of ... a - \$ fine B.Training and fine, c- letter of reprimand etc etx | 3/19/2024 11:21 AM |
| 128 | The Consumer Guide that every client should sign already contains a full explanation of these concepts. | 3/19/2024 11:20 AM |
| 129 | CUT THE RED TAPE ! Perhaps our real estate licencing is to easy if we have to continually remind agents of their fiduciary duties to the consumer? Our forms are going to resemble a novel !! | 3/19/2024 11:13 AM |
| 130 | I feel there are far too many "competent service" complaints from the public, about realtors, and there should be more improvement in this area. | 3/19/2024 11:09 AM |
| 131 | Examples help the definition of competent service | 3/19/2024 10:56 AM |
| 132 | but i think it is more important that competent service and fuduciary duties be clearly defined. | 3/19/2024 10:39 AM |
| 133 | Clarity is always a good thing. | 3/19/2024 10:37 AM |
| 134 | I think competence is very important in our industry! And while it is human to make mistakes, it is important for us to be accountable and responsible. In my opinion, it maintains the integrity of the real estate industry | 3/19/2024 10:30 AM |
| 135 | The term itself is too ambiguous. What might be competent to one individual maybe different to another so either define a hard set of rules and firm term (i.e Exemplary)/definitions or don't bother. | 3/19/2024 10:15 AM |
| 136 | The rules should not be loosie goosie they need to be fixed not a wide net. | 3/19/2024 9:57 AM |
| 137 | self explanatory | 3/19/2024 9:43 AM |
| 138 | As mentioned, "competent service" is vague and can be manipulated to mean virtually anything to different people. Clear guidelines/examples for responsible conduct is necessary to ensure all licensees are clear as to the level of skills and knowledge expected from them to effectively perform their duties. | 3/19/2024 9:41 AM |
| 139 | My only concern is how arbitrary this is and how it would legally be enforced. I'm actually for it if that is possible but find that if you start adding in specifics it could add some issues. | 3/19/2024 9:39 AM |

RECA Rules Review - Standards of Practice

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| 140 | Examples help to clarify grey areas - especially as a new licensee. | 3/19/2024 9:38 AM |
| 141 | Too many items to list in rule 41. More training by the brokers to standardize the industry. | 3/19/2024 9:35 AM |
| 142 | A definition of fiduciary duties should be included also. I fear that there are many real estate professionals that only understand a commission invoice. | 3/19/2024 9:22 AM |
| 143 | A definition is better then examples as examples cannot cover it all easily. | 3/19/2024 9:11 AM |
| 144 | There are far to many unlicensed representatives giving improper advise, and information. It is better to have "competent service" by competent representatives. | 3/19/2024 9:05 AM |
| 145 | Not all realtors abide by these rules. Frustrating | 3/19/2024 9:03 AM |
| 146 | There are far too many "grey areas" in our rules and regulations. Often we get opposing answers when we ask CREB and RECA the exact same question. In my opinion, all of these grey areas need to made much more black and white. | 3/19/2024 8:52 AM |
| 147 | Examples need to be provided. It is open to interpretation, so providing examples at least gives some guidance. | 3/19/2024 8:50 AM |
| 148 | The industry should issue licenses to individuals who have completed and passed the required courses that have taught them to provide competent service. | 3/19/2024 8:46 AM |
| 149 | I would say that 75% of those selling acreage properties are not properly qualified to do so. So yes, please make more specific "competent service" in this area. OR Remove their licesnes to trade in this area until properly qualified. | 3/19/2024 8:45 AM |
| 150 | I have experienced people who obviously are either unaware of some of the rules or do understand how it effects their practice. | 3/19/2024 8:43 AM |
| 151 | the competency criteria would be the minimum expected | 3/19/2024 8:42 AM |
| 152 | You dont need different word descriptions to better service, you need better training off the hop... | 3/19/2024 8:39 AM |
| 153 | Associate responsible and has committed to life long learning. Brokerage responsibilities to train their associates as to what competent services look like. | 3/19/2024 8:20 AM |
| 154 | The clearer the better. Vagueness leads to issues of interpretation | 3/19/2024 8:13 AM |
| 155 | Examples are good to establish a level of competency but case studies for breach related to Rule 41 should continue to be provided to not set a precedent that the competency is limited to what could be argued as baseline examples. | 3/19/2024 8:09 AM |
| 156 | Defined guidelines assist members in being knowledgeable of their expectations. | 3/19/2024 8:05 AM |
| 157 | No change is required | 3/19/2024 7:53 AM |
| 158 | I believe examples will help licensee's understand/remind what is expected of them. | 3/19/2024 7:18 AM |
| 159 | That should be taught and fully understood in the courses taken to become a RealEstae associate. That is what they are paying the big bucks for the courses for. | 3/19/2024 6:56 AM |
| 160 | I have worked with people who decided they were "proficient" in something because they took a 1 hour online course, so it may help people, especially those new to the industry to know what that is, as well as help consumers know what to expect as well as what the limitations are. Competent does not necessarily mean an expert in all practices (mortgages, commercial vs residential, etc), which could be assumed by a consumer. | 3/19/2024 6:49 AM |
| 161 | What we have is sufficient. | 3/19/2024 6:48 AM |
| 162 | the mere fact that you've acknowledged the terms as being broad concepts, means that you should define them so that there's no misunderstanding of what competent service should mean | 3/19/2024 6:19 AM |
| 163 | Competent service is a notion with little value unless adequately measured. Competent service can be considered as timely delivery of information and prompt replies to communication between the lender and borrower. This says nothing about the knowledge and ability to determine the accuracy and validity of the information being circulated. | 3/19/2024 5:32 AM |
| 164 | Unless competent service is a clearly defined, it makes it more challenging to agree on | 3/19/2024 2:15 AM |

RECA Rules Review - Standards of Practice

whether or not a professional is acting appropriately. Furthermore, it will give clients more comfort.

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| 165 | I think to "act honestly and "provide competent service"." is very easy to understand. Examples can be endless. You could never begin to cover it all. | 3/18/2024 11:43 PM |
| 166 | Samples make it easier to understand so I support this idea | 3/18/2024 11:23 PM |
| 167 | I don't think it will matter if you give examples. We have trained to be a realtor and we have already shown we are competent. | 3/18/2024 11:12 PM |
| 168 | Definitely need clarification on rule 41 | 3/18/2024 10:06 PM |
| 169 | Yes - it would help to give some context/colour on what this means. | 3/18/2024 10:01 PM |
| 170 | We should know what this means... | 3/18/2024 9:59 PM |
| 171 | Having to explain "competent service" with examples to the general public is redundant and likely gives the impression that most agents are not competent. Over explaining, and overcomplicating things is no good. I know many people who think an incompetent and negligent agent here is fabulous and for as many terrible reviews they have, they also have many great reviews. Competency is subjective for many people, and most I think will gravitate to agents who are either professional, or relatable. Outlining it and overexplaining won't change that. | 3/18/2024 9:53 PM |
| 172 | RECA should clearly explain what are considered necessary and/or required disclosures to clients pertinent to "competent service" to better align industry professionals with the act. When left to a consumer to file a complaint with RECA as a method to assess competency, that action greatly undermines the integrity of the industry and its professionals when consumers can create perceived lapses of judgement in the form of a complaint based on "example cases". | 3/18/2024 9:51 PM |
| 173 | You need to show examples and model the behavior for others to learn what that behavior looks like. | 3/18/2024 9:26 PM |
| 174 | The past several years have provided many examples , mostly from agents newer to Canada, where conduct is disappointing. | 3/18/2024 9:24 PM |
| 175 | This could open us open to lawsuits and arguments about levels of competence, maybe years of experience... etc. Someone should have to argue why we DID NOT provide competent service instead. And be specific in their findings. | 3/18/2024 9:08 PM |
| 176 | The more information that the industry has surrounding "competent service" , they will be more able to provide same. One would think..... | 3/18/2024 9:01 PM |
| 177 | Competence and fiduciary duties have to be defined clearly so that clients know what to expect and mortgage professionals would know what to provide | 3/18/2024 8:35 PM |
| 178 | Drop the concept of liability insurance at the local board level with input from AREA or CREA. Why do I have to pay for incompetence. I'm 30 + years in the industry. Why do I have to share the risk with other members that can't provide competent service? | 3/18/2024 8:32 PM |
| 179 | Dictate more professionalism. | 3/18/2024 8:23 PM |
| 180 | I find this to be one of the most important topics you are bringing forward. We were all new, at one point; however, it is currently up to each individual agent to learn what "competent service" is. Examples would assist new agents. I found that we all wrote our RECA exams, and then we were licensed, but had no practical examples, etc. Secondary to my above response: I believe there is a huge "competence" issue with numerous agents, many of which do not speak English - and do things their "cultural" way. They have assistants writing offers and negotiating on their behalf, etc. If an agent cannot speak English, why are they even licensed? | 3/18/2024 7:41 PM |
| 181 | It would be difficult if not impossible to create a definitive list. | 3/18/2024 7:34 PM |
| 182 | More knowledge is always better than less. | 3/18/2024 7:28 PM |
| 183 | Providing examples is great if this can be done in way that doesn't allow loopholes. The act should establish the guiding principles and then we need to work with AREA and local boards to build competent agents. | 3/18/2024 7:10 PM |
| 184 | I could check yes or no on this one. Further, helpful explanation is always good but still won't | 3/18/2024 7:04 PM |

RECA Rules Review - Standards of Practice

cover every aspect.

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| 185 | <p>There is a lack of service standards within the real estate industry. The definition of competent to one individual is not the same definition to another, especially with the diversity that we have in the industry as a whole. Standards should be defined and provided, along with clear and precise education so that every licensee understands what those standards are supposed to look like in practice. Additionally, education in general needs to be revamped. Many realtors lack basic English and are attempting to represent clients which is frustrating for other industry members. There needs to be more stringent standards on who we are allowing into our industry. Service quality has diminished and this is being discussed by realtors and the public simultaneously. There are constant conversations on social media that sellers and buyers would rather represent themselves and sell/buy privately instead of paying large commission fees to incompetent individuals who fail to provide the level of service required. This is the reputation we have now. Education and licensing are a core function of RECA's jurisdiction, and it is time that rigorous policies are implemented. We don't need more realtors, we need good, competent, and service oriented ones. In-person interviews before licenses are granted is an option, and to rectify the current mess: in-person interviews should be necessary for the upcoming September renewal. In the alternative of in-person, start early and have a team of people do virtual (ex. zoom) interviews. 15 minutes of discussing your practice and the basic service that you're required to provide shouldn't be difficult to discuss. Intervention is required as contracts are being drafted in haste (missing terms, basic sentences are not formulated correctly in additional terms, etc.). This is an issue for the public who as laypeople don't understand what is needed to have the transaction completed. Below are some recent stories: Realtors are not completing their due diligence before taking on clients, as clients have signed exclusive buyer agreements and had no idea that it was exclusive, and then they sign additional agreements with other realtors too. Suddenly 3 realtors are working for the same buyer and the buyer wasn't properly educated on what the exclusive agreement meant. Finally, the buyer closes a house with one of the 3, and the rest are left with nothing but wasted time. I heard about this from a builder who told me that they saw the same buyer with multiple realtors and finally closed with one of the 3 agents. Realtors are sending in offers without the additional commission agreements (for bonus commission) attached even though it was verbally discussed at the time of the negotiations, and then harassing the listing agent to have it signed post-offer acceptance, and the seller saying that they won't sign it because it should have been done at the time of the offer and if the realtor missed out, then that's their own fault. Listing agents are getting calls from the public inquiring about an active or pending listing. After probing, the listing agent finds out that the buyer is represented and that the buyer's realtor has not informed the buyer that showings need to go through the buyer's realtor. So as a listing agent, I need to constantly remind buyers to go back to their agent for a showing as it's their agent's job to provide the buyer with the service. Recently I read a post on a Facebook group for realtors, (a photo was attached) realtors permitted themselves and their clients to walk through a vacant listing with their muddy shoes on, and the listing agent had to go back and clean her seller's apartment. It was very unprofessional of the buyer's agents and unfair to the listing agent. Based on the photo, numerous buyer agents permitted this based on the amount of dirt and footprints that were all over the floor. The list can go on (take an anonymous survey and you will get a full list of grievances)... there needs to be something done. I believe that it's RECA's responsibility to provide better education services and licensing requirements to fix the ongoing issues. Only adding to the rules is not a solution. It's the regulator's jurisdiction to ensure that the licensees POSSESS the knowledge, skills, and abilities necessary to provide service, give appropriate advice, and comply with fiduciary duties. This is not being done currently and it needs to be addressed.</p> | 3/18/2024 6:55 PM |
| 186 | <p>You can never come up with enough examples of competent service. Plus, once the examples are set, those become the measure of competence, leaving situations not cited as an example open to dismissal. The RECA bulletin addressing this issue adequately describes competent service.</p> | 3/18/2024 6:47 PM |
| 187 | <p>Mandate continuing education but at no cost to the licence</p> | 3/18/2024 6:43 PM |
| 188 | <p>real estate agents should do enough transactions to navigate certain issues. If you are selling 1 house a year you arent staying current with whats happening and whats changed</p> | 3/18/2024 6:26 PM |
| 189 | <p>Too many realtors work in the gray.</p> | 3/18/2024 6:11 PM |
| 190 | <p>I think honesty, integrity, and competent service should go without saying. Having said that if there appears to be an industry issue with this, then informing the public is prudent.</p> | 3/18/2024 6:10 PM |
| 191 | <p>It never hurts to give an example to assist in understanding what is required.</p> | 3/18/2024 5:57 PM |

RECA Rules Review - Standards of Practice

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| 192 | Before I acquired license I and my family members bought and sold more than 5 properties and we were always shown listing based on which we bought property, as regards sales we never had any solid analysis of the market. I now realise that importance of detailed CMA from Paragon MUST be the first step in buying or selling process so that clients can really understand the price/ value of the property. This document must make part of the package to be deposited with the Broker for record and audit purpose. The associate must use other tools like HPI, GeoJet etc. (This will avoid any law suit and make our bussines more respectful) The next item is that when the offer is e mailed it should also be received by the seller also (this will make sure that agents do not hide any offer from the seller). This will give more clarity Licensing is easy and renewal is supereasy- It needs to be looked at so that you get quality material in the industry. Every two years renewal must be done through an exam under the supervision. | 3/18/2024 5:52 PM |
| 193 | The bear minimum is not enough, there should be clear outlines of what the standards are. The requirements to enter the industry should also be higher. It's too easy and the lack of competence shows. | 3/18/2024 5:48 PM |
| 194 | People will inevitably believe that the examples provide the full scope and limitations of competence. | 3/18/2024 5:45 PM |
| 195 | Too many realtors acting in areas beyond their expertise...such as selling rural properties when they know nothing about septic or wells. Or selling properties north of Edmonton when they are from Calgary and no nothing about the area and pricing in the area. | 3/18/2024 5:36 PM |
| 196 | how many examples? if ine is too few perhaps 50 is also too few. | 3/18/2024 5:35 PM |
| 197 | Include examples and provide courses / educational opportunities for associates. Without education the public is not protected. | 3/18/2024 5:34 PM |
| 198 | I find in most rural deals the agents are not trained properly in paperwork, property utility systems and lender requirements . This not providing competent service . | 3/18/2024 5:26 PM |
| 199 | If there is a concern about competency, they why was the individual granted a license? The granting of the license infers the competency of the licensee to do the job. If you want to increase competency, make the education and exams stronger. This is the only sane solution. | 3/18/2024 5:17 PM |
| 200 | It will still be subjective so giving concrete examples will leave too many unstated | 3/18/2024 5:14 PM |
| 201 | I would hope that most, if not all real estate professionals, know what "competent service" entails. However, I have noticed an erosion of the level of professionalism exhibited in a small percentage of our colleagues. In light of this and other issues, it would be so very helpful to actually get professionals to attend in-class sessions in order for them to actually pay attention to what is expected of them instead of sending bulletins via email. | 3/18/2024 5:11 PM |
| 202 | A definition of competent service including examples needs to be provided. Current wording is way too loose. Consider my recent experience hiring a contractor for a basic install of backslpash tiles in my kitchen: yes the tiles were installed and looked good but the plugs and switches were all re-installed off level, they used a tile saw in my garage without permission and covered everything with corrosive tile dust, there were gaps in caulking, etc. however our contract says they will provide "competent service to industry standard" which I don't think they did and I have no way to hold them to anything without a better definition, as at the end of the day the tiles were installed and look ok, its the rest of what they did that was not to my expectation. We need to protect our industry's reputation with very specific minimum standards of what is considered competent as every single person will have their own idea. | 3/18/2024 5:05 PM |
| 203 | I think that outlining exact competencies, will allow for other reasons to fall through the cracks. I think examples in published decisions are best practice. | 3/18/2024 5:03 PM |
| 204 | Examples of competent service would be beneficial because not every one views subjects open to interpretation the same way. | 3/18/2024 4:57 PM |
| 205 | Being competent also means knowing the market you are working in. Working in jurisdictions that are hours away from your home is rarely in the clients best interest. | 3/18/2024 4:56 PM |
| 206 | It seems common knowledge. | 3/18/2024 4:55 PM |
| 207 | I would think that competent service would determine the length of a Real Estate career. There used to be higher turnover, but now they just move to a cheaper brokerage model before dying | 3/18/2024 4:55 PM |

RECA Rules Review - Standards of Practice

out. Therefore, we still have to endure them until they actually quit. Just knowing how to fill out the forms does not qualify someone as being competent. People who need to sell or buy need to be aware of the pitfalls and opportunities in order to make a decision, and this really comes with experience or a previous career in a similar field of construction, finance or ownership. Just my opinion.

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| 208 | The Real Estate Market is for ever changing and what may be included as competent service today my not be applicable in the future | 3/18/2024 4:52 PM |
| 209 | I think competent service depends on the agent and the client expectations and these can vary. | 3/18/2024 4:50 PM |
| 210 | If a licensee cannot explain "provide competent service" and need to be guided in this explanation we have greater problems in this industry. The problem RECA has, and always has had, is they work to the lowest common denominator. | 3/18/2024 4:50 PM |
| 211 | Might give extra guidelines to agent that don't know what that entails. | 3/18/2024 4:47 PM |
| 212 | It is important that RECA create a baseline of what "competent service" is so that realtors are given the opportunity to in areas they know where they need to seek assistance if their skills are lacking. This will improve realtor to Realtor interactions if we are working from the same baseline | 3/18/2024 4:47 PM |
| 213 | I agree, Rule 41 should provide examples of competent services, as examples clarify expectations of competent services. | 3/18/2024 4:47 PM |
| 214 | I feel that adding examples will only limit, and then cause an enforcement problem, when an issue arises, if the particular "lack" of competent service is not included in the example. Instead a proper definition of "competent service" needs to be crafted. | 3/18/2024 4:45 PM |
| 215 | it seems like a redundant example. service is either competent or not. | 3/18/2024 4:40 PM |
| 216 | The less grey areas in the industry the better. | 3/18/2024 4:35 PM |
| 217 | Lack of guidance results in the interpretation of the term. | 3/18/2024 4:35 PM |
| 218 | Emphasis on, "ensure licensees possess the knowledge, skills, and abilities necessary to provide service". | 3/18/2024 4:34 PM |
| 219 | How in depth would examples have to go. Could you cover all the variables or possibilities without a million pages. If a licensee has the appropriate license then theoretically they are competent. If a problem arises then either the regulator or the licensee should be able to prove or defend their position. | 3/18/2024 4:34 PM |
| 220 | This can assist in prevention of mortgage fraud by identifying waht woul db considered competent review of doucments | 3/18/2024 4:32 PM |
| 221 | Focussing on commercial real estate someone must have several years of supervised experience before representing a commercial tenant, or be actively supervised during the negotiation from someone who does. Several years could be 2 or 3. It should be the Broker's responsibility to ensure their associates have sufficient experience and/or supervision. | 3/18/2024 4:31 PM |
| 222 | Not needed | 3/18/2024 4:30 PM |
| 223 | I feel this should be expanded to include not just examples of competent service, but also the entire services that should be provided. Owners and Board members often ask for items that are far beyond what should be provided and I feel this rule could serve both sets of stakeholders to clarify what the condo manager should do and what competent service looks like while doing it. | 3/18/2024 4:27 PM |
| 224 | Competent service when 30% of a real estate association sells nothing in a year. TREB 30,000 or so sold nothing in the year. The next 30,000 or so sold 1-5 properties a year and the last 10,000 or so did the rest of the business. 35% of Vancouver real estate board sold nothing does not help deliver so called competent service in my opinion. A plumber is 4 year apprentice and a rookie or very part time realtor can sell a 3 million dollar property upon graduation. Terrible. | 3/18/2024 4:27 PM |
| 225 | More details are helpful for comprehension. | 3/18/2024 4:25 PM |
| 226 | Important | 3/18/2024 4:24 PM |

RECA Rules Review - Standards of Practice

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| 227 | Is this not the purpose of licensing to begin with? The Mortgage Brokers Course should include all of this together with continuing education requirements. | 3/18/2024 4:23 PM |
| 228 | Its largely immigrants who do not understand the customary ways of doing business in Canada - this is a broader problem. They are bringing with them their standard of practice from their home country and applying it to our rules. I sat on Arbitration and alot of issues stem from this issue. If we don't call out the white elephant (i think its white?) in the room we will never get ahead in this industry in this area...just sayin (and don't come at me with your SJW baseball bats - my family were immigrants too!!) | 3/18/2024 4:21 PM |
| 229 | Provide competent service examples are great Creating more rules will create more problems than what this is trying to acomplish | 3/18/2024 4:20 PM |
| 230 | Can an out of city or out of province actually provide competent service? | 3/18/2024 4:19 PM |
| 231 | Just make it clearer so problems don't arise. | 3/18/2024 4:18 PM |
| 232 | You'd have to write a book. Too many examples would be required. | 3/18/2024 4:17 PM |
| 233 | The barriers to entry into real estate are far too low. Therefore, we (industry) attract all walks of life into real estate which then waters down our profession and gives the general public less confidence in us a professionals. | 3/18/2024 4:16 PM |
| 234 | Should outline a minimum professional standard and knowledge for all realtors. So the public have a baseline standard. | 3/18/2024 4:15 PM |
| 235 | I have found that some of my colleagues need explicit definitions and instruction, especially if they are not working within a brokerage structure where these things are not discussed regularly. It also makes it clear to the public what clear expectations of competent service are. | 3/18/2024 4:15 PM |
| 236 | Everyone, has an opinion thay may not be consistent with others. Providing examples will enable members to be consistent. | 3/18/2024 4:14 PM |
| 237 | With 20% of brokers providing 80% of transactions in Canada, there is a suggestion of a large majority of inexperienced agents. Ignorance is not an excuse to misguide clients or conduct fraudulent activities. The more information available in specific examples would be beneficial for all parties. | 3/18/2024 4:14 PM |
| 238 | simple examples of competent service will help clarify the clause | 3/18/2024 4:13 PM |
| 239 | I always worry when the notion of what "competent service" is defined in legislation. What does it say in the Real Estate Act re. "competent service" ... these should be aligned in this regard. | 3/18/2024 4:13 PM |
| 240 | It is diffucult to uphold standards or expectations when they are not outlined or detailed. | 3/18/2024 4:10 PM |
| 241 | I feel there are so many different types of situations that associates can find themselves in, and 'competent' would be very hard to accurately define in such a way as to encompass all possible breaches of conduct. This is a section best left to be interpreted on a case by case basis, by an investigator and subsequently a hearing panel. | 3/18/2024 4:10 PM |
| 242 | "competent service" should be well defined. This eliminates the guess work and there is no potential for doubts. | 3/18/2024 4:10 PM |
| 243 | It is always better to have more details/explanations, so that licensees can help the public in more professional manner | 3/18/2024 4:10 PM |
| 244 | I had a city Realtor ask in front of their client what the cost of sewer and water was at an acreage, we were 25 kms away from the town. A Realtor should have a pretty good knowledge of what, in Rural, are septic tank systems and wells | 3/18/2024 4:09 PM |
| 245 | Public awareness is great! RECA should also make the public aware that the Guaranteed Home Sale is a scam! I'm mean if RECA is really about protecting the public the this should be at the top of the list! | 3/18/2024 4:07 PM |
| 246 | You cannot leave something like that open to subjectivity. What might be considered competent by one person may not be by another. If someone has no idea what the minimum competency should be, they don't know what to expect. Same for the service provider, if it is not clear what they expected to provide as a minimum then how do they know what is required? It needs to be clearly defined. | 3/18/2024 4:07 PM |

RECA Rules Review - Standards of Practice

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| 247 | And it would be up to the broker or assigned office trainer of the licensee to ensure the standards of competency are met. It is a rather vague statement, but a judge in a court of law could probably define it, based on the case in front of them. Are their legal precedents where Competent Service is specifically named? | 3/18/2024 4:07 PM |
| 248 | It is pretty self explanatory | 3/18/2024 4:06 PM |
| 249 | There is to many realtors that are pretending to know what they are doing these days and that they seem to be miss leading their clients. There also seems to be to many double ending that benefits the agent and the agent isn't looking to the clients best interest only the agents back pocket. I find that RECA is giving out to many licenses and needs to slow down the amount of realtors to be registered. | 3/18/2024 4:06 PM |
| 250 | There are too many different examples of competent service and if one isn't listed that could be a loop hole. | 3/18/2024 4:05 PM |
| 251 | Occasionally individuals who have grandfathered licences may practice in areas where they are licensed, but not competent. If your main practice is residential, you shouldn't be doing commercial leasing if you are not competent in that area. | 3/18/2024 4:05 PM |
| 252 | make more clear | 3/18/2024 4:04 PM |
| 253 | Yes, to hold each manager accountable for their actions. | 3/18/2024 4:04 PM |
| 254 | We have out of area agents selling in cities they don't know. How can an agent claim to provide competent service when they have no knowledge of the area - local market? | 3/18/2024 4:04 PM |
| 255 | Since the merger of 9+ areas in Alberta on one platform that provides sales and data, realtors from out of town with 0 experience in the market place show up and do sales based solely on what information and data they can get from the new merged database. This doesn't make them competent or capable of making an accurate decision for their clients. I feel terrible for the buyers in these cases because ultimately they are the losers, all for the realtor making a \$5000. commission. It continues to make consumers feel they are being misrepresented and for this our name as a "realtor" still has a bad stigma. I wish there was more we had to provide on a annual basis that showed our areas of expertise demographically. Maybe sales radius? | 3/18/2024 4:04 PM |
| 256 | Too many cases of "grey area skirting" of acting honestly and competently arise daily. Examples would be low-quality photographs, poorly written listings, acting as a listing agent yet having very little experience in certain types of listings. Acting as a buyer rep in areas of little to no experience. | 3/18/2024 4:03 PM |
| 257 | There is so much involved in competent service and those constantly change with the same and different clients. | 3/18/2024 4:02 PM |
| 258 | Clarification is never a bad thing. While the Guide outlines basic expectations it does not give examples relatable to consumers. | 3/18/2024 4:02 PM |
| 259 | Examples are good as they give clarity on expectations. | 3/18/2024 4:02 PM |
| 260 | You would think it would not be necessary but I have seen and heard some things lately that are completely mind blowing. In particular realtors not providing accurate information on listings, and not caring at all when contacted about the incorrect info to realtors wanting to write on properties they have not seen located 10 or more hours away. They don't want to refer the property. How are they acting in their clients best interests in behaving this way? They do not know anything about the property, markets in the area, etc. Unfortunately competent service must be clearly defined for these individuals! | 3/18/2024 4:01 PM |
| 261 | Competent is an effective broad reaching term. To replace it would take an ungodly amount of space attempting to analyze, speculate, committee, place limits on, educate and then enforce. What a complete waste of time and resources to wind up with something MUCH WORSE | 3/18/2024 4:00 PM |
| 262 | This just feels too broad and with several very unique industries in the mix, being specific doesn't make sense (to me). | 3/18/2024 4:00 PM |
| 263 | Yes, examples would be great. | 3/18/2024 3:59 PM |
| 264 | Just because someone is licensed in residential, commercial, PM or rural does not necessarily mean they are competent if they don't practice these areas regularly. I have held my residential license over 20 years and I have never sold a house. I maintain my license in that area to give | 3/18/2024 3:59 PM |

RECA Rules Review - Standards of Practice

me options, but if I did choose to practice residential, I would team up with a brokerage/person/team who could assist with my competence in this area.

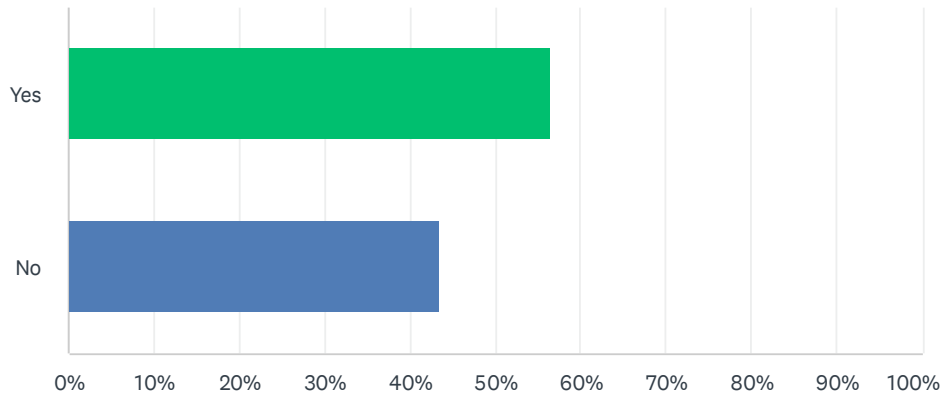
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| 265 | The term "Competency", may not be fully understood by all agents or deemed common practice. More examples may offer better education for dos well as don'ts | 3/18/2024 3:58 PM |
| 266 | A service is being provided - it should be competent in all senses of that explanation. | 3/18/2024 3:58 PM |
| 267 | I believe we should be giving examples of this and what not to do I think a lot of people pretend that they know what fiduciary responsibility is but they don't actually know or have real life examples | 3/18/2024 3:57 PM |
| 268 | Examples would never be able to cover the complete scope of competent service and could be understood in a way that competent service is only requires in the example situations. | 3/18/2024 3:57 PM |
| 269 | By providing examples in the the actual rule, I worry it could serve to narrow the definition of "competent service" to just those examples, rather than broaden it. | 3/18/2024 3:56 PM |
| 270 | Do not add or overcomplicate documents. | 3/18/2024 3:54 PM |
| 271 | Best to provide examples for non Industry people to know that we are setting an example. | 3/18/2024 3:54 PM |
| 272 | having to first source and then reference an information bulletin is a certain way to lose tracktion, progressiveness and interest in a topic | 3/18/2024 3:53 PM |
| 273 | I'm not sure you can define "competent" service. The open market should and likely would determine this. Provide service the public want and you should flourish. Provide poor or unethical service and you will fall off | 3/18/2024 3:53 PM |
| 274 | Realtors should not be practising in areas of real estate that they do not know! How to get this experience should be to apprentice for a few transactions to get the required experience. As a very experienced Realtor I have been able to overtake transactions where the other Realtor is inexperience or has inferior experience that gave my client the advantage. Also confidentiality was compromised as the less experienced Realtor gave up information they never should have. Deals also did not proceed that should have because of the inexperience. | 3/18/2024 3:53 PM |
| 275 | I think more than anything this is just for added clarity. | 3/18/2024 3:52 PM |
| 276 | We have way to many agents that have little or no direction after they are licensed. Also agents that are working 100s of kilometers away from there normal practice area. | 3/18/2024 3:52 PM |
| 277 | clarity is important if the current term is misunderstood | 3/18/2024 3:51 PM |
| 278 | You would never be able to encompass all scenarios so a strong objective review to me seems most appropriate if there is any poor conduct. Only providing a few examples might create more confusion. | 3/18/2024 3:51 PM |
| 279 | I feel that Rule 41 provides adequate information. | 3/18/2024 3:51 PM |
| 280 | reminders of professional expectations is welcome and can serve as a baseline for compliance. | 3/18/2024 3:50 PM |
| 281 | there should be a list of the due diligence. such as RPR, condo documents etc. | 3/18/2024 3:50 PM |
| 282 | the rules and guidelines are clear as to what honesty and competent service are already. | 3/18/2024 3:50 PM |
| 283 | RECA doesn't have the operational experience to define competent service and many files will end up with RECA investigating and the the corporation's legal responding as the broker is indemnified | 3/18/2024 3:49 PM |
| 284 | licenses are handed out like candy. our realtor population is up 50% vs. 5 years ago. The "real world" realtor training just doesn't happen property. With the advent of 2 popular "cloud brokerages", team leaders with limited experience are tasked to train new people, and it reflects very poorly on our industry and to the public. | 3/18/2024 3:48 PM |
| 285 | If the definition is left vague, it leaves room for interpretation. "Competent" can be argued and in this case, we should be made aware of what the governing bodies determine is "competent" service so that we can self-regulate with this understanding. | 3/18/2024 3:48 PM |
| 286 | Primarily because of interpretation... For example: RECA fined a realtor \$1,500 because a child needed to use the bathroom in a house. This was wrong on so many levels, and other | 3/18/2024 3:48 PM |

RECA Rules Review - Standards of Practice

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| | infractions can also be used to punish agents for very little reason. | |
| 287 | "Competency" is such a broad term; what I find to be 'competent service' might not be another agents definition. Outlining it so it is as black and white as possible would help with what is right and what is wrong, in my opinion. | 3/18/2024 3:47 PM |
| 288 | There are many agents that need help in this area | 3/18/2024 3:47 PM |
| 289 | If you don't spell it out then there's no bar set for those with poor ethics and morals | 3/18/2024 3:45 PM |

Q8 Should the Rules be amended to include a licensee's legal obligations to a customer, providing further protection to the public, for example, an inclusion "Licensees must [...] (e) fulfill their legal obligations to customers"?

Answered: 672 Skipped: 5



| ANSWER CHOICES | RESPONSES |
|----------------|------------|
| Yes | 56.40% 379 |
| No | 43.60% 293 |
| TOTAL | 672 |

| # | PLEASE EXPLAIN YOUR REASONING. DO YOU HAVE ALTERNATIVE SUGGESTIONS? | DATE |
|---|---|--------------------|
| 1 | Clarity will help understanding | 4/19/2024 11:21 PM |
| 2 | The Rules should be amended to include a licensee's legal obligations to a customer, providing further protection to the public | 4/19/2024 5:29 PM |
| 3 | The consumer relationships guide when presented to the consumer explains the customer relationship. When the consumer signs this document it indicates that they understand the obligations of the Real Estate Associate in a customer relationship. An additional rule is not necessary. | 4/19/2024 2:07 PM |
| 4 | Commercial tenant customer disclosure acknowledgment is great as is. They know what obligations are owed to them and what services may be provided. | 4/19/2024 11:47 AM |
| 5 | There needs to be a strong boundary between Customer and Client. Do not muddy the distinction. It is pretty clear right now. You are inviting a great deal of lawsuits and ambiguity. You can't serve two masters. | 4/19/2024 11:07 AM |
| 6 | I believe Customer stays the same with the current rules. | 4/19/2024 10:13 AM |
| 7 | I understand why this is being raised, but I find that it falls in the 'Caption Obvious' realm of things. I believe that this would also be a good example of competent service. | 4/19/2024 9:24 AM |
| 8 | Everyone must fulfill legal obligations. Adding that for licensees towards specifically customers seems redundant. | 4/18/2024 11:47 PM |
| 9 | We don't need to encourage more customers. They are uninformed and have unrealistic expectations and as a buying realtor? You end up doing the work of both the selling and buying | 4/18/2024 11:08 PM |

RECA Rules Review - Standards of Practice

agents. It's unacceptable. Customer forms should change! I would make the wording stronger as to be interpreted by a licensed realtor and forbid the acting realtor from doing anything other than the bare minimum. Customer forms can indicate this very clearly. We as licensed Realtors are already over-delivering in this area. Customers get fully paid to do their jobs, they should never have been allowed into the mls system. That would solve all obligatory services to people who will not pay fairly for fair work. Let customers go back to FSBO if they want to just be customers. Period. Full Stop.

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| 10 | So that new licensees have a clear understanding of what they can and cannot do for clients and customers. | 4/18/2024 9:23 PM |
| 11 | There cannot be any grey area and the more information and the more direct the obligation outline the less chance of misunderstanding or pretending misunderstanding. More is better when it comes to providing protection to the public. | 4/18/2024 6:59 PM |
| 12 | The amendment defines that the licensee will not be able to use an excuse of not knowing. | 4/18/2024 6:45 PM |
| 13 | Yes I believe mortgage originators have a fiduciary duty to represent the best interests of both the lender and borrower, regardless of the type of transaction. The role is as a mediator seeking best fit for the lender as well as the borrower. | 4/18/2024 6:13 PM |
| 14 | Again, this is not the route to take. The general public can decide what type of service they wish. There are all sorts of options as the more service they want or experience the more of this can be agreed to. | 4/18/2024 5:12 PM |
| 15 | This should be able to go unsaid - but in today's litigious society, clearly including this obligation is necessary. It may cause pause for some and, I hope, education on the obligation will be part of the changes. | 4/18/2024 3:46 PM |
| 16 | The current structure is more than sufficient | 4/18/2024 3:42 PM |
| 17 | Clarity | 4/18/2024 2:49 PM |
| 18 | I think it is clear now | 4/18/2024 2:11 PM |
| 19 | They are a customer and that is plain and simple why complicate that simplicity. | 4/18/2024 2:07 PM |
| 20 | Further explanation would be beneficial. | 4/18/2024 11:28 AM |
| 21 | As long as it doesn't create expectations that are beyond the scope of the licensee's obligations. | 4/18/2024 11:21 AM |
| 22 | Only if the legal obligation is defined and is limited to : obligated to act honestly, use reasonable care and skill, and to ensure that the information provided to the customer is accurate. Also there must be examples on navigating customer relationships with member of the public that refuse to sign any forms of relationship document. | 4/18/2024 11:21 AM |
| 23 | I believe there is an obligation to act honestly, use reasonable care and skill HOWEVER, there is no contractual responsibility to be in a fiduciary roll. This is assigning unreasonable liability to the agents and brokers who have no true obligation to this customer. The agent and broker should be upfront and note that they are not working for the customer and that they are working in the interest of the Client. | 4/18/2024 11:13 AM |
| 24 | Again I would have to see how many infractions are being dealt with by the regulator before adding more. Is the public that at risk by the current framework? | 4/18/2024 11:11 AM |
| 25 | This is explained in a customer agreement | 4/18/2024 11:05 AM |
| 26 | Fulfilling legal obligations to clients is still very ambiguous, unless it is clearly outlined. Brokers are acting in accordance to fulfill their fiduciary obligations to the clients. What other legal obligations are there? | 4/18/2024 10:52 AM |
| 27 | Current rules have sufficient info re fiduciary obligations changing them may put realtor at risk of facing legal suits from picky clients | 4/18/2024 10:23 AM |
| 28 | Rather obvious but yes it should include customers | 4/16/2024 1:44 PM |
| 29 | This would be covered by a customer acknowledgment form, if signed then it would be clear and understood whether a customer or client. | 4/15/2024 10:53 AM |
| 30 | Sounds fine to me. | 4/11/2024 11:04 AM |

RECA Rules Review - Standards of Practice

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| 31 | Similar to the previous answer. 41(d) fulfill their fiduciary obligations to their clients, and any existing legal obligations to their customers; (for more information see _____) | 4/10/2024 2:05 PM |
| 32 | It should simply say clients and customers. To me they are one and the same. | 4/9/2024 8:42 PM |
| 33 | THE CURRENT CONSUMER RELATONS GUIDE CLEARLY POINTS OUT THE DIFFERENCE BETWEEN A CUSTOMER AND A CLIENT. | 4/9/2024 5:21 PM |
| 34 | If the CRG is used when it is supposed to be used and explained properly that should satisfy any requirement in that relationship. | 4/7/2024 10:00 AM |
| 35 | ABSOLUTELY! There seems to be a huge practicing "grey" area with licensees. I have personally witnessed the mindset of numerous licensees that think if they are representing a Customer they don't have any legal responsibility or obligation. If this practice area would be more clear then I believe that would minimize the amount of Consumer Complaints against real estate practitioners and would minimize Brokerage liability. I would also suggest, that BEFORE any CUSTOMER and REALTOR communications go too far, a Disclosure should be signed by the CUSTOMER. Members of the public do NOT understand the difference between CLIENT and CUSTOMER because the real estate licensee talks too much and is a huge liability for "implied agency". | 4/6/2024 12:31 PM |
| 36 | Too often the customer relationship form is used in trying to bypass the need for dual agency or transaction brokerage and those associated forms. I do beleive responsibilities to a customer need to be set out in the Rules. | 4/4/2024 4:40 PM |
| 37 | The rule is already clear and sufficient | 4/4/2024 10:54 AM |
| 38 | I think this is covered sufficiently in the CRG | 4/4/2024 10:43 AM |
| 39 | This should not be a cart blanche rule. For residential sales, yes. For the rest of the industries, no. | 4/3/2024 11:21 AM |
| 40 | The very fact that the licensee is licensed indicates that they have legal obligations, stating it again is redundant. | 4/2/2024 6:59 PM |
| 41 | No specific comment but think it would be beneficial to the industry. | 4/2/2024 4:03 PM |
| 42 | Examples make reading law take too long. I do think a list of examples is a great idea. Maybe do it in another area of the published law. Addendums or Regulations or an official page of previous examples and conclusions. This would help with consistency/reference much like precedent. | 4/1/2024 4:15 PM |
| 43 | I like how it is currently written. I don't want it to complicated and wordy. Consumer Guide is an introduction to Representation, a service contract explains it further. | 4/1/2024 1:47 PM |
| 44 | see above | 3/30/2024 1:07 PM |
| 45 | Highly doubt a rule change will alter Realtor behavior. If they have not read information bulletins regarding this will they read the new rules??? | 3/30/2024 8:43 AM |
| 46 | See response in previous section. What about the responsibilities of customers? What about the responsibilities and obligations of Seller and Buyer consumers who are represented but then choose to make contact with other industry professionals and waste the time of listing agents when their Buyer Agent can and should be the ones doing the work for them including showing properties? The bottom line is this: Real Estate Professionals and Brokerages are bound by the Real Estate Act to operate in the best interest of their clients first and foremost ABOVE ALL ELSE. Yes, it is important to provide competent service and deal professionally with those not represented (i.e. customers) however the onus ultimately lies with the consumer to do advance research and engage the services of a quality licensed professional BEFORE making first contact and viewing properties. When they do not do so, they incur a certain level of risk because they are not receiving the same level of service and the same level of advice that clients can expect from Real Estate Professionals and Brokers. I.E. if RECA does any advertising to the public, it should stress that fact: that consumers are ultimately responsible for their decisions and actions so it is advised to engage the services of a competent licensed professional as early as possible in the selling and buying process. | 3/29/2024 6:37 AM |
| 47 | na | 3/28/2024 3:01 PM |
| 48 | Yes, since clients and customers have different levels of care the responsibilities to each | 3/28/2024 11:47 AM |

RECA Rules Review - Standards of Practice

should be separately defined for clarity

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| 49 | See first question, but I think "legal obligations" may take it too far | 3/27/2024 11:42 AM |
| 50 | This is somewhat tough to answer, but I will answer no. If a customer is wanting to have protection than they should consider becoming a client. As for fiduciary, we should always act honestly, reasonable care and skill and provide accurate information to the best of our knowledge in line of practice. We have a standard of professionalism to uphold. | 3/27/2024 11:04 AM |
| 51 | The Consumer Relationship Guide explains this process clear enough. | 3/26/2024 11:28 AM |
| 52 | Making a law that says you should obey the law is redundant. | 3/26/2024 10:38 AM |
| 53 | I feel the more we can protect the public with our rules the better our public opinion will be. | 3/26/2024 8:23 AM |
| 54 | Change "Customer" to "Unrepresented Party". In sales, business, and economics, a "customer" is someone who buys something from a seller, vendor, or supplier in exchange for money or something else of value. That's not the case in Alberta real estate. "Unrepresented Party", in respect of a trade in real estate, means a party to the trade in real estate who is not a client of a licensee for the trade in real estate. | 3/25/2024 2:58 PM |
| 55 | - if the lack of clarity gives rise to a challenge of any sorts, clarification should be given in order to maintain the integrity of the industry. | 3/25/2024 2:03 PM |
| 56 | I think adding this will help the customer understand the obligations owed to them and help to define the expectations. | 3/25/2024 1:25 PM |
| 57 | If a Licensee has legal obligations to customers, then it would be redundant to include a Rule that says a Licensee will do what they are legally obligated to do already. Such a Rule provides 0 additional protections to the public. | 3/25/2024 1:17 PM |
| 58 | Clarity is key. Then there is no questions about what the licensee's legal obligations are. | 3/25/2024 9:56 AM |
| 59 | I THINK THERE SHOULD BE SOME ACKNOWLEDGEMENT FOR CUSTOMERS AS THIS STILL WARRANTS SOME LEGAL OBLIGATION TO THEM. | 3/22/2024 4:13 PM |
| 60 | My life time experience of 55 years in varied field tells me that if you really want to make things transparent and give protection to the customers as well as agents and Brokers then the "Mantra is- Make a Standard Operating Procedure for both Buyers/Sellers Agent " if you have a SOP then all will be on the same page in entire Alberta, litigations will be reduced/customers will find same experience with their agents. Why Tim Horton/Mc Donal and big chains are successful because they maintain consistency and each one of them is on the same page. Before I got my license I was never given a detailed CMA/ no agent told me if I could sell my home "without representation " I now strongly feel that "SOP will be the best way to serve the customer" A team of the experienced agent including our trainer at RAE should be part of this and draft should be circulated for comments" | 3/22/2024 2:01 PM |
| 61 | Members should not require a reminder to act honestly and, if/when members are found to be acting dishonestly, it should matter not what the status of the member of the public. Members should also use reasonable care and skill as standard; they should not need reminding to act in an ethical manner. However, in order to confirm the customer understands the difference, I feel it would be beneficial for paperwork to be completed to ensure this is the case. | 3/22/2024 10:25 AM |
| 62 | your legal obligation is based on a contract and as contracts change based on what a client wants how do you state this as it is a contractual obligation and the only thing I can see being set is some basic rules for turn over which is needed to control that companies due what is right for the customer. | 3/21/2024 3:54 PM |
| 63 | there are a lot of mistakes made which could be avoided with proper education | 3/21/2024 1:46 PM |
| 64 | Legal obligations to customers should be in the rule so the licensee knows the do's and don'ts in their duties to customers. | 3/21/2024 1:19 PM |
| 65 | There is currently very little guidance on customers and how to handle them. Having a better understanding will help explain to customers why they are such. | 3/21/2024 12:39 PM |
| 66 | Unsure, to me it's easy to understand but to newer licensees it may be more challenging | 3/21/2024 10:45 AM |
| 67 | The more clear explanation of duties with examples provides greater consumer protection. | 3/21/2024 10:25 AM |
| 68 | The customer would then understand and realize there are legal implications to our "competent | 3/21/2024 10:11 AM |

RECA Rules Review - Standards of Practice

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| | service" | |
| 69 | Yes, a well laid out legal obligation is always going to be beneficial. | 3/21/2024 9:59 AM |
| 70 | Realtors should know how to treat all parties | 3/21/2024 9:51 AM |
| 71 | I suppose you can give examples, but literally each client will be different so it will be impossible to give that many examples. | 3/21/2024 8:24 AM |
| 72 | Why should we not include what we should be doing for our clients on a contract? To maintain strength as a profession we must be providing value to the customer, and the contract should reflect that. | 3/20/2024 7:12 PM |
| 73 | Yes, I think adding "in Licensees must [...] (e) fulfill their legal obligations to customers" may have Industry Members more accountable. | 3/20/2024 4:40 PM |
| 74 | I believe this was covered in the the licensing course. | 3/20/2024 4:09 PM |
| 75 | Because sometimes the customer may be acting outside of the lines of respect, etc. Leaving the choice to refuse to proceed with a verbally abusive client allows brokers to protect themselves from clients who act inappropriately. | 3/20/2024 4:01 PM |
| 76 | This will only provide additional clarity so adding it in to cover customers is of no harm. | 3/20/2024 3:55 PM |
| 77 | This is similar to my response to the last question. Having it more broken down makes it easier to reprimand an agent not doing their job, but more needs to be put on new agents, or even veteran agents taking time to educate themselves and understand our legal duties to our clients. | 3/20/2024 3:32 PM |
| 78 | I believe it would be better to clarify and discuss in further detail, information that is legally required to be disclosed once a licensee is aware of it and what information is permissible to not disclose upon client's request. | 3/20/2024 3:16 PM |
| 79 | I think that clarification should be made on who the broker is providing the fiduciary obligation to. For example, if a client comes directly to my private lending company (registered as a mortgage brokerage), my fiduciary obligation is to the shareholders of the fund, not the borrower. If a client engages with a traditional mortgage broker (one that looks at all lenders), the fiduciary duty should be to the client. BC has been doing this for years. If a broker brings the client to my fund, my fiduciary duty still is to the shareholders of the fund. I think that clarification should be made between mortgage brokers and mortgage lenders, to reduce confusion. | 3/20/2024 12:54 PM |
| 80 | I believe this is adequately covered- obligated to act honestly, use reasonable care and skill, and to ensure that the information provided to the customer is accurate.- | 3/20/2024 10:56 AM |
| 81 | Same as previous. Yes the rules should be amended to include legal obligations. | 3/20/2024 10:42 AM |
| 82 | In our documents, it is clear who's who in the zoo and the obligations or not of any brokerage to any party of a transaction. We also insert language that any party to a transaction has sought legal and professional advice as necessary to undertake the transaction. A disclosure that lawyers and brokerages may exchange appropriate information to each party's representatives is included to comply with privacy legislation and to encourage transaction transparency. In addition, in some cases forward looking statements language is used. | 3/20/2024 10:00 AM |
| 83 | This is already defined. Why are we revisiting this? It seems like R.E.C.A is trying to justify its existence. | 3/20/2024 9:46 AM |
| 84 | Transparency was the catalyst for the Consumer Relationships Guide and our service agreements. We should have the same standard of disclosure for Customer's. | 3/20/2024 9:10 AM |
| 85 | not necessary | 3/20/2024 5:43 AM |
| 86 | Not if there are no protections back to the licensee from the customer | 3/19/2024 10:15 PM |
| 87 | Yes, and this would be in order to avoid ambiguity. | 3/19/2024 9:20 PM |
| 88 | One of the best examples is that it is generally better to underpromise and overdeliver in condo management. Many of us go above and beyond our legal obligations to clients. Adding a defined clause saying we must fulfill our legal obligations is not only redundant (we all have contracts that mandate this), but it also gives the management firm an excuse to behave poorly. | 3/19/2024 8:21 PM |

RECA Rules Review - Standards of Practice

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| 89 | Let's be consistent and help educate and support our industry. | 3/19/2024 6:36 PM |
| 90 | The current system protects the customers well, and the fund is there for situations that fall through the cracks. Additions such as there will increase premiums on O&E insurance and will cause mortgage operations more costly which in turn will transfer the costs to the public which will cause harm to the general public's interest. | 3/19/2024 6:16 PM |
| 91 | It is already clearly understood realtors must act within the law Going further may inadvertently create client relations with customers when not intended | 3/19/2024 5:05 PM |
| 92 | It is always good to articulate the difference, and that there are obligations in both cases. | 3/19/2024 4:56 PM |
| 93 | seems quite clear as is. | 3/19/2024 4:29 PM |
| 94 | An agent with less than five years full time experience should not be allowed to work with customers. | 3/19/2024 4:23 PM |
| 95 | Same as before, it is already implied by the rule and no other clarification is necessary imho. | 3/19/2024 4:21 PM |
| 96 | I am not sure this is necessary | 3/19/2024 3:54 PM |
| 97 | more protection to the public | 3/19/2024 3:20 PM |
| 98 | This is more difficult to answer as you don't want to give advice if you are in customer status. A customer should be aware of their options on representation vs remaining a customer. And understand the limitations we have as industry members. | 3/19/2024 3:19 PM |
| 99 | What they are required to do now is what is required legally | 3/19/2024 3:17 PM |
| 100 | Fiduciary duty is a legal responsibility--so the word legal would definitely add that clarity in | 3/19/2024 2:30 PM |
| 101 | Especially in property management legality matters. | 3/19/2024 2:27 PM |
| 102 | This makes sense to provide clarity and understanding to customers as well as clients. | 3/19/2024 2:11 PM |
| 103 | Customers don't always act in good faith. Leave it the way it is. | 3/19/2024 1:52 PM |
| 104 | Fine as it is now | 3/19/2024 1:50 PM |
| 105 | I believe that licensees should have an broad understanding as to what fiduciary obligations are to their clients already. I believe the 2023 educational requirement was heavily weighted to educating and/or reminding all of the licensees of this responsibility. | 3/19/2024 1:19 PM |
| 106 | I feel that legal obligations should be only be towards our client's. If a customer wants to have a legal relationship with an agent, then they should sign an Exclusive to become our client. If we place legal obligations towards customer, I feel that leaves us as agents open for some bad legal situations. | 3/19/2024 1:16 PM |
| 107 | The entire point is to not have a legal obligation I think this issue is resolved by requiring the customer status acknowledgment as per my comments below | 3/19/2024 12:58 PM |
| 108 | Should be properly outlined | 3/19/2024 12:41 PM |
| 109 | No. This is all covered in the Customer Status Acknowledgement. | 3/19/2024 12:30 PM |
| 110 | I don't think this should extend to customers...leaving this to clients would clarify the relationship and require the licensee to do that quicker in the conversation.... i think people struggle to discern between client and customer. | 3/19/2024 12:19 PM |
| 111 | Customer status is something that should be discouraged, because it is generally not in the best interest of the consumer (the customer) to act without representation. This consideration should take priority over the "double-ending" incentive. Therefore, obligations to a customer should include strongly suggesting they get properly represented before moving forward. In fact, I think moving in the direction of making this a requirement this is good idea, similar to what BC has done. This should also be looked at in the context of ongoing legal disputes south of the border regarding sellers paying buyers agent's commissions. If that becomes an issue here, we will see a lot more buyers going directly to the listing agent, and this will not be in the best interest of the consumers. Without proper representation for a buyer, we will see higher sale prices because buyers will not be equipped to effectively negotiate prices, and this will unbalance things in favor of the sellers, resulting in higher sale prices. We don't need that right now. | 3/19/2024 12:11 PM |

RECA Rules Review - Standards of Practice

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| 112 | They should just be fulfilling them, without having to spell it out. If they are not, there should be a greater licensing component. | 3/19/2024 12:09 PM |
| 113 | No Real Estate Associates, are not the only professionals engaged in due diligence in a transaction, Lawyers, accountants, inspectors, Planners, engineers etc... it would be unreasonable to put everything on the Associates shoulders! | 3/19/2024 12:00 PM |
| 114 | Does this address a problem? Educate public | 3/19/2024 11:24 AM |
| 115 | This is going into too much regulation | 3/19/2024 10:57 AM |
| 116 | because people are stupid unless you spell it out to them these days. | 3/19/2024 10:40 AM |
| 117 | Yes, for full transparency | 3/19/2024 10:31 AM |
| 118 | Again, too much room for interpretation and just because it's in the benefit of the public doesn't mean it's also in the benefit of the licensee. You're supposed to be a regulatory body to support those who pay your fees, which is us the licensing not the other way around you're supposed to be here to protect our interest as well. | 3/19/2024 10:17 AM |
| 119 | The public consumer is making a choice to be a customer with that choice comes at a disadvantage that they choose. | 3/19/2024 10:00 AM |
| 120 | I partially agree with the above statement, but I would need to see what you are referring to as our legal obligations to a customer. | 3/19/2024 9:51 AM |
| 121 | over doing obligations | 3/19/2024 9:48 AM |
| 122 | The more clear the description, the better. | 3/19/2024 9:43 AM |
| 123 | Inclusions limit the amount of hearsay. | 3/19/2024 9:40 AM |
| 124 | The public has to have trust in realtors. there are too many realtors that do whatever they think is right and there is no standard to the industry. | 3/19/2024 9:40 AM |
| 125 | More clarity is better, most customers do not know what to expect from a real estate professional and vise versa. I have seen pamphlets at open houses that indicate what to expect but this type of information is not readily available. | 3/19/2024 9:26 AM |
| 126 | Either represent a clients interest or facilitate the transaction. | 3/19/2024 9:15 AM |
| 127 | Again, less grey and more black and white... why not outline them all a little better? | 3/19/2024 8:55 AM |
| 128 | Customers should have clarity when entering into this type of agency relationship. I do not think you need to waste your time on this issue. It seems to be working just fine the way it currently sits. If Realtors do a poor job that is on them. You cannot fix everybody. | 3/19/2024 8:52 AM |
| 129 | There are occasions when an associate will have their client call the listing realtor to see the property because they do not ant to drive the distance or do not now the area. This forces the listing associate into a customer relationship and is not sure what their obligations are. | 3/19/2024 8:52 AM |
| 130 | Examples are good use in an explanation | 3/19/2024 8:51 AM |
| 131 | Licensees should know from completing requirements to distinguish between customers and clients. | 3/19/2024 8:50 AM |
| 132 | Legal obligations are ok so long as the client making the complaint also obtains outside legal opinion to support an interpretation of the licensee breaching a "legal obligation" | 3/19/2024 8:15 AM |
| 133 | Somewhat of a grey area as most agents would want to establish a client relationship early. | 3/19/2024 8:08 AM |
| 134 | no change is required | 3/19/2024 7:55 AM |
| 135 | Then if so how is it any diff than your client. If someone wants self rep then its just that | 3/19/2024 7:35 AM |
| 136 | Clarification is always a good thing to help protect the public, then they know what to expect and whether they are getting the service they should expect. | 3/19/2024 6:54 AM |
| 137 | What we have is sufficient. | 3/19/2024 6:52 AM |
| 138 | again, if you see a hole in the rule & believe that should be added, it likely means this scenario has come up in arbitration or in another case, and should be added for clarity in the future | 3/19/2024 6:21 AM |

RECA Rules Review - Standards of Practice

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| 139 | Once again, a licensee can be honest and transparent with lenders and borrowers without understanding the nature of the documents they are providing. For example, providing an appraisal to a lender without understanding its limitations to the transaction is an honest action, as the broker assumes the appraiser is correct. If a licensee can not spot the limitation in an appraisal, then they should be responsible for providing advice to the borrower or lender. Otherwise, the licensee should not represent the lender. | 3/19/2024 5:38 AM |
| 140 | Our current standards are good enough | 3/18/2024 11:25 PM |
| 141 | Yes, if you agree to work with a customer, you should follow through with what you have agreed to do. | 3/18/2024 11:15 PM |
| 142 | If all customers get agent obligations they will choose not to assign one and just represent themselves to bypass paying commissions. Terrible idea. Think about this happening in civil or criminal law as an analogy. Chaos | 3/18/2024 10:57 PM |
| 143 | Customers or clients should be the same. | 3/18/2024 10:08 PM |
| 144 | NEVER! WHY would you ever tell a customer we have legal obligations to them? Lack of agency arrangement with a customer means my "legal obligation" is incredibly limited - essentially don't commit fraud. We have seen this in almost every court case in Canada where there is no agency relationship - "legal obligations to customers" is MISLEADING word salad for the general public and I think will cause unintended consequences where a customer believes they DO have a sort of agency relationship where they're owed a duty of care and standard that's above and beyond what my role is. | 3/18/2024 10:07 PM |
| 145 | I don't think this adds much. "Fulfilling legal obligations" seems like such a basic standard it doesn't need to be called out. As an example, we're also not allowed to physically assault our customers/clients... but that doesn't need to be mentioned as a rule because it's already an expectation in the broader societal context. | 3/18/2024 10:05 PM |
| 146 | You have to be licensed to deal anyways so don't think it would be relevant. | 3/18/2024 10:03 PM |
| 147 | Licensees should disclose legal responsibility as soon as possible to avoid conflict and confusion with potential clients. Putting more emphasis on the legal weight of contracts, obligations, and licensee duties means consumer perceptions of the industry might shift to having more confidence in the professional sooner in the process of a transaction. | 3/18/2024 9:57 PM |
| 148 | In cases of double ending a deal, many agents are greedy to close both ends and the customer pays for it. | 3/18/2024 9:25 PM |
| 149 | The industry as a whole can't always keep up in a timely manner to civil change or government change that can happen in a blink of an eye. The use of the term, "reasonable care" works for me. | 3/18/2024 8:41 PM |
| 150 | I believe it's already saying this or taken in legal context, so adding these words I believe would be perfectly acceptable. | 3/18/2024 7:45 PM |
| 151 | The current situation is fine. | 3/18/2024 7:36 PM |
| 152 | I'm on the fence here. Are you acting only for customer or as an intermediary? | 3/18/2024 7:30 PM |
| 153 | This would help provide additional clarity. A focus should also be on working with all level of Organized Real Estate on ensuring agents get the support and training they need. The rules need to match practice and be cognisant of norms, consumer expectations and realities of practice. | 3/18/2024 7:11 PM |
| 154 | Makes sense | 3/18/2024 7:06 PM |
| 155 | Rules 41(a), 41(b), and 41(g) already cover a licensee's obligation of honesty, reasonable care and skill (competent service) and abiding by the act. A licensee has no obligation beyond that to a customer. | 3/18/2024 6:47 PM |
| 156 | Have a letter engagement signed | 3/18/2024 6:45 PM |
| 157 | Customers should be encouraged to find representation. | 3/18/2024 6:27 PM |
| 158 | I'm really not sure if anything needs to be amended. I believe this is outlined in the Consent Form. | 3/18/2024 6:14 PM |

RECA Rules Review - Standards of Practice

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| 159 | To provide clarity | 3/18/2024 5:59 PM |
| 160 | This will put the rules in line with law of the land. | 3/18/2024 5:47 PM |
| 161 | Realtors should know what their fiduciary duties are without having it put into the rules. Its on every consumer relations guide we have all our clients sign. | 3/18/2024 5:38 PM |
| 162 | it's been persistent for years, thought it was already a rule. | 3/18/2024 5:37 PM |
| 163 | REALTORS ARE NOTORIOUSLY PHYSICALLY & INTELLECTUALLY LAZY. SPELL IT OUT FOR THEM. | 3/18/2024 5:23 PM |
| 164 | They are a customer only, they are not owed fiduciary duty nor are they compensating the licensees for such duties. If they wish for the license to protect them to any standard beyond basic standards, then they should pay for this service and protection. Why should the licensee have uncompensated and enhanced duties to a mere customer? Makes zero sense. | 3/18/2024 5:23 PM |
| 165 | I would be completely comfortable with the same requirement for a customer as a client. Why should there be any difference? if we are to act professionally, then must we not offer the same level of professionalism and care to all irrespective of what label we place upon each individual? | 3/18/2024 5:14 PM |
| 166 | The current standard is good as its pretty clear what customers are due "reasonable care, skill and honesty and accuracy". No need to take this any further. | 3/18/2024 5:10 PM |
| 167 | the customer status form deals with what the duties are | 3/18/2024 5:05 PM |
| 168 | I think this can be accomplished by making it mandatory for clients to sign proper disclosures. | 3/18/2024 5:04 PM |
| 169 | Creating clear expectations and guidelines is never a bad idea. When topics are left open to interpretation it leaves room for questionability. New agents without a clear direction on their legal obligations may interpret what os and is t correct. | 3/18/2024 5:03 PM |
| 170 | I agree with amending the Rules 41 (d) to include legal obligations to a customer as that provides a licensee clear and concise information on what their legal obligations are to a customer. | 3/18/2024 5:00 PM |
| 171 | It doesn't matter what classification you put the buyer. Unless they are fairly sophisticated most people would assume you're being honest and straightfoward with them, and will rely on your judgement to help them. At some point you will be establishing a relationship, and unless the customer is a cold calculating SOB, (which some can be) it would be wise to try and sign up a client. | 3/18/2024 4:58 PM |
| 172 | Its redundant as a form must be signed out lining these obligations when representing an individual as a customer. | 3/18/2024 4:56 PM |
| 173 | Common knowledge. | 3/18/2024 4:55 PM |
| 174 | Realtors would prefer to move customers to clients ASAP. By not adding more language it incentivizes Realtors to make their Customer vs client relationship very pronounced and clear as to protect both parties in the relationship | 3/18/2024 4:55 PM |
| 175 | Our obligations are spelled out in the Consumer Relationship guide | 3/18/2024 4:54 PM |
| 176 | Agents shouldn't have legal obligation to somebody who is not client status. | 3/18/2024 4:53 PM |
| 177 | What the world does not need is more rules. What the world needs is to be accountable for the rules that already exist. There is already a seller customer acknowledgement and fee agreement as well the customer acknowledgement form and each customer should have read a consumer relationship guide. Enough already, too many forms, too many rules can actually cause information overload and the client or customer is overwhelmed. Read an insurance policy in full or a mortgage document. Last thing needed is a few more pages. | 3/18/2024 4:52 PM |
| 178 | Customers don't want to represented so don't give them extra expectations | 3/18/2024 4:48 PM |
| 179 | I believe that if a legal obligation that a customer wants performed by a licensee violates the licensee's obligations to their client, the licensee should not be obligated to perform that action for the customer. | 3/18/2024 4:48 PM |
| 180 | a list of services a customer can expect to receive at minimum would be good to clarify the minimum expectations for both parties. | 3/18/2024 4:42 PM |

RECA Rules Review - Standards of Practice

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| 181 | Rule 41(d) should not be changed! If a licensee has the same legal obligations to a customer as he/she does to a client there is the possibility that the the industry will evolve by catering to customers. This will lead to a decline in industry profits. | 3/18/2024 4:39 PM |
| 182 | I also feel strongly that realtors should not be allowed to double end transactions. I feel in these cases that the only person they are acting in favour for is themselves. I have witnessed numerous occasions where realtors double end a deal where it did not provide the client with the best financial outcome | 3/18/2024 4:38 PM |
| 183 | Needs to be more specific to facilitate understanding. | 3/18/2024 4:37 PM |
| 184 | Customers have chosen specifically not to be represented by an agent. "Fulfilling legal obligations" to customers sounds confusing to the customers. Perhaps implies or could be perceived as representation or fiduciary obligations. Licensees are already required to protect the public. This recommendation doesn't enhance that. | 3/18/2024 4:37 PM |
| 185 | Agents are required to carry Errors and Omissions insurance to account for legal obligations. Otherwise you would need to deeply define 'Legal obligations' | 3/18/2024 4:37 PM |
| 186 | but only if legal obligations are detailed in the Act. | 3/18/2024 4:33 PM |
| 187 | Not needed | 3/18/2024 4:31 PM |
| 188 | Eliminate transaction brokerage and they must be a client and not a customer. End Dual agency and educate the public to get their own competent representation. | 3/18/2024 4:30 PM |
| 189 | Again, this could serve all stakeholders to specify what the condo manager is responsible for. | 3/18/2024 4:29 PM |
| 190 | Does not seem necessary. | 3/18/2024 4:27 PM |
| 191 | The rules are good enough | 3/18/2024 4:24 PM |
| 192 | Loyalty amongst consumers is at an all time low. If we are legally obligated to provide a service to customers who do not become clients, how can we ensure that our time is compensated accordingly? This does not mean that brokers do not have a fiduciary duty to act with integrity. Brokers should not be expected to quote rates, or disclose strategy to a customer who will take this information to their bank or another broker and ultimately become someone else's client. If this is the case, a mandated structure for compensation and or binding exclusivity should be outlined amongst brokers and lenders. I have personally experienced loss of business due to customers using me for information that is given to another professional. | 3/18/2024 4:23 PM |
| 193 | Further clarity is helpful | 3/18/2024 4:22 PM |
| 194 | the more you can dumb it doen the better these days - again refer to comment one | 3/18/2024 4:22 PM |
| 195 | Is customers are not paying us we can not offer the same Services | 3/18/2024 4:21 PM |
| 196 | Spelling out the difference in action between the two would be useful as well as clearly defining a customer relationship would be good for clarity. | 3/18/2024 4:20 PM |
| 197 | No. As legal obligations to customers are set out in the 'Customer Acknowledgement' agreement, and the agent should have already gone over the document before providing any advice, and/or submitting any offers on customer's behalf. We don't need to keep adding redundancies in our documents. The redundancies we already have in our rules and contracts already causes confusion to consumers. | 3/18/2024 4:19 PM |
| 198 | Clarity is key, this helps protect the licensee and the public. | 3/18/2024 4:19 PM |
| 199 | The public can't tell the difference between customer and client relationships. They expect same level in each situation | 3/18/2024 4:17 PM |
| 200 | the explanation now is clear. Customers are just that and most that enter into a customer relation ship do not want representation. I think I would find it difficult to have more rules when working with a customer | 3/18/2024 4:17 PM |
| 201 | again for understanding and consistency | 3/18/2024 4:16 PM |
| 202 | Both clients and customers shall be equally legally protected | 3/18/2024 4:16 PM |
| 203 | If this this is not already address in the legislation - to provide a duty of care and skill to the | 3/18/2024 4:16 PM |

RECA Rules Review - Standards of Practice

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| | customer - I think it is worthwhile to have. Again, the REA and CPA should be aligned on this. | |
| 204 | The consumer relationships guide and customer status form are very clear. If customers are worried at all they can always get their own agent. | 3/18/2024 4:14 PM |
| 205 | I don't really have a problem with the rule not stating legal view but what I have always had a concern about is the wording of " use reasonable care" Realtors should " use utmost care." or something like that | 3/18/2024 4:14 PM |
| 206 | Over information may cause analysis paralysis. Our task is to simplify the client's world, not confuse them with more "what if's". | 3/18/2024 4:10 PM |
| 207 | Someone somewhere will claim ignorance if it is not clearly defined. | 3/18/2024 4:09 PM |
| 208 | This may help to verify with customers or clients what your requirements consist of. It protects both parties. | 3/18/2024 4:09 PM |
| 209 | I don't feel that we require further on the obligations. I also can't agree to any new wording without actually seeing a full example. The partial example is not adequate for the purposes of this survey | 3/18/2024 4:09 PM |
| 210 | Public should be aware of legal obligations and so should the licensed representative. | 3/18/2024 4:08 PM |
| 211 | Clients barely read the documents anyways and I don't think it will stop issues. | 3/18/2024 4:07 PM |
| 212 | The customer chooses not to be represented by a realtor and takes the risk & liability and should be responsible for their own choice. | 3/18/2024 4:07 PM |
| 213 | I think more information should be provided to the person electing to be a customer. Lots of buyers and sellers think they know what they are doing and we shouldn't be the ones responsible for their errors. It should be made very clear to the "customer" how this works and what expectations of them and the realtor will be met or not need to be met. | 3/18/2024 4:07 PM |
| 214 | Again, clarification is never a bad thing. If a real estate professional does not explain their obligations to customers in a way the consumer fully understands problems could arise. Simple examples might reduce those problems. | 3/18/2024 4:06 PM |
| 215 | If a buyer wants customer status then agent only owes them basics. | 3/18/2024 4:05 PM |
| 216 | The more complex we define the customer relationship the more it will resemble the client relationship. We don't need more areas of grey in the industry and I think water down our role with clients who we gave established relationships with. It would incentivize the public to just sign at last minute with anyone to get the deal done. | 3/18/2024 4:05 PM |
| 217 | Same answer as previous question. | 3/18/2024 4:04 PM |
| 218 | See previous comments | 3/18/2024 4:03 PM |
| 219 | I would only agree to spelling out legal obligations in writing to a client under contract, Seller or Buyer, but not a customer. | 3/18/2024 4:03 PM |
| 220 | More information is better for clarity and transparency | 3/18/2024 4:02 PM |
| 221 | The issue would remain whether a licensee understands what those legal obligations are. | 3/18/2024 4:02 PM |
| 222 | If a customer chooses to take on the risks of no representation then it is incumbent on them to be educated on exactly what those risks are. I don't believe it is my or my boards/associations responsibility to protect them against themselves or their ignorance. | 3/18/2024 4:02 PM |
| 223 | This will be too broad. | 3/18/2024 4:01 PM |
| 224 | No - the client has chosen to be a customer as opposed to a client, as such the responsibility should not be on a licensed Realtor to explain that they need to act honestly, use reasonable care and skill (why I ask as they are a customer and if it is a legal action why myt reasonable care and skill be now introduced - further everyones definition of reasonable care and skill will vary tremendously, so right there it is a useless term). Then it says that information provided to the customer is accurate.... what, we pass on the information provided to us by whatever source is acting on the other side - why does a customer get the protection of a Realtor who is not representing them as a client the certainty that the information is accurate - the consumer either wants full and limitless representation and fiduciary responsibilities from their realtor, or | 3/18/2024 4:01 PM |

RECA Rules Review - Standards of Practice

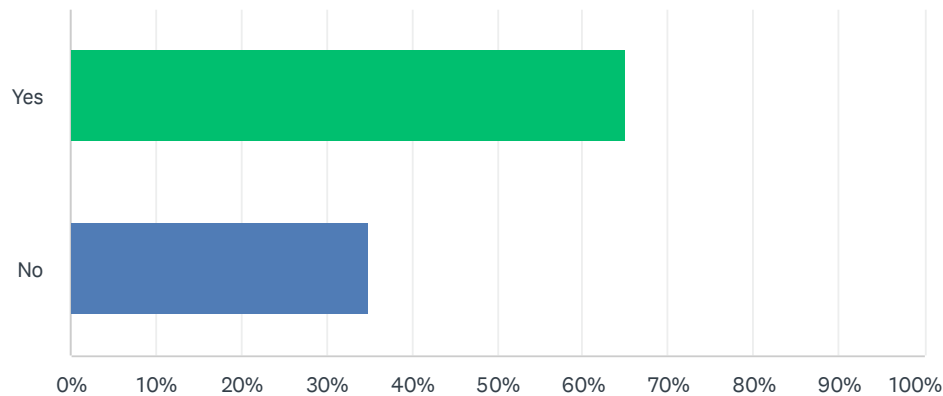
NOT, in which case they need to be funding 100% on their own and suffer the consequences as they chose not to be represented.

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| 225 | Yes, please. | 3/18/2024 4:00 PM |
| 226 | This will make things more difficult and open to interpretation. Right now RECA is doing a great job of managing issues. When they arise and get reported RECA is able to determine if they are compliant or not, and then act accordingly. | 3/18/2024 4:00 PM |
| 227 | Absolutely I think there should be a checklist so that each realtor agent property manager and broker completely understands, if you were at the webinar / open house and how many people were confused about what the rural license was capable of doing versus a regular realtor license it would have shocked you. | 3/18/2024 3:59 PM |
| 228 | Even a refresher with duties to customers in a detailed document and sent to all professionals would be nice. I personally am starting to see a lot more customers that we deal with | 3/18/2024 3:58 PM |
| 229 | I think the consumer relationship guide and customer acknowledgement already does a good job of outlining what consumer should expect. | 3/18/2024 3:56 PM |
| 230 | As long as it pertains to Rule 41(d) only | 3/18/2024 3:56 PM |
| 231 | If anyone signs to be just a customer is usually not wanting to pay for the services or they are not wanting the protection of being a contracted client. | 3/18/2024 3:56 PM |
| 232 | the general public has no idea the difference and I don't think agents do a good job explaining this, as well as acting for both buyer and seller on the same transaction. | 3/18/2024 3:55 PM |
| 233 | The guidelines and information is clear as to what the fiduciary obligations are for clients and providing honest, accurate information with reasonable care and skill is clear too. There are always going to be interpretations and precedence which further define these items if needed but one's understanding of them as written is sufficient to act appropriately. | 3/18/2024 3:55 PM |
| 234 | Don't need. Simplify things. | 3/18/2024 3:54 PM |
| 235 | yes if you want clarity and consistency | 3/18/2024 3:53 PM |
| 236 | accountability. | 3/18/2024 3:51 PM |
| 237 | I think the examples currently provided "act honestly, use reasonable care and skill, and to ensure that the information provided to the customer is accurate" is clear. | 3/18/2024 3:51 PM |
| 238 | -Differing obligations for boards, owners, tenants, vendors and public based on respective Acts and codes. | 3/18/2024 3:51 PM |
| 239 | I am not sure what the difference between a client and customer is in this scenario. It could instead include language that Licensees must fulfill their fiduciary obligations to those they are contractual providing services to. | 3/18/2024 3:51 PM |
| 240 | Enough already. We are already fulfilling our legal obligations. | 3/18/2024 3:50 PM |
| 241 | reasonable care and skill should be used, but if a customer wants to forego representation, and the consequences of that are explained appropriately, then let them be customers | 3/18/2024 3:49 PM |
| 242 | I believe all duties of care for each representation 'style' should be clearly outlined. If they aren't, it leaves too much to be 'determined'. | 3/18/2024 3:49 PM |
| 243 | when a customer chooses to be represented as a customer, there should be a difference in the level of service as outlined by the customer status acknowledgement form. This should not be amended | 3/18/2024 3:49 PM |
| 244 | Licensees have no fiduciaries with customers. It should stay the way it is. If not there is heartache down the road in our industry. | 3/18/2024 3:49 PM |
| 245 | Clear explanation of client and customer is need to define these obligations. | 3/18/2024 3:49 PM |
| 246 | Why not | 3/18/2024 3:48 PM |
| 247 | Most customers haven't had it explained correctly. They don't know what they have agreed too. Most agents I find do not explain this to customers correctly. I have only had one customer deal and it was an ex realtor so he was fine representing himself. Most of the time they ask for an agent when I explain the difference between a client and a customer. | 3/18/2024 3:46 PM |

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| 248 | If you don't spell it out and how will people know | 3/18/2024 3:46 PM |
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Q9 Should the Rules be amended to require the completion of a Customer Acknowledgement form, to ensure the role of the licensee is clearly understood by the customer, client, and third parties?

Answered: 673 Skipped: 4



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 65.08% | 438 |
| No | 34.92% | 235 |
| TOTAL | | 673 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE CHANGES. | DATE |
|----|--|--------------------|
| 1 | All Realtors are already required to have a written service agreement in place when working with the public. Amending the rules to require this again is repetitive and unnecessary. | 4/19/2024 2:07 PM |
| 2 | We already to it to ensure roles are clearly defined | 4/19/2024 11:47 AM |
| 3 | Umm, I thought this was in place already. I've been practicing this for years. Why are you even asking this. It should have been done already. | 4/19/2024 11:07 AM |
| 4 | I believe too many paper works for customer, client, third parties to deal with. Maybe it should be added to the Consumer Relationships Guide ? | 4/19/2024 10:13 AM |
| 5 | This would suggest RECA is moving towards a regulated industry, like BC. Aside from that observation, Customers should continue to be presented with the form. | 4/19/2024 9:24 AM |
| 6 | If a service agreement is signed a relationship guide should not be required | 4/19/2024 6:38 AM |
| 7 | See above response. | 4/18/2024 11:08 PM |
| 8 | This should be covered off in the client services agreement. | 4/18/2024 8:51 PM |
| 9 | As any type of agreement if everything is clear and upfront in the first place, the less likely the chance of conflict or misunderstanding in the future. | 4/18/2024 6:59 PM |
| 10 | The requirement of a completed form dictates compliance as defined in the 'Amended' Rule | 4/18/2024 6:45 PM |
| 11 | A conflict of interest disclosure helps with transparency | 4/18/2024 6:13 PM |
| 12 | It is self explanatory already | 4/18/2024 5:12 PM |
| 13 | The current structure is more than sufficient | 4/18/2024 3:42 PM |

RECA Rules Review - Standards of Practice

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| 14 | This in my opinion should be a standard of practice. We as agents understand the difference between customer and client but the public does not in my experience. | 4/18/2024 2:11 PM |
| 15 | I thought we needed to do that now anyhow and I do have them sign that form so if it is not required but is being done then no sense changing it | 4/18/2024 2:07 PM |
| 16 | We already have the Service agreement that outlines everyone's roles. | 4/18/2024 11:35 AM |
| 17 | This extra step would confirm explanation. | 4/18/2024 11:28 AM |
| 18 | Make it clear to the customer what should be expected from the licensee | 4/18/2024 11:21 AM |
| 19 | Some people who do not want to be in a client relationship, do so because they do not want to sign a contract. Asking them to sign a form that explains they are not in a contract could give the wrong impression and possibly shine the industry in a negative light. Making it a requirement puts the Real Estate agent in a position of filling out a form on behalf of a person that does not want their services, and I don't see agents filling out a form every time they talk to a member of the public. Currently, having the Consumer Relationship guide requirement ensures that information is being presented to customers and clients. | 4/18/2024 11:21 AM |
| 20 | I believe that it should be done in writing (email, text, etc.) something simple that shows and electronic paper trail. As soon as a customer is signing a form arguably there is a form of a written relationship that could be skewed or misinterpreted particularly if someone is not strong in english, has a mis-understanding etc. this puts additional onus on the agent and broker to ensure understanding on someone who may only be "tire kicking". | 4/18/2024 11:13 AM |
| 21 | The customer can be made aware of their standing and make decisions on their own from there. The current system works in my opinion. | 4/18/2024 11:11 AM |
| 22 | This would be no different than signing the Client Service Agreement that already outlines the relationship between the borrower and the mortgage agent. Adding a Customer Acknowledgement is a redundancy for something they are already signing. | 4/18/2024 10:52 AM |
| 23 | It is good practice to let customers and potential clients what realtors are supposed to do | 4/18/2024 10:23 AM |
| 24 | I believe this would infringe on the service contract/agreement. There are varying degrees of service we offer and this may be in conflict with our contract if it is a limited service agreement. | 4/16/2024 1:44 PM |
| 25 | this way a customer knows what the roles are for each party | 4/12/2024 9:25 AM |
| 26 | I thought that already was a requirement. | 4/11/2024 11:04 AM |
| 27 | Yes, but only if you are helping a customer with an actual transaction. I would not suggest requiring a form be signed before simply providing information etc. | 4/10/2024 2:05 PM |
| 28 | Is there a contract with a customer. If not, than this would not make sense. | 4/9/2024 8:42 PM |
| 29 | THIS WOULD MAKE IT EASIER FOR ALL TO UNDERSTAND. | 4/9/2024 5:21 PM |
| 30 | I do that as my " normal practice" | 4/7/2024 10:00 AM |
| 31 | OMG YES! YES! YES! YES! I have personally witnessed countless situations where the lines of CUSTOMER and CLIENT have been so badly blurred, even the real estate licensee is confused. This is a huge industry weak link right now especially when the market is extremely busy. I will even suggest that IMPLIED AGENCY be clearly outlined and taught in upgrade courses. Licensees do not know when to stop talking and gathering personal information from a member of the public. Licensees also do not understand CONFIDENTIALITY and the implications/ramifications. As a Broker, the onus cannot fall only on my shoulders to constantly educate this fact. There needs to be a better unified role working in coordination with the written rules, RECA, Brokers, and AREA education. | 4/6/2024 12:31 PM |
| 32 | All activities of a licnesee should be in writing. | 4/4/2024 4:40 PM |
| 33 | Honestly I thought it already was, I don't see the need to change a rule here. | 4/4/2024 10:43 AM |
| 34 | As above, as a residential rule, not as a cart blanche rule. | 4/3/2024 11:21 AM |
| 35 | Absolutely. This will help ensure the customer has a more proactive opportunity to read and acknowledge the nature of the relationship and roles of each party. | 4/2/2024 8:29 PM |

RECA Rules Review - Standards of Practice

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| 36 | This is why we have written service agreements. | 4/2/2024 6:59 PM |
| 37 | It would be a good standard of practice. | 4/2/2024 4:03 PM |
| 38 | Customers refuse to sign stuff when they are just looking and kicking tires. | 4/1/2024 5:20 PM |
| 39 | But only prior to handling or directing money. A lot of "customers" are just talkers who walk away from formalizing. The deal or transaction is often just thinking about it until they actually act. If we require it a lot of honest associates will be turning people away whereas the avoidant associates will get the deal by getting the signatures last second anyway. So the honest associates lose. | 4/1/2024 4:15 PM |
| 40 | Let's not complicate Consumer Guide to Consumers / Customers / Clients. | 4/1/2024 1:47 PM |
| 41 | This provides visibility to those that are due | 3/30/2024 1:07 PM |
| 42 | Again, as above I doubt changing a rule will change any behavior. I believe we all know what should be done and we have enough paperwork already. | 3/30/2024 8:43 AM |
| 43 | Note that I use the Customer Acknowledgement Form whenever dealing with unrepresented parties so I believe it is important. What I do not approve of is heavy-handedness imposed by the Regulator. Here is the problem: the forms and contracts we used (created by RECA and AREA and CREA - i.e. FINTRAC) are too cumbersome. What does the real estate industry and the public require? Answer: EFFICIENCY and SIMPLICITY. This means as follows: (a). take the Consumer Relationships Guide and condense to one page in bullet form; (b). take the Customer Acknowledgement Form and condense to one page in bullet form; and (c). Attempt to condense contracts and communications as much as possible so that the documents are simple to explain; simple to sign; and reduce volume of paperwork in the brokerage offices. This is very important and a final note: RECA should hire and retain employees with a primary criteria that they are succinct communicators and able to reduce volume of paperwork for the real estate industry or be shown their pink slip. | 3/29/2024 6:37 AM |
| 44 | na | 3/28/2024 3:01 PM |
| 45 | My response is based on the Property Management field where a customer would be the Tenant and any separation of relationship is largely deemed to be understood. I cannot answer based on the real estate profession but in property management this idea becomes redundant | 3/28/2024 11:47 AM |
| 46 | Isn't this the "consumer relationships guide" | 3/27/2024 11:42 AM |
| 47 | The Consumer Relationship Guide clearly defines the process. | 3/26/2024 11:28 AM |
| 48 | A good service agreement does this. | 3/26/2024 10:38 AM |
| 49 | I feel we need to improve our reputation, and I don't feel more paperwork will accomplish that. It will come off as a CYA form. | 3/26/2024 8:23 AM |
| 50 | This has become a big problem in our industry. Often when meeting with potential clients discussions take place about responsibility. That board at that time may acknowledge and agree to the responsibility of the management company. When a new board is elected we are finding that they do not agree with the previous agreement. We are often going back and re educating Boards of who is responsible for that and what previous boards had agreed to. We have now created an education piece within our organization for boards outlining responsibility and duties. Condo Managers are often thought of as caretakers attending the building daily, writing deficiency lists, bringing fobs and keys to residents. | 3/26/2024 7:47 AM |
| 51 | Change "Customer" to "Unrepresented Party". In sales, business, and economics, a "customer" is someone who buys something from a seller, vendor, or supplier in exchange for money or something else of value. That's not the case in Alberta real estate. "Unrepresented Party", in respect of a trade in real estate, means a party to the trade in real estate who is not a client of a licensee for the trade in real estate. | 3/25/2024 2:58 PM |
| 52 | Doesn't the consumer relations guide already address this? Perhaps the guide could be amended to include the customer or client indicating which form of agency they prefer. | 3/25/2024 1:25 PM |
| 53 | The definitions in the Rules make a distinction between Client (entered into a service contract with a licensee) and Consumer (contacted the Licensee, but not engaged or employed a Licensee). Once a Customer starts signing documents with a Licensee there is a greater likelihood that the Customer will considered he has entered into a service contract. Instead, in dealing with a Customer the Licensee should be required to hand (or email if the contact was | 3/25/2024 1:17 PM |

RECA Rules Review - Standards of Practice

electronic) the Customer a form setting out the role of the Licensee in relation to the Customer. The Customer does not sign anything and will be less likely to conclude there is a service agreement.

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| 54 | Only when absolutely required. I think this may create massive amounts of unnecessary paperwork and red tape. | 3/25/2024 10:35 AM |
| 55 | Once again, clarity is key. | 3/25/2024 9:56 AM |
| 56 | For condominium management the management agreement outlines the role of the licensee. | 3/23/2024 1:20 PM |
| 57 | Too many forms already and clients don't read them | 3/23/2024 11:31 AM |
| 58 | THIS WOULD GIVE THEM A CLEAR UNDERSTANDING IN WRITING OF THE LEGAL ACKNOWLEDGEMENT | 3/22/2024 4:13 PM |
| 59 | The customer acknowledgement form needs clarity and should be in bullet form so that it is easily understood by the customer, this will help customer understand their options, they can interpret their options with clarity as market is flooded with the misleading advertisements ie "save thousands of commission" and in the advt somewhere in terms and conditions they explain the module (basically it is selling under "Non-Representation"). | 3/22/2024 2:01 PM |
| 60 | I feel it helps underline the agent's responsibilities for the (now) customer - and can help them understand and differentiate between customer status and client status | 3/22/2024 10:25 AM |
| 61 | isn't that what the CRG is for? | 3/21/2024 1:46 PM |
| 62 | Only in the case of a customer because people are already inundated with paperwork and if a customer form is not done it can be understood that the omission of a customer form implies a client | 3/21/2024 1:37 PM |
| 63 | All consumers need to know the licensee's role | 3/21/2024 1:19 PM |
| 64 | For clarity | 3/21/2024 12:39 PM |
| 65 | We have the service agreement which clearly outlines the relationship. | 3/21/2024 11:05 AM |
| 66 | No more additional paper. Use the Customer Relationships form | 3/21/2024 10:45 AM |
| 67 | Yes the customer should be very clear on the realtors obligation to customers. | 3/21/2024 10:25 AM |
| 68 | As I have been told in my career in the past, if it's not in "black-and-white", it's up for interpretation or understanding. A customer document form would reduce or eliminate "misinterpretation or misunderstandings" | 3/21/2024 10:11 AM |
| 69 | Yes, once again many new Tenants brought on have to be told that I do not work for them and that my focus is on the needs of my brokerage and not on the client/tenant. | 3/21/2024 9:59 AM |
| 70 | A public open house interaction with a prospective client could be just a brief conversation. A real sit down meeting would be more in depth | 3/21/2024 9:51 AM |
| 71 | Disclosure is a huge factor in our industry, and should always be clear. | 3/21/2024 8:24 AM |
| 72 | Much Like TDCT's Appropriate Product Form, clear understanding of licensee roles to the client should be outlined clearly | 3/20/2024 4:09 PM |
| 73 | The customer acknowledgement form would be a great tool to fall back on - especially in a he-said / she-said type of situation. | 3/20/2024 3:55 PM |
| 74 | Enough forms already. And most clients just don't read them anyways. They just want a mortgage and understand that the licensee must verify certain information, ask 'difficult' questions, etc. | 3/20/2024 3:53 PM |
| 75 | More paperwork won't change things. The consumer may be more aware, but at the same time a good agent should be explaining their role to their client anyways and ensuring their client understand the agents legal duties | 3/20/2024 3:32 PM |
| 76 | The information is readily available to anyone looking for it. To avoid having further confusion it is best not to get Customer Acknowledgement forms signed. As far as it pertains to a client, that information is shared when a client signs with the licensee. | 3/20/2024 3:16 PM |
| 77 | I think that this is over-kill. We are required to have management agreements, and should be | 3/20/2024 10:50 AM |

RECA Rules Review - Standards of Practice

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| | sufficient. | |
| 78 | I thought this was already a requirement. | 3/20/2024 10:13 AM |
| 79 | This client or customer acknowledgement should be in the final form of the executed transaction contract between the parties to it. The reason for this is that a party may say it consented to the role of a brokerage at a prior point of time; however, did not or does not agree that role was in place at the date and time of the final contract execution. We have experienced these types of actions in the past when insisting upon brokerage acknowledgements being inserted into final drafts of transaction documents. It was always a good way to sort out exactly how a client or customer or other party to a transaction contract viewed brokerage relationships and what reciprocal obligations were expected. | 3/20/2024 10:00 AM |
| 80 | The consumer relationship guide is a very good document and is very well received by the public. It is informative and describes exactly what you're talking about In this question. It is my experience that the more documents presented to the client, the fewer they actually read. R.E.C.A is starting to get out of control with these minuscule changes, creating more documents. | 3/20/2024 9:46 AM |
| 81 | Less room for miscommunication if the customer acknowledges that they understand the role of their Agent and the information provided to them. This would protect the Agebt and ultimately the customer | 3/20/2024 9:40 AM |
| 82 | Again - it's imperative to have a clear understanding - and clear documentation - of the relationships between all parties. | 3/20/2024 9:10 AM |
| 83 | more disclosure the better | 3/20/2024 5:43 AM |
| 84 | That is a matter of practice and not required in all cases. | 3/19/2024 10:15 PM |
| 85 | By engaging a professional, the client should have researched and understood their role as a client and the role of the licensee. | 3/19/2024 9:20 PM |
| 86 | Boards and individuals representing condo corporations change all the time. Just because Johnny signs in January 2024 doesn't mean Susie understands in March 2024 as the new president. The management firm's responsibility is to communicate with their clients, not RECAS. I would, however, recommend RECA do webinars to educate the public as a whole. | 3/19/2024 8:21 PM |
| 87 | Again - extra paperwork leads to extra fraud. Fraudsters are good at paperwork so you are just causing extra costs to the clients or broker | 3/19/2024 7:40 PM |
| 88 | In verbiage that the average buyer/seller can understand with examples. | 3/19/2024 6:36 PM |
| 89 | The current forms that exist already establish the roles of customer clients and third parties and is covered very well in the licensing education program by AMBA. An addition of forms is going to be useless at best, and at worst will hinder the process, funding and in turn will hurt the Alberta housing market. | 3/19/2024 6:16 PM |
| 90 | Doesn't such a form already exist? | 3/19/2024 5:05 PM |
| 91 | this gives the customer something to fall back on and the information is clear with less room for misinformation or incorrect interpretation | 3/19/2024 4:29 PM |
| 92 | That would be declaring that the average agent is incompetent in their duty to describe what their obligations are. The Consumer Relations Guide is adequate. | 3/19/2024 4:23 PM |
| 93 | Afaik, a customer acknowledgement form is already a requirement when dealing with an unrepresented customer. I don't quite understand what is to be amended here. | 3/19/2024 4:21 PM |
| 94 | I am not a fan of excessive paperwork unless there are issues and this needs to be done by all of those involved | 3/19/2024 3:54 PM |
| 95 | in regards to property/condo management it is not necessary | 3/19/2024 3:20 PM |
| 96 | Form would clarify to a customer more clearly. | 3/19/2024 3:19 PM |
| 97 | It is always good to be clear about the process. | 3/19/2024 3:17 PM |
| 98 | I believe what we have in place now is efficient | 3/19/2024 2:30 PM |
| 99 | Consumers need to understand fully what services that they are receiving. | 3/19/2024 2:27 PM |

RECA Rules Review - Standards of Practice

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| 100 | For further to everyone involved. | 3/19/2024 2:11 PM |
| 101 | I think we're all adults and should conduct ourselves accordingly. A Customer Acknowledgement form doesn't change anything. It's just paperwork to cover ass later | 3/19/2024 1:52 PM |
| 102 | We have enough to do already | 3/19/2024 1:50 PM |
| 103 | Yes, because then it will be laid out properly to have guidelines that cannot be misconstrued. | 3/19/2024 1:16 PM |
| 104 | This would clearly show everyone there roles and is already required by our brokerage | 3/19/2024 12:58 PM |
| 105 | More documents and information does not hurt. It is better for the public to understand what it means to be a customer versus a client | 3/19/2024 12:41 PM |
| 106 | Absolutely! | 3/19/2024 12:30 PM |
| 107 | This should be done early in the conversations so that both parties understand their obligations to each other. | 3/19/2024 12:19 PM |
| 108 | Based on my previous comment I think that's insufficient, but it can't hurt | 3/19/2024 12:11 PM |
| 109 | I think this is an excellent idea. | 3/19/2024 12:09 PM |
| 110 | the acknowledgement is a great step | 3/19/2024 12:02 PM |
| 111 | those forms are a trap... and are busy work... reasonable knowledge of the area you are trading in should be expected but nothing further! | 3/19/2024 12:00 PM |
| 112 | A clause on the offer to initial | 3/19/2024 11:24 AM |
| 113 | Customer Acknowledgement should only be signed by a customer. Why would someone not a customer be required to sign it? | 3/19/2024 11:21 AM |
| 114 | From a commercial perspective it is understood that commercial purchasers and vendors are far more sophisticated. In addition, the likelihood of getting such a document executed by same is slim to none. | 3/19/2024 10:57 AM |
| 115 | Because then the customer has clearly noted they understand & acknowledge so there is no further question on the matter. | 3/19/2024 10:40 AM |
| 116 | Another form is not needed just add a line on the CRG | 3/19/2024 10:39 AM |
| 117 | Again - for transparency | 3/19/2024 10:31 AM |
| 118 | Again, more unnecessary paperwork for some thing that hasn't even clearly been defined Or holds too much for interpretation | 3/19/2024 10:17 AM |
| 119 | We have a management agreement in place that clearly outlines our obligations to the client. Also, I do not think the rule above refers to condo management does it? | 3/19/2024 9:51 AM |
| 120 | over legalizing obligations | 3/19/2024 9:48 AM |
| 121 | Having items documented is always a good thing. | 3/19/2024 9:43 AM |
| 122 | Being in commercial we don't deal with this often but I'm not opposed to it. There should always be a level of transparency. | 3/19/2024 9:40 AM |
| 123 | Protects the licensee, customer, client and third parties from any misunderstandings. Can help facilitate the client vs customer conversation. | 3/19/2024 9:40 AM |
| 124 | Clarity is important | 3/19/2024 9:26 AM |
| 125 | If a client wants a transaction facilitator then we have an acknowledgment form. If the client wants there own representation then there is no need for that. | 3/19/2024 9:15 AM |
| 126 | Why on earth not? The more clearly you outline things, the less realtors can play dumb. | 3/19/2024 8:55 AM |
| 127 | Why are you wasting time on this? Does it not work well the way it is currently set up? Would this not be redundant? Are there an abnormal amount of problems with this issue or are you just looking for work to do? There is a lot of crazy stuff going on in our industry right now, perhaps you should focus on disciplining the Realtors who are doing a poor job. FOCUS ON WHAT MATTERS. | 3/19/2024 8:52 AM |

RECA Rules Review - Standards of Practice

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| 128 | the customer client might not understand why the realtor is reluctant to answer some of their questions. | 3/19/2024 8:52 AM |
| 129 | The general public may not be capable of distinguishing or understanding their positions vis-à-vis real estate markets. | 3/19/2024 8:50 AM |
| 130 | this would provide the backup for the licensee and the customer would understand the limited role. | 3/19/2024 8:44 AM |
| 131 | Should be made clear to customers they are not to share confidential information that may be beneficial or harmful to the transaction because the loyalty is to the client. | 3/19/2024 8:22 AM |
| 132 | This should already be completed at the level of brokerage services. | 3/19/2024 8:15 AM |
| 133 | This prevents any misinterpretation of the relationship | 3/19/2024 8:08 AM |
| 134 | this a requirement in our brokerage currently | 3/19/2024 7:55 AM |
| 135 | There is already a customer agreement and if it is required for all transactions, that may intimidate members of the public who are simply looking for information, but not necessarily at the point of pursuing a formal process. | 3/19/2024 6:54 AM |
| 136 | If you do that; then additional information should be provided regarding the duties of the customer to the brokerage. | 3/19/2024 6:52 AM |
| 137 | seems pretty straight-forward, no? | 3/19/2024 6:21 AM |
| 138 | This is used in BC and it is rarely even read before it is signed by most customers. It is not well understood by the public nor is it implemented well. | 3/19/2024 2:17 AM |
| 139 | i believe verbally informing the customer is adequate. | 3/18/2024 11:45 PM |
| 140 | Once again we have sufficient disclosure on this now. | 3/18/2024 11:25 PM |
| 141 | Yes there should be a form because it's too easy for a customer to say they didn't sign anything with you. | 3/18/2024 11:15 PM |
| 142 | Lack of agency agreement is legally the same as signing a customer acknowledgement form but with less paper. If it goes to court, the argument is "did you think this person was your agent? No? Ok". It's just extra paperwork for my brokerage. Customers don't even want to sign the customer acknowledgement sometimes because they don't want to sign anything other than an offer from someone who they didn't choose as their agent. | 3/18/2024 10:07 PM |
| 143 | Isn't this already required? | 3/18/2024 10:05 PM |
| 144 | The consumer relationship guide when examined properly... should aptly demonstrate fluency in the professionalism of the associate or broker. An additional customer form (for an eventual client) seems overly redundant. | 3/18/2024 9:57 PM |
| 145 | It's a very emotional purchase and or sale. Sometimes emotions run high and is possible in the heat of a moment a T doesn't get crossed or an i doesn't get dotted. | 3/18/2024 8:41 PM |
| 146 | I thought we currently have a form for buyers to aid in the understanding | 3/18/2024 8:21 PM |
| 147 | I was under the understanding that the Customer Acknowledgement form was already a requirement when working with someone in "customer status." If it is a requirement already, then this question needs to be re-worded. | 3/18/2024 7:45 PM |
| 148 | This would be prudent | 3/18/2024 7:36 PM |
| 149 | They already sign a consent that includes this no? Clients have enough documents | 3/18/2024 7:30 PM |
| 150 | Thought this was already the case - how is this being changed from the norm. Are we suggesting a change be made to the timing. Definitions around when to present need to be clear. | 3/18/2024 7:11 PM |
| 151 | A customer could refuse to fill it out and that would a licensee hanging. | 3/18/2024 7:06 PM |
| 152 | I thought this was already a rule. | 3/18/2024 6:47 PM |
| 153 | sure, i dont think it hurts to get further clarification. | 3/18/2024 6:28 PM |

RECA Rules Review - Standards of Practice

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| 154 | Only if there is an actual transaction involved. There is no way we should be expected to sign these forms during all interactions with customers. | 3/18/2024 6:27 PM |
| 155 | Not certain. Lots of this is part of my early discussions already. | 3/18/2024 6:14 PM |
| 156 | doesn't that already exist? | 3/18/2024 6:12 PM |
| 157 | It could be beneficial to have it recorded in writing | 3/18/2024 5:59 PM |
| 158 | This will protect buyers from unscrupulous agents who don't clarify this fact; and it will protect the industry through transparent and clearly defined communication. | 3/18/2024 5:47 PM |
| 159 | I'm not sure all customers realize when they are being considered "customers" and not clients. | 3/18/2024 5:38 PM |
| 160 | Customer already signs a service agreement so if any additional acknowledgement is needed let's add this to the service agreement. | 3/18/2024 5:38 PM |
| 161 | I feel this is an unnecessary and administratively heavy step. If customers have an issue they are free to make an enquiry or complaint. | 3/18/2024 5:34 PM |
| 162 | Seriously only a lawyer or a beaurocrat thinks more paperwork ever actually achieves anything. Perhaps let some actual experienced industry members make these decisions, not those with zero experience, little knowledge, and no practical sense at all. | 3/18/2024 5:23 PM |
| 163 | We fill one out every time and it should be explained to everyone | 3/18/2024 5:15 PM |
| 164 | I believe that we should amend the current acknowledgement form to include a client and customer. | 3/18/2024 5:14 PM |
| 165 | I thought this was already required or at least a statement in the formal documentation outlining who is representing who. So long as its clear who the client is, should be clear who is unrepresented (however I do acknowledge as an industry professional this may not be clear to those not familiar with such relationships). As an aside try asking your insurance broker who they are representing and what services they are required to do for you versus the insurance company. | 3/18/2024 5:10 PM |
| 166 | Once again, requiring a completed form ensures that everyone is aware of exactly what their role is and is not. This inturn will help instill confidence in our industry. | 3/18/2024 5:03 PM |
| 167 | The completion of a Customer Acknowledgement form will certainly provide more information and knowledge, which will benefit the Licensee the customer, client, and third parties. | 3/18/2024 5:00 PM |
| 168 | For what it is worth.... | 3/18/2024 4:58 PM |
| 169 | This is not clear, is this when someone is deciding whether to enter an agency or customer agreement? I have always had clients sign a customer acknowledgement when they are customers. | 3/18/2024 4:56 PM |
| 170 | I don't want to do more paperwork for my informal interactions. | 3/18/2024 4:55 PM |
| 171 | This should depend on specific asset classes or if a CRE Professional acts through their own independent firm or if they are part of a larger intuitional firm. | 3/18/2024 4:54 PM |
| 172 | They already sign the Consumer Relationship Guide | 3/18/2024 4:54 PM |
| 173 | We already do this in the mortgage industry | 3/18/2024 4:53 PM |
| 174 | We already have to sign a customer acknowledgement form?... | 3/18/2024 4:53 PM |
| 175 | I thought this was already required. | 3/18/2024 4:52 PM |
| 176 | All parties to a transaction have a right to clearly understand a licensee's role in the transaction. | 3/18/2024 4:48 PM |
| 177 | Brokers already communicate this to their clients and the marketplace has a good understanding already of what brokers do. Broker acknowledgement we use already covers duties of the mortgage broker. | 3/18/2024 4:48 PM |
| 178 | to avoid confusion | 3/18/2024 4:42 PM |
| 179 | Customers make things up after the fact. All parties need to acknowledge their understanding | 3/18/2024 4:37 PM |

RECA Rules Review - Standards of Practice

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| 180 | A Customer Privacy and Consent form should be signed either electronically or in the case of online applications a box checked acknowledging they reviewed the privacy and consent. | 3/18/2024 4:37 PM |
| 181 | Not in the case of commercial clients who generally are more sophisticated than a residential client, and may involve multiple decision makers. | 3/18/2024 4:33 PM |
| 182 | End customer status if you are into consumer protection. No transaction brokerage. Professional status must be greatly added to the industry. | 3/18/2024 4:30 PM |
| 183 | This seems to only add administrative burden. Who will track the forms, whether they were signed, etc.? | 3/18/2024 4:29 PM |
| 184 | This may be silly but I figured the existing customer acknowledgement form was a requirement when working with customers, so yes, it definitely should be if it isn't already. It protects all parties from misunderstanding. | 3/18/2024 4:29 PM |
| 185 | Seems like a good idea. | 3/18/2024 4:27 PM |
| 186 | I thought we already have this? | 3/18/2024 4:24 PM |
| 187 | More forms mean more litigation 43 years in the business the evolution of forms as created a ck book for litigation | 3/18/2024 4:24 PM |
| 188 | This question appears to be disingenuous and written in bad faith. | 3/18/2024 4:24 PM |
| 189 | Is this not what the Service Agreement entails? | 3/18/2024 4:24 PM |
| 190 | If the customer is already expected to complete a signed credit consent form and written service agreement, the relationship and duties of the broker should already be outlined. If more detail is required, it should be included in forms that are already mandatory. | 3/18/2024 4:23 PM |
| 191 | Sorry I thought this was already required | 3/18/2024 4:22 PM |
| 192 | could never hurt | 3/18/2024 4:22 PM |
| 193 | Stop with all the extra paperwork. The average client doesn't care. They trust me as their Agent. | 3/18/2024 4:20 PM |
| 194 | This seems pretty straightforward | 3/18/2024 4:20 PM |
| 195 | is Customer Acknowledgement form already mandatory for customers, if agent already have fiduciary duty to their sellers? | 3/18/2024 4:19 PM |
| 196 | Clarity is key, this helps protect the licensee and the public. | 3/18/2024 4:19 PM |
| 197 | Yes thats part of best practice for customers | 3/18/2024 4:17 PM |
| 198 | Every party in a real estate transaction shall be well informed of the role of the licensee | 3/18/2024 4:16 PM |
| 199 | I feel like agents are getting lazy and not explaining the guide or agreements with clients. | 3/18/2024 4:15 PM |
| 200 | I had actually thought this was already the rule. customer acknowledgement form is the written service agreement we had with consumers that were not in an exclusive agreement. this was always my policy when I ran my brokerage. | 3/18/2024 4:14 PM |
| 201 | It would settle any argument on " My Realtor never told me that" | 3/18/2024 4:14 PM |
| 202 | Unsure of the reason for that | 3/18/2024 4:10 PM |
| 203 | again, things need to be clearly defined and the acknowledgement form should do that. | 3/18/2024 4:09 PM |
| 204 | If this is referring to residential, it's already challenging to get customers to sign a client agreement. Getting someone to sign a customer agreement will be impossible. | 3/18/2024 4:09 PM |
| 205 | Full disclosure | 3/18/2024 4:08 PM |
| 206 | That's so unnecessary. | 3/18/2024 4:07 PM |
| 207 | I think it should be signed before pulling credit as we already do, but a lot of times I offer information that could be perceived as services while helping a client renew with their current lender. I don't want to get a form signed for that. | 3/18/2024 4:07 PM |
| 208 | There seems to be so much misunderstanding with customers these days and that they need | 3/18/2024 4:07 PM |

RECA Rules Review - Standards of Practice

to be responsible for their own action/choice.

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| 209 | Since a Buyer/Seller Representation Agreement is required for client relationships it makes sense that there would be a requirement for customer relationships as well. | 3/18/2024 4:06 PM |
| 210 | sometimes they refuse to sign anything | 3/18/2024 4:05 PM |
| 211 | Same reasons as above. | 3/18/2024 4:05 PM |
| 212 | Same as above | 3/18/2024 4:04 PM |
| 213 | Too many forms that clients don't care about as it is. More paperwork won't cause poor agents to be better. | 3/18/2024 4:03 PM |
| 214 | The realtors ignoring these rules are also not reviewing and/or providing these documents to their clients or asking applicable questions. | 3/18/2024 4:03 PM |
| 215 | I thought that was the rule and have always had a customer sign the Acknowledgement form. | 3/18/2024 4:03 PM |
| 216 | This feels like something that is only applicable to realtors/sales brokerages. Having every tenant for example sign a customer acknowledgement form is highly unnecessary and a waste of time and resources. | 3/18/2024 4:02 PM |
| 217 | I thought this was a requirement for Customers already. But it seems in reading the rules, only a client requires a written service agreement. I feel that should apply to customers, but unsure how it would apply to a third party? | 3/18/2024 4:02 PM |
| 218 | This clearly sets out in black and white what each parties roles and responsibilities are. A customer represents themselves and should be informed and knowledgeable in whatever it is they are entering into. To put that onus on us associates without compensation is asking too much of us | 3/18/2024 4:02 PM |
| 219 | I don't believe most people read these forms, and I don't believe there is a need for more paperwork other than what is currently required. | 3/18/2024 4:01 PM |
| 220 | Yes but they need to be VERY clear - see my previous response IE: the customer acknowledges that they have NO representation and the Realtor is only supplying the information provided to them and the Realtor is not responsible for anything. Otherwise be a client and sign the proper form, no different than a listing agreement but now representing a buyer | 3/18/2024 4:01 PM |
| 221 | Yes, please. | 3/18/2024 4:00 PM |
| 222 | There could be a lot of grey area - this seems like overkill. | 3/18/2024 4:00 PM |
| 223 | Absolutely everyone should know what they're doing on each side of the agreement. | 3/18/2024 3:59 PM |
| 224 | Maybe for the sake of the public this might be best. | 3/18/2024 3:58 PM |
| 225 | That way both parties are aware of it and no assumptions are made. | 3/18/2024 3:56 PM |
| 226 | There is so much paperwork now that less people are reading it all. In my 25 years of experience and starting with only two page contracts was when the public read what they were signing. No one is reading the novel of contracts now so please stop adding to them. | 3/18/2024 3:56 PM |
| 227 | Agents will still not explain this to clients | 3/18/2024 3:55 PM |
| 228 | The rules are clear that once one engages in discussion which would potentially require exercising fiduciary duties the appropriate form needs to be filled out and in this case it is the consumer relationship guide. | 3/18/2024 3:55 PM |
| 229 | Shorten things | 3/18/2024 3:54 PM |
| 230 | yes the form is mandatory so why not say it is in the rules? | 3/18/2024 3:53 PM |
| 231 | As previously indicated, I feel that Rule 41 provides all the necessary information. | 3/18/2024 3:52 PM |
| 232 | future and further accountability. | 3/18/2024 3:51 PM |
| 233 | A customer acknowledgement form creates clarity to what status the consumer chose to be represented as. And also include some sort of check box that states the customer has been | 3/18/2024 3:51 PM |

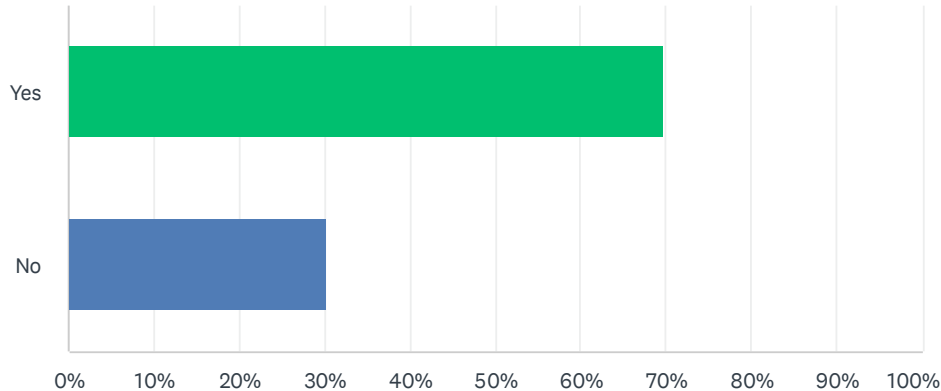
RECA Rules Review - Standards of Practice

explained the difference between client services vs customer services and has elected to continue the process as a customer not client.

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| 234 | -These forms do not add any additional guidance in the sale of properties, why does RECA think it will be any different in condo management? | 3/18/2024 3:51 PM |
| 235 | Too many forms make for administrative nightmares and adds another chore to the daily tasks. The onus should be on the Licensee to make sure they are understood and the clients should have the responsibility to make sure they are aware of the Licensee's role. | 3/18/2024 3:51 PM |
| 236 | Enough already. We are already fulfilling our legal obligations. | 3/18/2024 3:50 PM |
| 237 | It's clear already | 3/18/2024 3:49 PM |
| 238 | Yes, why not? I've always got that signed by customers anyways. It's a conversation that must be had. | 3/18/2024 3:49 PM |
| 239 | The customer status acknowledgement form clearly lays out the difference- no change is needed | 3/18/2024 3:49 PM |
| 240 | A recorded video call of the explanation may help protect both sides. | 3/18/2024 3:48 PM |
| 241 | It's the same answer for all of these if you want the bar set then define the bar | 3/18/2024 3:46 PM |

Q10 Should the obligation to “demonstrate good character” be placed on the licensee under Rule 41, to complement Rule 42(g) that a licensee must not “engage in conduct that undermines public confidence in the industry, harms the integrity of the industry, or brings the industry into disrepute”?

Answered: 674 Skipped: 3



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 69.73% | 470 |
| No | 30.27% | 204 |
| TOTAL | | 674 |

| # | PLEASE EXPLAIN YOUR REASONING. DO YOU HAVE ALTERNATIVE SUGGESTIONS? | DATE |
|----|--|--------------------|
| 1 | Yes, the obligation to “demonstrate good character” should be explicitly placed on the licensee under Rule 41, to complement Rule 42(g) that a licensee must not “engage in conduct that undermines public confidence in the industry, harms the integrity of the industry, or brings the industry into disrepute”. Including this obligation can provide numerous benefits: | 4/19/2024 5:30 PM |
| 2 | Once again this is repetitive and unnecessary, as it is already covered in rule 42 (g) | 4/19/2024 2:09 PM |
| 3 | Sounds look a good idea. We had a Realtor in GP allegedly arrested for drug trafficking to this day he is still practicing real estate. Another Broker arrested for assault. Perhaps demonstrating good character would help the hearing panel going forward. | 4/19/2024 12:16 PM |
| 4 | Subjective. As long as its a panel that decides, then that's your guidance. | 4/19/2024 11:12 AM |
| 5 | It should be. | 4/19/2024 10:16 AM |
| 6 | No, I believe it is adequate as is under PART 2 – Industry Standards of Practice Division 1 – Standards of Conduct for Licensees | 4/19/2024 9:30 AM |
| 7 | Good character by whose definition? In a world of polar opinions reca can not give a clear definition of what that is. | 4/19/2024 6:41 AM |
| 8 | Yes, But good character is vague and should be clarified further | 4/18/2024 11:49 PM |
| 9 | Absolutely agree! Here! Here! If RECA cannot consequence those who fail to do their job integrally, they cannot fully do their job/fulfill their role in the housing industry. RECA needs to have the power to enforce and consequence (greatly) those who tarnish all of us. | 4/18/2024 11:11 PM |
| 10 | This won't hurt. | 4/18/2024 8:52 PM |

RECA Rules Review - Standards of Practice

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| 11 | Again when reading the case summaries of some of the real estate "professionals" how did they think their conduct was acceptable? "Demonstrate good character" is a given in life but not everyone lives by that. This should be clearly outlined, also with examples and more emphasis put on this by the brokers. | 4/18/2024 7:02 PM |
| 12 | Unfortunately, this agitates common sense that this is even in question; again this was defined in the training and is identified at virtually the beginning of each section of the training. The fact that this is even a question, establishes the fact that the Rules and ACT do not provide adequate definitions and that those falling under investigations should not have been licensed in the first place. | 4/18/2024 6:46 PM |
| 13 | It is already specific enough in my opinion. | 4/18/2024 5:14 PM |
| 14 | This is another subjective requirement and examples should be included. Social media conduct and presence should be particularly addressed. In our industry, it is difficult to separate the personal from the professional when much of the work is done on a licensee (personal name) basis. | 4/18/2024 3:48 PM |
| 15 | Who determines what is 'good character' vs. 'bad character'. The role of RECA should be limited, precise and not ambiguous. You are dealing with people's livelihood here, that should not hang on a thread of opinion but on fact. | 4/18/2024 3:44 PM |
| 16 | I do not believe that the above statement is a specific statement. A person may deem speech (a licensee's opinion) to be undermining public confidence or something of that nature.. so if something was added to specify the good or bad behaviour then maybe I could agree with that but not an open ended statement as listed above. | 4/18/2024 2:13 PM |
| 17 | The term "demonstrate good character" is subjective and open to interpretation. | 4/18/2024 1:51 PM |
| 18 | It benefits the explanation. | 4/18/2024 11:31 AM |
| 19 | Examples or clarification should be included to explain the expectation of "demonstrating good character". Limits should be set as to how much social media can influence the decision as to "demonstrating good character". There are a lot of negative comments that are unfounded, untrue, or old on social media that could be used against a Licensee. For example, to some people a picture on social media with alcoholic beverages could be demonstrating bad character. Or a political opinion shared on social media could be interpreted by some to be negative to the industry. Limits to the power of public confidence must also be considered, where and how is public confidence being measured now and in the future with the influence of social media. | 4/18/2024 11:29 AM |
| 20 | The biggest challenge to this is the definitions of "demonstrate good character" and "Good Character". Who is defining this. Does good character mean not inclusive of LBGTQ2+ or must be "happily married with kids". I think we all can agree that being dis-reputable (theft, shady dealings, illegal activities) should be dealt with but, what if someone has divergent high profile political, personal or other beliefs that do not conform to the ideals of society of RECA will this be punished. Who will be the judge and jury. | 4/18/2024 11:22 AM |
| 21 | Again I would need to see how many times this happens, or complaints to the regulator to add to Rule 41. Where is the public being currently harmed by what is going on? | 4/18/2024 11:14 AM |
| 22 | We must watch our tone and language when discussing other agents and brokerages. It must be common place if there are issues that the agent contacts the broker of record and it is resolved at that level. If the one of the Broker of records does not move forward with resolutions than there should be a quick mediation from RECA. Notice I said quick. | 4/18/2024 11:10 AM |
| 23 | I believe leaving it open to situational aspects protects everyone. We walk the line of adding personal bias and opinion into what these things are. If we start listing what a small sector believe are harming the integrity, we open to religious or sexual bias. | 4/18/2024 11:07 AM |
| 24 | Your career is not who you are as an individual and I find this could be too problematic based on differing beliefs and ideology. | 4/18/2024 10:46 AM |
| 25 | Realtors must demonstrate good character at all times | 4/18/2024 10:24 AM |
| 26 | Rule 41 is meant to address what licensees should do (ie. in a positive manner) and then Rule 42 identifies what they should not do in a negative manner in order to provide the framework or boundaries for the hearing committee to provide sanctions for behaviour - it should be included so that they match. | 4/15/2024 10:54 AM |

RECA Rules Review - Standards of Practice

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| 27 | the rule is already under 42 and is fine as is | 4/12/2024 9:28 AM |
| 28 | If specificity is required to better aid panels in disciplinary decisions, then yes, please be more specific in defining conduct unbecoming of an associate. | 4/11/2024 11:07 AM |
| 29 | "Demonstrate good character" is subjective, and somewhat redundant when there is already a list of prohibitions on many of the the things that would demonstrate poor character. | 4/10/2024 2:10 PM |
| 30 | No it is there. If a manager is seen dancing on tables at a bar, drinking and driving, it brings the industry into disrepute. I think that is sufficient to have it in Rule 42. | 4/9/2024 8:43 PM |
| 31 | WE SHOULD DO EVERYTHING POSSIBLE TO IMPROVE THE STANDARDS OF THE INDUSTRY. | 4/9/2024 5:23 PM |
| 32 | In my opinion, this is NOT about GOOD CHARACTER- it is about appropriate BUSINESS PRACTICE OR INTENTIONAL CONDUCT. I offer the suggestion that "CHARACTER" should be replaced with either "INTENT" or "BUSINESS PRACTICE" or "OUGHT TO KNOW BETTER" There are hundreds of licensees that have poor "character". I would never let my dog be alone with them. However, the character of a licensee is subjective and not the real issue,. The real issue is, and always will be their unacceptable business conduct or sloppy real estate practice that undermines public confidence and taints the reputation of our industry. | 4/6/2024 12:41 PM |
| 33 | Yes . . . all obligations should be set out in the Rules. | 4/4/2024 4:41 PM |
| 34 | It is already clearly stated what is required/expected. | 4/4/2024 10:55 AM |
| 35 | I think the boards are trying to enforce this, it might as well be included in the wording therefore. | 4/4/2024 10:44 AM |
| 36 | Who decides what "good character" is? | 4/3/2024 11:22 AM |
| 37 | Yes, include specific behaviours that demonstrate 'good character' and also include examples of behaviours which do not (maybe pulled from case histories of misconduct / disciplinary cases). | 4/2/2024 8:30 PM |
| 38 | redundant | 4/2/2024 7:00 PM |
| 39 | Yes, this needs to be explained better and an example would be making sure you are giving your clients all the offers that have come in on their property and not leaving some out because they are not from your practicing brokerage. We all know of examples that this has happened and specifically from Attkinson realty due to the fact that it is a pyramid structure where licensed realtors above them are going to make commissions as well as the realtor bringing the offer. This should not be allowed nor should a lot of the other BS that goes on behind the scenes. | 4/2/2024 6:56 PM |
| 40 | It would be better to define the terminology within the scope of the rule. | 4/2/2024 4:04 PM |
| 41 | No, this is to broad and not easy enough to define. Examples include things like you may need to be aggressive in a negotiation to further your clients best interests. Could that be conceived as not demonstrating good character. Same as in condo management and property management. Things like collections, evictions, condo lawsuits etc. how does RECA judge good character in these situations? RECA Rules should stick to quantifiable and legal obligations. RECA should not be applying resources and spending time investigating complaints of poor customer service, unless there is an allegation of an actual breach of a Rule or the Condo Act etc. | 4/1/2024 6:09 PM |
| 42 | Yes but add it to the examples. | 4/1/2024 4:16 PM |
| 43 | I believe it is clearly written already. | 4/1/2024 1:48 PM |
| 44 | It seems fitting | 3/30/2024 1:09 PM |
| 45 | It sounds like this is already a standard used so might as well add it to the rules. | 3/30/2024 8:45 AM |
| 46 | Here is the problem: with so many backgrounds and religions, what is deemed good character to one is deemed bad character by another. In my opinion, while personally I take pride in being good character, RECA should set a very high bar as to what is NOT deemed to be good character. The problem with 'good character' is that it opens up a can of worms and involves investigations that waste resources, time, effort, create unnecessary damages, and should never have been initiated. If a professional is found guilty by the courts for some serious | 3/29/2024 6:45 AM |

RECA Rules Review - Standards of Practice

criminal offence, that would be reason for RECA to invoke the 'good character clause'. What would not be appropriate is if an industry member exercised free speech to the public (e.g. political or culture or even something truthful and negative against RECA) and RECA attempts to investigate and punish the individual -- because that is argued to be going outside the boundaries of what the Regulator ought to be dealing with. RECA's best approach is to allow free speech including speech that many might disagree with because as a licensed industry member, even though I do not agree with everything I hear said by other people, I and others will vigorously defend their right to say it as long as it does not involve slander or libel.

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| 47 | na | 3/28/2024 3:01 PM |
| 48 | If the Registrar is already considering this definition of Good Character in decisions then that definition needs to be shared with the industry as a clearly defined rule that is then outlined as an expectation for all professionals to follow instead of just reference material later if there are issues. | 3/28/2024 11:50 AM |
| 49 | Seems like it could be very broad and non helpful | 3/26/2024 10:49 AM |
| 50 | Define good character. Should you be penalized simply because your lifestyle conflicts with the masses? What if someone gambles, but they approach it with scientific prowess, would the fact that they gamble be viewed as poor character? | 3/26/2024 10:40 AM |
| 51 | anything to improve our reputation to the public | 3/26/2024 8:24 AM |
| 52 | This is the whole reasoning for education and licensing for Condo Management industry. RECA sets the framework, licensee is obligated to follow that framework, representing the broker and themselves. | 3/26/2024 7:49 AM |
| 53 | - if the lack of clarity gives rise to a challenge of any sorts, clarification should be given in order to maintain the integrity of the industry. | 3/25/2024 2:12 PM |
| 54 | From my own experience, the latitude the Registrar has and uses to evaluate "Good Character" is overbroad. I was practicing law in 2005 when I experienced devastating mental health issues. These issues made the continued practice of law impossible. I cooperated fully with the LSA, and resigned (resulting in disbarment) at the earliest opportunity. It also lead to a bankruptcy. I sought treatment, successfully, for my mental health issues. I have been a Condominium Manager since 2007 when Rancho Management took a chance on me, and worked consistently and exclusively in condominium management for 15 years. When it came time to obtain a license, my disbarment and bankruptcy were raised as though there is no forgiveness for an unfortunate situation even after 15 years. I faced the prospect of being told that I was not eligible to do a job I had demonstrated competence and ethical behaviour in for a decade and a half because of a fully resolved situation totally unrelated to the work I had been doing. Any allegations impugning "Good Character" must not refer to past behaviour or current unrelated behaviour. For example, a Licensee that makes an assignment in bankruptcy as a result of a nasty divorce should not have that bankruptcy used to impugn his good character. Likewise, other past actions should not be looked at if they occurred and were fully resolved more than 7 years prior. | 3/25/2024 1:42 PM |
| 55 | I think the rule is already specific. | 3/25/2024 1:27 PM |
| 56 | Good character can be misinterpreted according to your political or religious beliefs. What if you have a glass of wine every day, someone might say that is not in good character. | 3/25/2024 11:11 AM |
| 57 | Extremely subjective | 3/25/2024 10:36 AM |
| 58 | Agree 100%. No explanation required. | 3/25/2024 9:57 AM |
| 59 | To wide open to attacks. A hearing panel to decide if you undermine public confidence? Someone can use this to attack competitors. Way to many examples City of Medicine Hat mayor ousted because poorly worded policy. Jordan Peterson ousted (don't agree with him) but this sets up RECA members for disaster. Get kicked out of industry because you lean left or right or attend the wrong church etc or you do to much volume | 3/23/2024 6:53 PM |
| 60 | Just continue to apply as part of the review process. I don't believe the wording should be added. It would likely not be interpreted in the same manner that the investigators apply this. | 3/23/2024 1:23 PM |
| 61 | "Demonstrate good character" is very very vague and could be misused (as has been demonstrated in other industries and organisations). We have legal and fiduciary duties and that is enough | 3/23/2024 11:34 AM |

RECA Rules Review - Standards of Practice

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| 62 | OUR INDUSTRY CAN USE ALL THE RESPECT THAT IT DESERVES | 3/22/2024 4:18 PM |
| 63 | This will get sorted out to a great extent if we have SOP even for conduction open house, showing and have a feed back system from the customer by the Broker/RECA/REA and it should be based on the big companies like FIDO/Canadian Tire other such big industries. | 3/22/2024 2:04 PM |
| 64 | In my opinion, confidence in the industry is at an all time low - in Calgary at least - in part caused by the actions and attitudes of a not insubstantial number of agents. In theory, it would be a great idea to add this obligation to the Rules however it is extremely difficult to quantify - and ever harder for RECA to police. I would delight in seeing action being taken in this regard, however I fear RECA would have a mountain to climb, with the current number of agents licenced in the city and the attitudes of a portion of them at present. | 3/22/2024 10:31 AM |
| 65 | I think this will complicate the issue with a consumer understanding it without a definition aas Good Character in Business is different then what an average person may think it is. Anything added will need a descriptive write out behingd it to make sure the public dont interpret it wrong causing investigations not needed and undue cost and stress on the licensee | 3/21/2024 3:59 PM |
| 66 | character is pretty vague to many. Could it be reworded to tackle specific traits ? | 3/21/2024 2:01 PM |
| 67 | This is too arbitrary and leaves the panel too much leeway. This would open the door to all sorts of discrimination and personal inclinations have the potential to influence a decision. Good character should be spelled out what does it mean. | 3/21/2024 1:40 PM |
| 68 | Realtors are held at a high standard and this would be important to have made clear | 3/21/2024 1:20 PM |
| 69 | Much more clear language. | 3/21/2024 12:43 PM |
| 70 | Not clear on what this will accomplish | 3/21/2024 11:06 AM |
| 71 | to demonstrate good character is subjective and also difficult to enforce as an obligation to licensees. Different cultures will have difficulty because the meaning is not always understood the same way. | 3/21/2024 10:49 AM |
| 72 | We need clearer examples of good character and what is not acceptable behaviour to protect the public. | 3/21/2024 10:27 AM |
| 73 | Absolutely that should be placed under rule 41. We have an obligation to have a greater understanding and take better care and skill in what we're doing. | 3/21/2024 10:12 AM |
| 74 | The term landlord has such a negative connotation now because of managers and owners acting immorally. Once again including example of what does not demonstrate "good character" is needed. | 3/21/2024 10:01 AM |
| 75 | Realtors need/want all Members of our industry to act like true proffesionals, and that means being a good citizen 24/7. We want/need the public to have faith in us | 3/21/2024 9:54 AM |
| 76 | I think that this needs to be outlined more for the benefit of all parties. | 3/20/2024 7:13 PM |
| 77 | Yes I think "demonstrate good character" should be in Rule 42 but work on the wording. I find this sentence "engage in conduct that undermines public confidence in the industry, harms the integrity of the industry, or brings the industry into disrepute" is not clear enough. | 3/20/2024 4:43 PM |
| 78 | If a licensee is not going to protect the integrity of the industry they should not be a licensee. Demonstrating good character is a large piece of the foundation for the integrity in our industry. | 3/20/2024 3:56 PM |
| 79 | "Good Character" is open to interpretation. Perhaps provide examples? | 3/20/2024 3:54 PM |
| 80 | A competent licensee should have an understanding of "Good Character". Scenarios can vary greatly to try and narrow it to one or two would be an erroneous task. To gain an insight into a licensee's capacity and understanding of "Good Character", an oral interview would be the best option prior to the licensee being granted a license. | 3/20/2024 3:21 PM |
| 81 | 'demonstrate good character' and 'engage in conduct that undermines public confidence....'are too vague and open to interpretation. | 3/20/2024 11:29 AM |
| 82 | Good character is too ambiguous. It would be more useful to define the actions that undermines, harms or bring the industry into disrepute. That way there can be no discussion of what "good character" is. | 3/20/2024 10:16 AM |
| 83 | However, RECA will have to define "good character" and "conduct that undermines". It will have | 3/20/2024 10:10 AM |

RECA Rules Review - Standards of Practice

to so within a very strict legal environment that protects people's rights as to how they behave or what they say. For example, anti-Semitic slurs, homophobic slurs, islamophobic comments, deceiving marketing practices, and the like would be examples of bad character and conduct that undermines public confidence. In short, anything outside of dealing in good faith (SCC has now defined this as being required in business.) human rights, privacy, consumer protection and contract laws would be classified as being NOT of good character and conduct that undermines public confidence.

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| 84 | Once again, I think the definitions are specific enough. Micromanaging these rules and creating such specific definitions are not helpful. | 3/20/2024 9:48 AM |
| 85 | Explanation of what "good character" is would be necessary. It is a term that is open to interpretation by anyone reading it. "Good character" to one person could mean something completely different to another person. Without proper explanation the term is ambiguous | 3/20/2024 9:42 AM |
| 86 | The more clarity that is added to language around the obligations of Realtors - the less we'll see poor interpretations of what we, as Realtors, are required to do. | 3/20/2024 9:12 AM |
| 87 | its adequate | 3/20/2024 5:44 AM |
| 88 | Too subjective. | 3/19/2024 10:15 PM |
| 89 | Unsure on this one. Perhaps more specificity is necessary when it comes to what is blatantly NOT demonstrating good character... | 3/19/2024 9:38 PM |
| 90 | I have no issues with this placement. | 3/19/2024 9:21 PM |
| 91 | If the registrar is using good behaviour as a point of reprimand but it isn't in legislation to do so, that is a problem. In addition, good character is grossly subjective. It would be better to have a social media and appropriate conduct guide rather than subjectivity regarding what good behaviour is. | 3/19/2024 8:25 PM |
| 92 | The current definition is good enough. Demonstrating good character is highly subjective as people have different views. However, the current definitions tells us what NOT to do, which is objective and not subject to interpretation, so it shouldn't change. | 3/19/2024 6:18 PM |
| 93 | We want solid spirit, moral, ethical and legal character but "demonstrate good character" is subjective phrase | 3/19/2024 5:08 PM |
| 94 | This is unnecessary. Presumably if one is NOT demonstrating good character, then one IS engaging in conduct that undermines ... etc | 3/19/2024 4:59 PM |
| 95 | broadens the phase not only Character to oneself, but also the industry as a whole, which they belong too and have influence on its reputation. | 3/19/2024 4:32 PM |
| 96 | Perhaps but the reason this is a topic is because of low-bar licensing requirements currently. Ethics are mentioned in passing and character isn't discussed so as not to hurt feelings. Likely the best way to deal with character is required one to two year constant apprenticeship with an agent who has been full time on the industry more than five years. Character is not a box ticked on a form. | 3/19/2024 4:26 PM |
| 97 | My answer is "I don't know / not sure." I am not familiar with the Registrar/Hearing Panel terminology, and I am not a lawyer to determine whether this term needs to be implemented. Perhaps, a similar approach to regulating Law Society of Alberta should be used. | 3/19/2024 4:25 PM |
| 98 | the more accountability is better | 3/19/2024 3:55 PM |
| 99 | For the exact comments stated above. We need to raise standards in order to have confidence with the public. | 3/19/2024 3:20 PM |
| 100 | It's saying the same thing | 3/19/2024 3:18 PM |
| 101 | It is important that we as part of the industry hold ourselves in the highest esteem | 3/19/2024 2:52 PM |
| 102 | Brings Clarity | 3/19/2024 2:32 PM |
| 103 | This seems like a natural change for clarity and security for the public. | 3/19/2024 2:29 PM |
| 104 | Good Character is a subjective term. | 3/19/2024 2:13 PM |
| 105 | This would make sense to me. Increase integrity and help weed out the bad | 3/19/2024 1:53 PM |

RECA Rules Review - Standards of Practice

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| 106 | They will have more information | 3/19/2024 1:52 PM |
| 107 | Yes, but I think that "Good Character" must be delved into more so that there is a guideline towards that as well. There needs to be more investigation towards what "Good Character" means, and also what does it mean towards the industry. Does this pertain to an Agent's private life as well. I think that there needs to be more clarification. | 3/19/2024 1:21 PM |
| 108 | Should be obvious but is an easy add on to remind agents | 3/19/2024 12:59 PM |
| 109 | Possibly add an additional rule that spells out things that licensees absolutely should not do: ex. express hateful speech verbally or via any other platform, be convicted of any criminal offence, ... | 3/19/2024 12:39 PM |
| 110 | All this is doing is creating another layer of gray area. How do you define "Demonstrate good character"? This is adding bureaucracy. | 3/19/2024 12:30 PM |
| 111 | Who will be the judge of good character. Rules like this are open to abuse. Is being critical of RECA, CREA or a local board enough to get you sanctioned. What about political or religious opinions. RECA should regulate real estate transactions and not turn into the thought police. | 3/19/2024 12:24 PM |
| 112 | good character is too broad - who gets to decide what good character is. Some may be offended by a person who drinks alcohol and assumes that make him/her a bad person -- | 3/19/2024 12:04 PM |
| 113 | Sometimes we all end up dealing with nuts and our reputation can be dragged unfairly the industry should protect us as long as it is warranted | 3/19/2024 12:02 PM |
| 114 | Sounds like more police-ing. Anybodys differing opinons could be brought into this. Sounds terrible. | 3/19/2024 11:27 AM |
| 115 | Who decides what "good character" is? What is the criteria? | 3/19/2024 11:22 AM |
| 116 | There must be a balance in defining what demonstrates good character | 3/19/2024 11:17 AM |
| 117 | again I also think "good character" should be defined & so should "conduct that undermines public confidence". | 3/19/2024 10:42 AM |
| 118 | Because the integrity of our industry is critical, not only for agents but also the consumers we work with | 3/19/2024 10:32 AM |
| 119 | I have mixed reviews about this as how does one demonstrate good character what is the measuring stick seems a little vague | 3/19/2024 10:03 AM |
| 120 | Again, clear description of what constitutes "good character" is important. | 3/19/2024 9:44 AM |
| 121 | I agree with this. If a associate acts out of good character it puts a stain on the whole industry and I think it is important that people are punished for this. | 3/19/2024 9:42 AM |
| 122 | Will make Hearing Panel fair and will clarify grey areas - especially for new licensee. | 3/19/2024 9:42 AM |
| 123 | Only makes sense. We are responsible for the industry. | 3/19/2024 9:42 AM |
| 124 | Impossible to enforce but good to have in the documents. | 3/19/2024 9:26 AM |
| 125 | I see a few issues with this: 1. Without a careful and complete explanation, with examples, I think this would quickly become another useless grey area. 2. Who will define and govern this very subjective term and how... will it be based on their personal opinions of "good character"? (In my opinion, those in power shouldn't govern based on personal opinions of the "way things should be", even here in Alberta). 3. Have you considered that different cultures have very different ideas of "good character" and we employ many foreigners as realtors here? I have further questions. Will there be a test prior to licensing for this? Will you treat this like a "pass or fail" or will you have several levels of "character" testing and penalties? | 3/19/2024 9:25 AM |
| 126 | Seems like semantics to me. Good character can be defined or not but has a definition. | 3/19/2024 9:16 AM |
| 127 | I recently experienced a situation with a relative selling a property in an other jurisdiction where the realtor left the client out to fend for themselves and the relative ended up with the impression realtors didn't know much about selling properties. | 3/19/2024 8:57 AM |
| 128 | I think good character is a great way to determine the disciplinary action. If somebody means well but made an error, that is different than somebody who made the same error intentionally for their personal benefit. | 3/19/2024 8:54 AM |

RECA Rules Review - Standards of Practice

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| 129 | It isn't the function nor duty of administration to judge character. Each case is unique. | 3/19/2024 8:53 AM |
| 130 | There are many ways to interpret "good character" and there are many industry members who may get caught outside of this interpretation so a mandated obligation may be generally beneficial to tighten the standards and steer the public confidence in a more positive direction. | 3/19/2024 8:17 AM |
| 131 | regardless of how many 'obligations' put on realtors, bad members will do what they want either way. | 3/19/2024 8:09 AM |
| 132 | no change is required | 3/19/2024 7:55 AM |
| 133 | How can anyone prove someone did not" demonstrate Good character" it is pretty vague | 3/19/2024 7:38 AM |
| 134 | I feel demonstrating good character and must not engage in conduct that undermines is saying the same thing | 3/19/2024 7:07 AM |
| 135 | It would provide better clarity and if it also initiates a RECA information bulletin, then the specifics are there for all industry members, as well as the public, to refer to. | 3/19/2024 6:57 AM |
| 136 | What we have is sufficient. | 3/19/2024 6:53 AM |
| 137 | unless you're planning on outlining every little thing that defines "good character" you should leave it alone. | 3/19/2024 6:23 AM |
| 138 | I think it is a good idea but our actions tend to demonstrate our character and a not sure how we could demonstrate this | 3/18/2024 11:26 PM |
| 139 | That sounds more like a code of conduct | 3/18/2024 11:17 PM |
| 140 | Should not be placed under rule 41. Should be stand alone and elaborated for those who dont understand it. | 3/18/2024 10:57 PM |
| 141 | This one is super complex. While I think there's an obvious line and standard when it comes to illegal actions (e.g. fraud) there is a ton of other activities including constitutionally-protected speech and expression that can get dragged in here. Any licensed person who expresses an opinion or viewpoint that runs counter to majority thinking has the potential to get in trouble under 42(g) in it's current form and I don't feel good about that. SO -- should we expand that even further? If we want to bring in some retired Supreme Court Justices to formulate the definition of "good character", I would feel better that we're going to get something legally/constitutionally valid. Otherwise, "good character" is a fairly problematic term and largely based on the societal standards of the day. Go back enough decades and there are tons of things acceptable (even legal/protected) today that would NOT have been considered "good character" in the day... being gay, being unmarried and living together, children out of wedlock, not going to Church, being a woman and not wearing dresses, etc. etc. etc. | 3/18/2024 10:19 PM |
| 142 | There are enough bad characters in our industry that have had long careers and continue to be predatory under the guise of a business model, or they make money teaching others skills (incompetently). Adding this in the rules is idealistic and doesn't change the baddies who continue to operate and we apl watch and shake our heads. This is the real world, and we all just have to work together, suck it up when we deal with the bad ones who we know will try and pull shady things in a contract, and protect our sellers without ringing alarm bells. Pointing out the obvious is beaureacratic redundancy. | 3/18/2024 10:13 PM |
| 143 | Licensed realtor should know, understand the obligations to the public. Therefore protecting the industry, customers and clients. | 3/18/2024 10:11 PM |
| 144 | Yes, good character should always be examined. BUT, that said, when there is no case precedent, the assumption should not automatically be that an industry professional lacks good character. The cast majority of industry professionals in my experience have an abundance of good character. | 3/18/2024 10:03 PM |
| 145 | Isn't this a given? | 3/18/2024 9:11 PM |
| 146 | Nobody can demonstrate good character, 24-7, 365 days/year, over a lifetime in the Industry. That's crazy talk. | 3/18/2024 8:44 PM |
| 147 | Yes, and this rule should be more heavily enforced in some capacity. There is so much that is wrong with the way some agents act, and continue to get away with their practices, but nothing seems to ever be done. There is already a compete and utter "hate" against the Real Estate | 3/18/2024 7:48 PM |

RECA Rules Review - Standards of Practice

sector, so when we have disloyal agents acting the way some of them do, they should be immediately removed from being able to practice Real Estate.

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| 148 | Demonstration is subjective | 3/18/2024 7:37 PM |
| 149 | I think this is super subjective and would be difficult to enforce if this type of change was adopted it would need a lot of definition. | 3/18/2024 7:13 PM |
| 150 | Again yes and no could be applied. It is a general statement. What one person may call questionable another maybe totally accepting of. Of course, people need to be of good character but general statements are left for interpretation. | 3/18/2024 7:10 PM |
| 151 | What is "good character"? And who makes that determination? A licensee who abides by all the rules in sections 41 and 42, by default, is demonstrating good character as it relates to this industry. | 3/18/2024 6:53 PM |
| 152 | This is a no brainer .. it sets the tone for anyone that tries | 3/18/2024 6:47 PM |
| 153 | anyone who thinks this rule needs further clarification obviously does not have good character and does things to undermine the public's confidence in real estate agents | 3/18/2024 6:30 PM |
| 154 | I feel the use of that wording is subjective and open to interpretation. | 3/18/2024 6:28 PM |
| 155 | None at this time. | 3/18/2024 6:16 PM |
| 156 | Realtors work in the gray and take advantage of the vague wording. | 3/18/2024 6:12 PM |
| 157 | Easy to understand with more explanation | 3/18/2024 6:02 PM |
| 158 | "good character" is a subjective term. Additionally, being of "good character" doesn't automatically prevent you from committing a disreputable act accidentally or in desperation. | 3/18/2024 5:48 PM |
| 159 | There should be clear definition of what good character is if implemented. just the term good character is too vague. | 3/18/2024 5:46 PM |
| 160 | Good character, what does that mean? Is it situational to one transaction in question or 20 years of doing business? | 3/18/2024 5:41 PM |
| 161 | too broad | 3/18/2024 5:39 PM |
| 162 | Honestly, mind your own business. This is one of the most abused rules enforced against industry members. Who are you to decide what is good character? Let me investigate every one of you, your past business dealings, etc. There is nobody fit to make this decision about others, especially the people reading this feedback, which includes: - person who is divorced 3x - multiple people who got caught cheating on their spouse -person with a bankruptcy or two -person who has had criminal charges Are you fit to tell me what is 'good character'? Fuck off with that nonsense. (Does that language offend you? If yes, I made my point.) | 3/18/2024 5:29 PM |
| 163 | AND IF THEY BREACH THE OBLIGATION, BAN THEM FOR LIFE. AT PRESENT, ACTIVITIES OF SOME BORDER ON THE CRIMINAL AND THEY TARNISH THE ENTIRE INDUSTRY. EVER WONDER WHY REALTORS ARE THE BUTT OF JOKES RESPECTING LAZINESS, CORRUPTION AND LACK OF ETHICS? | 3/18/2024 5:24 PM |
| 164 | Again subjective. What does it mean to undermine the industry? Being honest could be deemed as undermining the industry. | 3/18/2024 5:17 PM |
| 165 | This is way too subjective and every person will have a different idea- particularly cultural differences will really come to light as to what is good character*. The existing wording is good as its clear you cannot do anything to undermine public confidence. *ie. from the reverse angle I as a landlord rep. at least once a year I see a tenant touring my property twice in 24 hours with 2 different agents, who clearly are unaware of each other. I think this is bad character on the tenant's part but clearly a certain percentage of tenants think its just fine to do this. I am the one who then has to deal with an unhappy agent if they do a deal with me and the agent who did not do the deal finds out about it. | 3/18/2024 5:16 PM |
| 166 | All real estate professionals should at all times "demonstrate good character". End of discussion! Anyone found to be engaging in conduct that undermines the public confidence in the industry should be sanctioned for disobeying a cardinal rule of the real estate industry. | 3/18/2024 5:16 PM |
| 167 | There are multiple sides to a story and it's never just black and white. Innocent until proven guilty is a law in Canada for a reason, and it's no one's place to decide but the court's. If | 3/18/2024 5:05 PM |

RECA Rules Review - Standards of Practice

someone were to engage in conduct that were allegedly not agreeable to the public, that's for the public to decide, not Reca. Realtors own their own businesses, and if they make a decision that could be harmful to their own career, they would probably have to accept the loss that ensues due to their behaviour. For a client or customer, real estate is a saturated business, and it wouldn't take much to replace a realtor with another one who is equally as motivated if they didn't agree with something tied to a realtors reputation.

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| 168 | It's too subjective and therefore, difficult to base a finding on. | 3/18/2024 5:04 PM |
| 169 | Demonstrating good character does help maintain the public confidence in the industry. | 3/18/2024 5:04 PM |
| 170 | Enforcement mechanisms are needed here, all too often the gray area wins here. | 3/18/2024 5:01 PM |
| 171 | In the age of Tik Tok and social media, what determines good character anymore??? | 3/18/2024 4:59 PM |
| 172 | Unless you clarify what undermining public confidence is. This rule is too broad and vague and should be deleted from RECA Rules. We have already seen what the how the register can use this rule to punish licensees for other reasons than their activity in Real Estate | 3/18/2024 4:58 PM |
| 173 | So what is good character exactly? You will still have the same interpretation problems. | 3/18/2024 4:58 PM |
| 174 | I want to work with professionals that make our industry more respected | 3/18/2024 4:58 PM |
| 175 | I do not feel a thousand more rules helps anything. Enforce the rule already in place. You cannot build a set of rules large enough to cover every scenario or possibility. Throwing a term in another section doesn't mean it's any more valuable, effective or more clearly defined. | 3/18/2024 4:57 PM |
| 176 | Where is the line on good character? One person's opinion of this can vary from another. | 3/18/2024 4:55 PM |
| 177 | Yes, it could and should be added, however there need to be good definitions in place for "good character", as well as the other things listed in Rule 42. | 3/18/2024 4:50 PM |
| 178 | Absolutely! We need more people "Good Character" out there. Not just looking for the fast buck. | 3/18/2024 4:45 PM |
| 179 | Currently, by allowing "discount" real estate marketers access to MLS services the industry already permits "conduct that undermines public confidence" as many of these companies commonly use manipulated or false advertising strategies to discredit the service provided by traditional brokerage/fee models. | 3/18/2024 4:44 PM |
| 180 | unless it is going to be clearly defined, an A or B answer there will always be ambiguity and a need for interpretation. | 3/18/2024 4:43 PM |
| 181 | I also feel that there should be disclosure in a multiple offer situation of the purchase prices being presented. Not knowing allows manipulation of the system where sometimes clients may be bidding against themselves. | 3/18/2024 4:40 PM |
| 182 | Good character is hard to define and largely subjective. Who gets to decide if one's character is good "enough." | 3/18/2024 4:40 PM |
| 183 | Also add knowingly engages in mortgage fraud | 3/18/2024 4:39 PM |
| 184 | The industry is undermined by no apprentice program or college diploma with the responsibility the agents are undertaking. By having such a large number of zero producers and very low producers already reduces that "undermines public confidence!" Imagine an ad campaign that says that 35% of realtors sell nothing and 80% of agents are involved with less than 5 transactions a year fully undermines public confidence already. Need minimum 2 year college diploma and then 1 year of apprenticeship after graduation. You are advising people on the biggest investment of their life in most cases. Sounds like most agents have no real value to the public other than open a door and do the paperwork. | 3/18/2024 4:37 PM |
| 185 | Anyone who commits fraud, purposefully misleads should be banned for life. Temporary suspensions are ridiculous. | 3/18/2024 4:35 PM |
| 186 | Not needed | 3/18/2024 4:31 PM |
| 187 | More details can be helpful. | 3/18/2024 4:31 PM |
| 188 | Don't know how you are going to define good character Every situation is different | 3/18/2024 4:26 PM |
| 189 | Many lender associates utilize techniques that could be considered pressuring to the client. | 3/18/2024 4:26 PM |

RECA Rules Review - Standards of Practice

Brokers and industry professionals who manipulate their clients to earn their business by promising or coercing clients through misinformation should be held to a higher standard. Business should be conducted in a transparent and honest manor in all cases.

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| 190 | Provides clarity | 3/18/2024 4:24 PM |
| 191 | Sometimes you just have to spell it out | 3/18/2024 4:24 PM |
| 192 | Try using common sense. | 3/18/2024 4:21 PM |
| 193 | An independent third party should be engaged to determine the good standing of a licensee. | 3/18/2024 4:21 PM |
| 194 | Just seems like a good idea. May want to forward it to reca. | 3/18/2024 4:20 PM |
| 195 | Demonstration of a good character is very important in real estate industry | 3/18/2024 4:19 PM |
| 196 | I think the current definition is clear | 3/18/2024 4:19 PM |
| 197 | same | 3/18/2024 4:17 PM |
| 198 | In lame mans turn. Some agents are unhinged and unprofessional. There needs to be more that RECA can do to weed out bad agents. | 3/18/2024 4:16 PM |
| 199 | demonstrate good character is just as broad as the rest of rule 42. I don't think this would firm it up at all. | 3/18/2024 4:15 PM |
| 200 | It strengthens the rule, very little but some | 3/18/2024 4:15 PM |
| 201 | RECA should also adhere to this requirement. I feel standards are set for Agents, but RECA has operated against thier own regulations by allowing thier employees to speak out of terms that are RECA approved programs. There is little accountability with RECA yet they impose high standards on the Agents they're meant to support. | 3/18/2024 4:14 PM |
| 202 | All you have to do is look at what is currently happening to Jordan Peterson to see the slippery slope that is. Definite hard NO for me | 3/18/2024 4:14 PM |
| 203 | It is a fair but vague statement. We all should aspire to being the best representative of character to our clients and represent the industry with the type of service that brings the client back to us. | 3/18/2024 4:13 PM |
| 204 | Of course. | 3/18/2024 4:10 PM |
| 205 | by adding this the realtor can show the public good character by not engaging in certain conduct. This can help a realtor explain that for this reason I cannot do what your asking of me. I think this would be a important phrase to be added. | 3/18/2024 4:10 PM |
| 206 | Not without being very specific about what this means | 3/18/2024 4:10 PM |
| 207 | We all need to demonstrate good character and not to bring the industry down as a whole. | 3/18/2024 4:09 PM |
| 208 | Crap realtors deserve to be put on blast. The public needs to know there's a difference between a realtor, and a GOOD realtor | 3/18/2024 4:08 PM |
| 209 | Again, clarification... I believe most of us understand what demonstrating good character means but it would be good if there is a baseline defined — especially when a real estate professional needs to defend their conduct during an inquiry. | 3/18/2024 4:08 PM |
| 210 | Again, I believe all aspects of good or bad judgement should be spelled out to clarify how we would be judged in hopes to amend any negative behavior in advance - proactive measure. | 3/18/2024 4:07 PM |
| 211 | seems fine the way it is? | 3/18/2024 4:06 PM |
| 212 | What does 'demonstrate good character' mean? Depending on the moral position of the accuser - this could not go well. | 3/18/2024 4:06 PM |
| 213 | All of these phrases are vague and open to interpretation, so it really makes no difference | 3/18/2024 4:06 PM |
| 214 | Unless the rule specifically covers every potential act or action, it is up to general opinion, The statement that current disciplinary decisions are based on case precedent is ludicrous as the rules are far too vague and open to a massive opinion of interpretation - so both sides can have their point, what makes the Registrar "God" in interpreting it the way that they wish. A | 3/18/2024 4:06 PM |

RECA Rules Review - Standards of Practice

rule needs to be specifically defined, otherwise if interpretation comes into the fray, the accused should be innocent until proven guilty beyond any and every shadow of doubt.

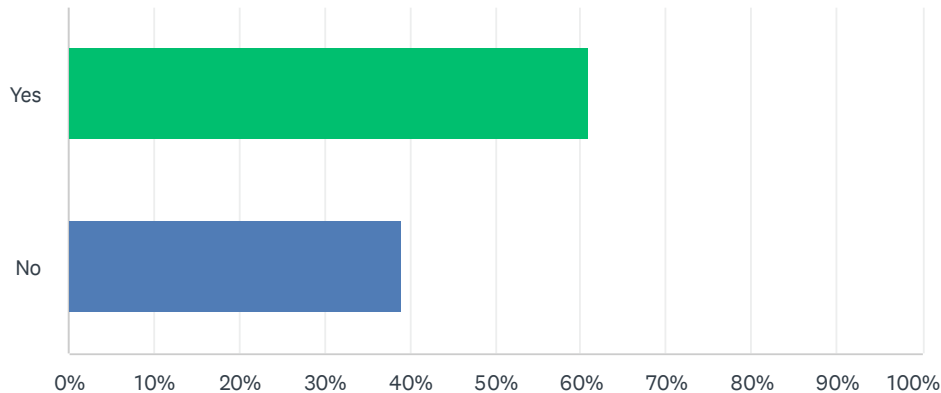
| | | |
|-----|--|-------------------|
| 215 | Again about accountability. | 3/18/2024 4:05 PM |
| 216 | Demonstrating "good character" is as arbitrary and ambiguous as the other parameters within 42(g). Adding another parameter that doesn't have a standard definition does nothing to clarify the general obligation. | 3/18/2024 4:05 PM |
| 217 | Although the term is broad, it may allow RECA more flexibility in dealing with chronic or blatant offenders. It is generally a few bad apples who give the industry a bad name. | 3/18/2024 4:04 PM |
| 218 | Refer to my initial comment. | 3/18/2024 4:03 PM |
| 219 | Too vague, could be used to target individual agents and or brokerages. | 3/18/2024 4:02 PM |
| 220 | How and who defines good character exactly?!? | 3/18/2024 4:02 PM |
| 221 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:02 PM |
| 222 | An opportunity for a lot of grey area. Right now RECA acts like the legal system - precedent is a great guide for all. Understanding what is actionable and also what the disciplinary ramifications will be. | 3/18/2024 4:02 PM |
| 223 | This again is clear. Good character is not the correct term in any case. "Good faith" would be the more accurate and time honoured term but again the above rule has as its basis that aforementioned rules regarding fiduciary duties and with respect to customers the guidelines spell out the intent there as well. | 3/18/2024 4:02 PM |
| 224 | Yes, please. | 3/18/2024 4:00 PM |
| 225 | Yes, but industry should have a breakdown of all the actions that you would find the licensee undermining the public's confidence in - not a vague explanation only which will leave room to speculate many of the actions. | 3/18/2024 4:00 PM |
| 226 | It seems like it would come down to that regardless and the character would be evaluated if there was a complaint. | 3/18/2024 3:59 PM |
| 227 | Follows through it logically | 3/18/2024 3:58 PM |
| 228 | There are several Realtors who should not have had a license based on this "good character" Larry Hahn is a very good example of this. | 3/18/2024 3:58 PM |
| 229 | Who is going to police this, It's an ongoing problem that little is done to curb | 3/18/2024 3:57 PM |
| 230 | I don't think having it written would stop those who would not demonstrate good character. | 3/18/2024 3:55 PM |
| 231 | law is often vague and open to interpretation. i think rules should be direct and written in terms the average person understands. no subjective statements without clarity | 3/18/2024 3:55 PM |
| 232 | This is already how registrar and hearing panel are operating based on the decisions being reported, so this comment: with little to guide their disciplinary decisions beyond case precedent. Case precedent works well. | 3/18/2024 3:53 PM |
| 233 | Yes - there are many unsavoury characters operating in the industry that need to be held to account. This is Canada and we respect doing business in good faith with good people. We shouldn't offer the opportunity to work in a respected field that generates significant wealth to the country to those that act poorly. | 3/18/2024 3:53 PM |
| 234 | I think demonstrating "good character" is implied in the phrase, "engage in conduct that undermines public confidence in the industry" etc. | 3/18/2024 3:52 PM |
| 235 | I can't believe that this is even a question | 3/18/2024 3:50 PM |
| 236 | But what is "good character"? Again, its a extremely loose term. | 3/18/2024 3:50 PM |
| 237 | That's a reasonable ask and amendment | 3/18/2024 3:50 PM |
| 238 | Enough already. We are already fulfilling our legal obligations. | 3/18/2024 3:50 PM |

RECA Rules Review - Standards of Practice

| | | |
|-----|--|-------------------|
| 239 | No | 3/18/2024 3:49 PM |
| 240 | More needs to be done to help the professions perceptions in the public | 3/18/2024 3:49 PM |
| 241 | One more time about the bar being said although I'm sure there's an argument saying that if you have to spell it out it will be a never-ending list or someone will say it didn't specifically mention that so I didn't think it counted | 3/18/2024 3:47 PM |

Q11 Should a licensee who establishes a client relationship when trading in real estate or dealing in mortgages be required to enter into a written service agreement / provide a written statement of services with that client prior to providing services?

Answered: 668 Skipped: 9



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 60.93% | 407 |
| No | 39.07% | 261 |
| TOTAL | | 668 |

| # | PLEASE EXPLAIN YOUR REASONING. DO YOU HAVE ALTERNATIVE SUGGESTIONS? | DATE |
|---|---|--------------------|
| 1 | It keeps relationships clear | 4/19/2024 11:23 PM |
| 2 | This is already in place. | 4/19/2024 2:21 PM |
| 3 | Too vague, what services, when did they decide to make the realtor/lender their agent? | 4/19/2024 12:19 PM |
| 4 | But we need to change back to a one page form. I've had down-right quarrels with potential clients who are requesting more information on the property but I just can't get into it without some kind of relationship definition in place. HAVE YOU EVER TRIED TO GET SOMEONE YOU'VE ONLY MET FOR FIVE MINUTES SIGN A FOUR PAGE CONTRACT? HAVE YOU? It is completely unrealistic to ask them to do this, no matter what the form says. THEY DON'T LISTEN TO YOU. THEY SHUT DOWN. THEY SEE THAT HUGE FORM AND WANT TO FLEE. And somehow you depend on our incredible communication skills to jump that gap and get people to sign. Its incredibly amazing they actually sign. I'm always amazed at that. Because I sure wouldn't. THE PUBLIC HAS A HARD TIME TRUSTING REALTORS TO BEGIN WITH AND NOW WE HAUL OUT A HUGE AGENCY FORM PACKET, RIGHT IN THE MIDDLE OF JUST SIMPLY WANTING TO VIEW ONE HOUSE. Have you ever seen the response of a potential client? Have you? I sure don't think so. The first thing is their eyes get real wide and often they say "WTF". Now it becomes about calming them down. And believe me, that usually doesn't work well. This does not clarify agency, does not increase the public's faith in realtors, does not come across as professional, does not actually do anything except freak people out, make them run out the door. So.... lets do a one-page form (and by one-page, I mean ONE PAGE!!! Someone needs to have a sit-down with RECA/AREA about their forms and the complete waste of ink and paper with the inclusion of silly graphics that only make a form larger than necessary. BRIEFLY, like in one sentence, outlay the relationship when viewing this house! And quite frankly, it doesn't matter that the current forms are EXCLUSIVE | 4/19/2024 11:40 AM |

RECA Rules Review - Standards of Practice

Buyer Representation or NON-EXCLUSIVE. You haul out that contract and its game over for trust. So a one page form... like in the old days... no one had a problem signing that.

| | | |
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| 5 | It should be done prior. | 4/19/2024 10:21 AM |
| 6 | No one should be forced to enter into a relationship prior to establishing trust. Also, it should not be forced to access websites. It should have to be reviewed by the associate to be enforceable | 4/19/2024 6:44 AM |
| 7 | ensuring that the public understands if they are a client vs customer is important. All fees should also be determined in that arrangement. Buyer Realtors should stop getting paid by the sellers. Thats a conflict and very confusing for the public in how it works and who the realtor is working for. It also means that buyer realtors have incentive to show properties offering higher commissions instead of the property best for their client. | 4/18/2024 11:52 PM |
| 8 | This is what they teach in Real Estate School - let's stick with consistency. Consistency is key in running any organization. | 4/18/2024 11:14 PM |
| 9 | It is my understanding that this is already required under 43(2). | 4/18/2024 8:55 PM |
| 10 | This is an obvious answer, yes the written service agreement should always be provided up front and explained in full and all questions addressed before any service is provided. | 4/18/2024 7:03 PM |
| 11 | Some Agents are so busy making sales very early on in the relationship, they neglect this. And, RECA, the Board, and Committees need to decide do they want competent service or simply money makers. If the requirement is there then compliance should be complete and the required oversight of RECA, the Broker and Brokerage should fall into place. This is very challenging, but that said, the "written statement of services" should be reviewed at the beginning of the relationship and upon that review the request to have a documents signed that states and provides there is a Client / Agent relationship formed. | 4/18/2024 6:47 PM |
| 12 | Setting service standards in advance of providing the service will better manage expectations, which will be better for the customer | 4/18/2024 6:16 PM |
| 13 | Again, this can not be achieved at times until a rapport is established. Not really sure who would complain about this. It will be more detrimental to the industry to not allow relationships to form after meeting. | 4/18/2024 5:16 PM |
| 14 | The agreement would be of no use if it is not signed at the time of the engagement. Everyone should be on the same page at the beginning. | 4/18/2024 3:54 PM |
| 15 | That is between the broker and client. And statement of services change. No one is or should be compelled to sign anything (ie. after the fact). Sometimes agreements are implied. This is like the RECA relationship disclosure. It makes little to no sense. Once a mortgage broker takes on a client he or she may not have a clue if it private, bank, b, until they dive into the file, then they are expected to change that form. I think its good practice for a broker but again, RECA's role should be limited to extreme essential and allow a free market/trade between service providers and their clients | 4/18/2024 3:47 PM |
| 16 | Perhaps an "intent to enter into an agreement" or a disclosure that within (x) amount of time a service agreement must be signed before providing services. Buyers in general are reluctant to enter into a binding agreement with little to no knowledge about the agent. It's too abrupt in the early stages of a possible transaction. | 4/18/2024 2:59 PM |
| 17 | I believe that when entering into a client relationship there must be a written service agreement / but I am unsure what you are asking for to be included in a written statement of services. | 4/18/2024 2:15 PM |
| 18 | In my opinion the timing of discussing and signing a service agreement has a impact on the client. Signing one immediately gives the client/customer the impression that they cannot choose another agent if they do not like the agent they were working with. It can give the client a negative opinion if they feel trapped to work with an agent they do not like. It has been my experience (as a buyer and licensee) that buyers will call and continue to reach out to a preferred agent and once a few connections or showings have occurred, both agent and buyer can feel confident in the other to agree to a service agreement. | 4/18/2024 11:50 AM |
| 19 | I already thought this was mandatory though... | 4/18/2024 11:37 AM |
| 20 | If it's come to the attention that there's a lack of communication, it should be changed. | 4/18/2024 11:35 AM |

RECA Rules Review - Standards of Practice

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| 21 | Ideally yes. When do "services" start? If an agent or broker wants to get paid, they need a service agreement and contract. I believe this should be a recommended practice not forced. The issue is if the agent / broker tries to increase fees above normal market fees at the last minute. I think further review of the underlying cause of the client complaint is likely the bigger issue. | 4/18/2024 11:28 AM |
| 22 | There are still customer and client expectations that there doesn't need to have an agreement in place before showing a property. In the case of a listing, there are no services provided when competing for a listing. | 4/18/2024 11:25 AM |
| 23 | I can't stress enough how ABSOLUTELY ABSURD it is to meet someone for the 1st time to show properties and propose marriage the first meeting!!! My clients use me as they trust me, not because of a piece of paper!!!! I once had a BBA and client went to builder behind my back, I had introduced them. My lawyer said it's not really worth much, take them to court but that cost outweighs the commission!!!! Please stop making this mandatory! We have enough on our plates. | 4/18/2024 11:17 AM |
| 24 | This is a simple broker fix to their agents as the current model works if done correctly. | 4/18/2024 11:17 AM |
| 25 | If we make it mandatory that the industry as a whole will do so. If it is only when the client or agent feel comfortable well that leave room for running a muck. | 4/18/2024 11:12 AM |
| 26 | im guessing those same people actually refused to sign until after the services were provided. Asking the agent to work without commitment until the clients got what they wanted. Making it mandatory would provide an agent with ammunition to get a client to sign BUT agents would still go ahead to try and get a deal if the clients refused to sign. This would give less reputable agents more freedom to win over ethical ones. | 4/18/2024 11:11 AM |
| 27 | This is already standard practice | 4/18/2024 10:53 AM |
| 28 | This is the only way to manage expectations and be clear of the perimeters of service | 4/16/2024 1:47 PM |
| 29 | This should be a requirement at the beginning of the relationship (up front), it is the engagement letter between the licensee and client and outlines the terms of the services to be provided and the standards to which must be maintained. Having the client sign this at the beginning is their acknowledgement that they understand the relationship; to protect them in the relationship. | 4/15/2024 10:55 AM |
| 30 | although I do agree with written service agreement being completed before providing services. many customers are worried and do not want to sign any paperwork until they are ready to either list or buy | 4/12/2024 9:33 AM |
| 31 | To be clear - Yes we should have a written service agreement with our clients. No, I do not think we should provide that agreement prior to providing services. OR we could provide a sheet to potential buyers with the services we provide for free & at what stage in a transaction we require a signed service agreement. We don't get paid until a sale is completed. We are often called to simply show a property to someone with which we have no relationship with. And the commissions on each property can be different. I prefer to sign a buyers rep agreement when we have more specificity. We know commissions offered. I am prepared for a buyer to potentially work with someone else when they decide to purchase, if the commissions do not work for me, & I let them know their options. If they have requested to view a specific property & not agreeable commissions are being offered, I'll let them know their options & what I am prepared to do. If I'm making the list of properties to be viewed, I would not include properties offering commissions not acceptable to me. (I would do this anyway even with the buyer's rep agreement signed for 3.5&1.5) Not having a buyers rep agreement signed on day 1, gives buyers freedom & associates freedom. Maybe an associate or a brokerage has a certain # of properties to show, or length of time working with a buyer before requiring a buyers rep agreement. Buyers should be able to "shop around" to find an agent they would like to work with before feeling obligated to work with the first agent that shoves a buyers rep agreement under their nose. I started real estate before Buyers rep agreements were a requirement & have plenty of examples of "working for free" with & without a signed Buyers rep. | 4/11/2024 11:35 AM |
| 32 | Many clients do not want to sign a service agreement until they have had some interactions and experience working with their licensee. If a client is later asked to sign a service agreement and is unhappy with the terms the agreement, they do not have to sign it. The service agreement should be signed prior to transaction related services, such as writing an offer contract, but should not be required to be signed before providing services such as simple advice or information, or even showings. | 4/10/2024 2:16 PM |

RECA Rules Review - Standards of Practice

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| 33 | Yes. I was very surprised coming from ON to see the system here. I met with a realtor, requested the document and was told I do not get it until I have bought the house. It was confusing and I wanted to review it in person instead of on a phone screen with docusign. They sold our condo which was tricky and did get us a good house, but I was not happy with this section of their service. Condominium managers have to do this so why shouldn't they. | 4/9/2024 8:47 PM |
| 34 | IF EVERY AGENT DID A BUYER INTERVIEW WITH POTENTIAL CLIENTS FIRST AND EXPLAINED THE WRITTEN SERVICE AGREEMENT THE PUBLIC WOULD HAVE THE OPPORTUNITY TO MAKE A DECISION ABOUT THE RELATIONSHIP HE WANTS TO HAVE WITH THE AGENT. | 4/9/2024 5:27 PM |
| 35 | Are clients actually complaining that they had to sign an agreement after the fact - or did this knowledge that the document wasn't signed until afterwards just come up in the process of other complaints? If clients actually feel like they were harmed because they received that document after the fact, they think that if they had the document before it would have changed the facts materially then yes it should be a requirement prior to providing services. | 4/9/2024 11:38 AM |
| 36 | If the CRG was provided early in the relationship and explained, this will give the client an opportunity to choose which relationship they want to enter into. At this time if they choose "customer" then a Written service agreement should be signed. "Customer Acknowledgement" covers this, does it not? | 4/7/2024 10:21 AM |
| 37 | YES! YES! YES! YES! It is MY MANDATORY Brokerage Policy and Procedure that ALL my licensees MUST get Disclosures and Service Agreements signed BEFORE they discuss anything and BEFORE any real estate service is provided. Full Stop. Getting Consumer Agency and Buyer Brokerage has been in full force and effect for a very long time. However, licensees are not doing it. That conduct is not being enforced. It is such a critical step but many don't understand why that procedural written step is so important. I submit, if that was actually being done, it would minimize complaints and liability. | 4/6/2024 12:57 PM |
| 38 | It needs to be explained better in an information bulletin. We cannot expect to get something in writing from anyone upon first contact. It does need to be explained, however, that the written agreement needs to be done at an "early convenience", and absolutely before entering into any contract. | 4/4/2024 4:45 PM |
| 39 | It should be signed when it is clear there will be a client relationship. It is possible to meet with potential clients, however, they will remain only "potential" until it is clear a business relationship will be formed. | 4/4/2024 10:59 AM |
| 40 | I honestly thought this was in the rules. I've never done a transaction without having this in place. | 4/4/2024 10:46 AM |
| 41 | Far too many agents are getting these agreements signed at the offer stage sometimes months after initial contact! This has to stop. | 4/3/2024 10:35 PM |
| 42 | Yes, the service agreement should be signed by all parties and should specify the scope of work (within the licensee's scope of practice) and the effective start and end date of the service agreement. Further, the Start Date must be in the future or dated the same day as the signing of the agreement and clients should never be asked to sign such an agreement after the services have been performed - in fact, this behaviour should be dealt with as a disciplinary action. I think all agreements should include a link to the public registry of licensees so the client can search on the licensee to ensure they are indeed licensed. Ideally, the licensee should provide this link prior to presenting the service agreement or at least prior to asking the client to sign it. Most general public do not know about the registry. As a new licensee myself I only became aware of the registry through my pre-licensing training; as a member of the general public I did not know that RECA maintained a public database of current licensees and also the history of misconduct actions. I asked my family members and friends if they know about the public registry and they did not so anything we can do to raise public awareness is a good thing. | 4/2/2024 8:49 PM |
| 43 | How can a client enter into an agreement that isn't defined. It's absurd to have the client sign after the point of no return... they cannot decline the service agreement at that point. It must be done at the earliest reasonable moment. | 4/2/2024 7:03 PM |
| 44 | No they shouldn't. What are you going to do sue them if things don't work out in your favor? | 4/2/2024 6:58 PM |
| 45 | No specific comment. | 4/2/2024 4:05 PM |

RECA Rules Review - Standards of Practice

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| 46 | No comment on mortgages For real estate, written service agreements should be mandatory before any offer is ever made. They should not be mandatory just for showing properties to clients. If an agent for their own protection of commissions wants to get one signed upfront before a single showing, that is fine. Consumers do not want to feel tied to one agent at the beginning of the process. They also don't want to sign a lengthy service document when they are in the very beginning of starting their home search. It makes it very difficult to get new clients. Perhaps a very small half page waiver that states there is no agency relationship/ service agreement yet, but one will have to be entered into before any offers, that could be a standard form signed before any showings take place? | 4/1/2024 6:13 PM |
| 47 | Isn't this already a requirement? | 4/1/2024 4:16 PM |
| 48 | However, the level of service that creates a relationship must be defined. ie meeting a sign call and opening the door to a home does not constitute representation. Clarify at which point a service agreement must be signed. | 4/1/2024 1:54 PM |
| 49 | That is how I practice already. | 4/1/2024 1:49 PM |
| 50 | Sometimes you are providing services to get the listing or demonstrate skill, etc to a prospect | 3/30/2024 1:11 PM |
| 51 | My challenge with this one is that when Realtors do this as the absolute first step, we get massive pushback from clients and they will never sign the agreement. I feel it is important to build a relationship with the client and then get them to sign. For some clients who are nervous about signing anything I will review the document with them and suggest that we sign it in a weeks time once they are more comfortable with me. If the Rule is changed then that client who has been informed and will not sign at the start could claim they never were asked to sign a service agreement as there is no proof. My belief on this one is that somehow we need to educate consumers that this is a thing and we are required to do it before we get sanctioned for it. | 3/30/2024 8:55 AM |
| 52 | To be clear, I use service agreements as soon as possible in the process as this is a best practice. Ultimately it is different for every client. If a requirement like the one above was implemented, many consumers would not use the services of real estate professionals because the consumer's policy (which by the way unlike for real estate professionals is not regulated by RECA) is not to sign anything until they are ready to purchase a property. For this reason, in my view RECA has no choice but to rely on the best judgement of real estate professionals and brokers as to the timing of when the service agreements should be used. Final note: RECA must work at providing a simple one or two-page Buyer services acknowledgement form that can be expediently used in place of the Non-Exclusive Buyer Representation Agreement that is very cumbersome. To reduce red tape in our industry, this means reducing the overall volume of paperwork and RECA bears large responsibility. | 3/29/2024 6:52 AM |
| 53 | na | 3/28/2024 3:02 PM |
| 54 | For brokerage activities in leasing or sales - no As property and condo managers a contract is required. | 3/28/2024 12:44 PM |
| 55 | CYA, the written document acts to protect you if anything goes sideways in the relationship or with actions made by either party. | 3/28/2024 11:51 AM |
| 56 | Personally, I feel the client needs to get to know me and trust me first. | 3/27/2024 11:44 AM |
| 57 | The only reason I feel that these agreements are being signed is to establish threshold rights and nothing more. Signing these agreements prior to showing your clients properties is a very uncomfortable situation, especially right at the beginning of building a relationship with your soon to be client. I personal do not and will not sign any agreement with realtors when I am buying as I do not wish to be tied to one set person and I should not have to explain to anyone why I choose not to work with said agent or perhaps brokerage. Connection is very important, we either hit it off or we don't. | 3/27/2024 11:15 AM |
| 58 | There should be a get to know each other time frame. Again when showing a consumer when no service agreement is in place is as being a customer, until an agreement is signed. No need to change this from current. | 3/26/2024 11:30 AM |
| 59 | Imagine walking into a car dealership, you ask about a car, the salesman refuses to answer anything until you sign a piece of paper. At some point some discretion must be left up to the parties. A broker needs to have something from the borrower, allowing them to share their info with the lenders, check credit etc., so a Service Agreement should be signed as soon as | 3/26/2024 11:13 AM |

RECA Rules Review - Standards of Practice

possible anyway. But, if a broker finds other means of getting the needed consent until the end (ie. emails/specific written consent) then so be it. Also, it can be difficult to estimate the type of agency (ie. representing lender, borrower or intermediary) until later in the transaction.

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| 60 | Perhaps there could be a defined point (prior to writing any offers or showing any properties) ... but sometimes conversations, advice, and relationships are built over long periods of time and slowly develop into a relationship that would require such a service agreement ... it would be very awkward to require one at the outset of developing these relationships | 3/26/2024 10:51 AM |
| 61 | Will come off as a CYA form to the public. Why do we need a written agreement to preform services to a client in good faith. | 3/26/2024 8:28 AM |
| 62 | A service agreement should be in place before doing work. It holds all accountable to each other. | 3/26/2024 7:52 AM |
| 63 | We have real estate agents who do no consultation and/or screening before just letting buyers into seller's homes. Requiring FINTRAC and a signed Buyer Brokerage & Consumer Guide before taking buyers out would at least offer a higher degree of safety and reduce the likelihood of the "bad guys" just accessing homes. | 3/25/2024 3:08 PM |
| 64 | This is a provisional yes. Exploratory arrangements or actions would not require a service agreement, but the Licensee should be provide an substantive services until a service agreement is executed. | 3/25/2024 1:49 PM |
| 65 | I often see contracts that have the start date backdated from the signature date. Backdating of contracts could have the appearance of being misleading/deceitful and does not demonstrate reasonable care & skill, in my opinion. | 3/25/2024 1:30 PM |
| 66 | I feel if introduced too early on it undermines the client relationship. Makes Realtors seem only in it for the money - as in "I need you to sign this contract before I can help you at all" There is a sweet spot and it should be encouraged early on but to say prior to providing any services I think is too early. | 3/25/2024 12:48 PM |
| 67 | Often our services are happening at the same time or even on first meeting with a client. | 3/25/2024 11:58 AM |
| 68 | Time and time again, I see listing agents showing "customers" their listing, just for the customers to go write the offer with their own realtor. Even if the listing agent asks if the customer is working with another realtor, and the customer says no, the listing agent shows them the property, then they go write the offer with another agent. This would eliminate that from happening, and also, what a disservice that buyer's agent is doing for their clients. They are writing offers and giving advice on a property they have never physically seen. It's terrible, but happening much more frequently now. | 3/25/2024 10:01 AM |
| 69 | There should be a window, let's say a week, so that the client and Realtor can fully determine if it's a good fit for each to work with one another moving forward. | 3/25/2024 9:37 AM |
| 70 | Most newer consumers are wary of signing anything, forcing them only makes them feel uncomfortable and may stop the progress of their transaction. | 3/23/2024 12:38 PM |
| 71 | For mortgages clients are understandably reluctant to sign paperwork before anything is even started. IT makes them feel they are trapped. Signing with a commitment for a lender or similar timing would be more appropriate (but not after deal is complete) | 3/23/2024 11:35 AM |
| 72 | THIS SHOULD NOT BE AN AFTER THOUGHT, IT SHOULD BE DONE WHEN THE CLIENT RELATIONSHIP IS ESTABLISHED | 3/22/2024 4:30 PM |
| 73 | This is true and it can be dealt with by asking customer to sign with date /time/place with a note that please do not sign back dated. | 3/22/2024 2:07 PM |
| 74 | In my opinion, this can be tricky and it would depend very much what the benchmark of "prior to providing service" would be. However there should absolutely be a requirement for licensees to enter into a written service agreement towards the start of any relationship - and never after the fact. It protects both client and agent - and lays it the expectations on both sides, apart from anything else. However, surely this is something that should be currently addressed by brokers already? Why are no red flags being raised regarding paperwork way before the clients complain to RECA? | 3/22/2024 10:39 AM |
| 75 | Often you would show one or two properties in good faith to a new potential client as a buyer agent without a signed EBRA to begin the relationship and see if working with one another is | 3/21/2024 10:00 PM |

RECA Rules Review - Standards of Practice

even a good fit. It is then a task set up as a service provider and licensee to assess that initial contact and determine if you are going to move forward at all. Lots of times buyers will not sign anything until you show them at least one property. Can't speak to mortgages.

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| 76 | When you are first meeting a potential client, there has to be a period of time to make sure both parties are going to be able to work together. Most buyers will not sign a service agreement before they know what kind of Realtor you are. | 3/21/2024 9:27 PM |
| 77 | if this is about Vendor contracts this is the Board who hires and if there late signing the contract all we can do is warn them about insurance will demand this and if anything goes wrong they can be held responsible due to lack of contract but our contract should be signed before any service is provided | 3/21/2024 4:08 PM |
| 78 | My answer is yes and no. In cases where it is inconvenient for the client to sign the form an email should suffice to begin work. | 3/21/2024 1:50 PM |
| 79 | These should be signed before any showings or before providing any CMA's. Will help clarify our roles and hopefully create loyalty from the person to the realtor. | 3/21/2024 12:44 PM |
| 80 | In may cases, Clients don't want top sign anything up front until a relationship has been established. | 3/21/2024 10:52 AM |
| 81 | Yes but I believe difficult to set a timeline. Perhaps not allowed to be dated same day as an offer. Clients may rush into a relationship because of the urgency to submit offer and then regret the commitment. | 3/21/2024 10:32 AM |
| 82 | This question is a double ended sword. Some potential clients will find it, intrusive to be signing a service agreement prior to building a substantial relationship. Once a good standing relationship has been put in place that is typically when I get a service agreement put in place. If a potential client does not want to move forward working with me due to either personality differences or just not seeing "eye-to-eye" why would I want to have the client "stuck" with me? | 3/21/2024 10:17 AM |
| 83 | Yes, providing it to a client after the fact is silly. Everything should be in writing before the client relationship commences. This is annoying and can sometimes be forgotten about, but it will be better for the industry. | 3/21/2024 10:03 AM |
| 84 | This is the best practise but is not always possible. In a "hot" market clients need to act quickly. | 3/21/2024 9:57 AM |
| 85 | Open communication | 3/20/2024 7:17 PM |
| 86 | I think that documentation should be presented at the application stage. In Finmo we have it apart of our application. The client sees it immediately. | 3/20/2024 5:14 PM |
| 87 | Yes because it creates a clear relationship with the Client and no miscommunication on processess and procedures. | 3/20/2024 4:45 PM |
| 88 | Yes...and no. The problem with the written service agreements in this industry are two-fold. 1) That they are hardly worth the paper they are written on for this reason: if a client breaches a buyer representation agreement, the only recourse for the agent/brokerage is to take legal action against the client. Even if the agent/brokerage is completely within their right to do so, public perception and potential media fallout of a news headline saying "Real Estate Agent Sues Their Own Client" is enough to stop most, if not all, agents/brokerages from taking the legal action that is available to them for client breach. AND 2) Showing up to a first meeting (which often takes place at a house) and saying to a member of the public "you need to sign this before I can let you into a house" does two counter-intuitive things, in my opinion. It doesn't allow time enough for an agent to show their value proposition to the potential client. My opinion, is that I should be able to show the client what I can and will do for them first, before asking them to enter into a contract with me. | 3/20/2024 4:33 PM |
| 89 | The clarity that comes from having to review a written statement outlining what the client will get from the relationship - ESPECIALLY when dealing with mortgages - is critical. | 3/20/2024 3:59 PM |
| 90 | Not 'prior to', but at the first meeting where typically a customer consent and suitability form is requested/completed. | 3/20/2024 3:57 PM |
| 91 | Yes and no. Doing it after the transaction is not good practice but there are also times where you meet someone new and presenting them with a contract is off putting and they will now no | 3/20/2024 3:36 PM |

RECA Rules Review - Standards of Practice

longer work with you. Flexibility on when it is done, so long as prior to writing purchase agreements, is fine, but the expectation should be that an agent demonstrates the terms of that contract prior to signing anyways.

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| 92 | I don't think I understand the question. We already integrate that into our practice this also helps protect commissions. I do believe it should be left to the agent's discretion as to when they deem it necessary to have the agreement in writing. More often than not we tend to work with the same client whether on the sale or listing side, therefore, there is a long term relationship that can be relied upon. | 3/20/2024 3:26 PM |
| 93 | Our brokerage requires this before working on an application at all or pulling credit, it is odd to me to hear that other brokerages do not do this.. | 3/20/2024 2:29 PM |
| 94 | This is used for commercial mortgages, but it protects the broker, not the borrower. This will take away the option for a borrower to refuse a loan if they are uncomfortable with the terms or the lending company. It will also take away their option to fire the broker to find a better one. I believe this will work against the best interest of the borrower. | 3/20/2024 1:34 PM |
| 95 | No, but a time limit for providing the service agreement should be specified. the period of time should be very short. | 3/20/2024 11:31 AM |
| 96 | There should be something in place that outlines the obligations of the professional, but it should also include a simple termination clause for the benefit of the client. | 3/20/2024 10:57 AM |
| 97 | Yes of course - that way everyone knows what exact services are being provided and what each of their responsibilities are. Many services are provided and the associated costs incurred days or sometimes weeks before the property is listed. | 3/20/2024 10:22 AM |
| 98 | It best that happens; however, often people want information or some assistance, yet do not wish to lock into a specific service agreement. This is why it is essential that the brokerage relationships between parties to a transaction agreement be expressly disclosed in the final execution draft of such an agreement. | 3/20/2024 10:17 AM |
| 99 | Many clients are uncomfortable, signing these types of documents prior to seeing the quality of service being provided by the service provider. You state that you have received a complaints. I suggest that the number of complaints compared with the number of people using the service providers Is very small. We cannot accommodate every single person in the marketplace. That is unmanageable. | 3/20/2024 9:54 AM |
| 100 | Having an agreement after the fact is just an agent doing paperwork ... they are not abiding by the agreement before that time, in reality. They are just "doing their job" and hopefully it is the same work as what is in the agreement. | 3/20/2024 9:44 AM |
| 101 | It is important for the Realtor as well as the client to get to know who they are working with | 3/20/2024 9:41 AM |
| 102 | Even if a relationship evolves - it must be established prior to writing an offer... even if it's signed before signing an offer at the same meeting. | 3/20/2024 9:16 AM |
| 103 | without question, isn't it the rule already? | 3/20/2024 5:45 AM |
| 104 | Lawyers and accountants do this all the time, at the beginning. Why shouldn't agents as well? Better communication earlier on should help avoid any misunderstandings later on. | 3/19/2024 9:40 PM |
| 105 | There is an implied relationship upon engaging a licensee. | 3/19/2024 9:22 PM |
| 106 | I believe legislatively it states that an agreement must be in place to provide services. Whether that is a formal statement, a text, or an email, I don't see the harm in any of those things. I do not believe it needs to be a multi-page document or in-depth agreement. For example, if I ask a realtor to pocket list my home, he isn't really providing services besides telling his friends. Once there is a offer to view the home, yes a contract should be in place for everyone's safety. For condo management, there is usually an interview process where a corp formally interviews the management firm. During these, there are often opinion-based questions. Am I providing a service? Not technically, but it may help them with their running of the corp. In that situation, I wouldn't ask for a written agreement. There does need to be a little common sense when it comes to these situations. | 3/19/2024 8:33 PM |
| 107 | We are agents should provide clear instructions about what our services entail so the client understands and respect our role. With clear guidelines and expectations to have the written | 3/19/2024 6:39 PM |

RECA Rules Review - Standards of Practice

service agreement in X amount of time after you have met the client. Might be a good start that all can follow.

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| 108 | This is extra paperwork, however this solves the ambiguity of accidentally entering a client relationship based on verbal agreement only. This is a good addition to make sure all parties understand the relationship. | 3/19/2024 6:20 PM |
| 109 | Can be a "get to know you" grace period Some clients simply don't want to "sign up" right off the bat But not leave it a long time Having said that it works both ways Need to protect realtors also from exploitation Some parties depart after mining agents who were providing service in good faith | 3/19/2024 5:16 PM |
| 110 | The problem is that it is necessary to do things that RECA considers "services" before many prospective clients are ready to accept a written service agreement. It is often necessary to provide some services, within the scope of agency and common law, to earn the trust of a prospect and have them agree to a client relationship within RECA's contractual requirements. | 3/19/2024 5:02 PM |
| 111 | I have been taught this is the way to go, and I always ask all my clients to sign the representation agreement before I can submit an offer on their behalf. However, my suggestion is not to force this agreement onto consumers before they are ready to submit an offer. In my experience, many customers are hesitant or even refuse to sign any agreements/paperwork (sometimes even the Consumer Relationship Guide) before the trust with an agent is established, which is usually at the time of writing an offer. So it's better to nurture and guide them along the way until they are ready to commit to the transaction. In other words, can we write an offer, and negotiate it with the other party without the representation agreement? Absolutely not! Can we show properties and provide some advice before engaging in the agreement. I feel so. Obviously, we cannot list properties without a service agreement, so everything said above applies only to buyers. | 3/19/2024 4:38 PM |
| 112 | should be left up to the licensee when they sign up clients. | 3/19/2024 4:37 PM |
| 113 | Real life dictates that consumers are going to be fearful when documents are immediately forced upon them however a service agreement should be signed by the third in-person meeting. | 3/19/2024 4:29 PM |
| 114 | I thought this was an item required at the beginning anyways | 3/19/2024 3:56 PM |
| 115 | I won't work for someone unless they hire my services. If I can't provide value after the first meeting and explain what I can do to differentiate myself and explain that paperwork precedes then I am not acting at the higher level of being a professional. | 3/19/2024 3:23 PM |
| 116 | Most people are wary to sign anything unless they are actually buying or selling | 3/19/2024 3:21 PM |
| 117 | For buyers it is normal to show a few homes prior to starting the paperwork. | 3/19/2024 2:55 PM |
| 118 | It should be done before credit is pulled | 3/19/2024 2:53 PM |
| 119 | In my experience,(Real Estate) the written service agreement usually is not necessary until customers are in a position to make an offer or close to that. I have asked clients prior to this point, and have had actually gotten a negative response as clients do not like to sign until they are ready! However I'm a firm believer that this should be in place prior to writing an offer, or presenting an offer to purchase to another party. | 3/19/2024 2:38 PM |
| 120 | I think a service contract should be signed in order before any real "work" is done. Providing a list of contractors or a price recommendation does not consider to be services. | 3/19/2024 2:33 PM |
| 121 | It provides clarity to the relationship. | 3/19/2024 2:16 PM |
| 122 | Contracts should be signed before work commences. | 3/19/2024 1:55 PM |
| 123 | It is not always an option. Lose to many clients | 3/19/2024 1:54 PM |
| 124 | I was of the understanding that a written service agreement was already required! | 3/19/2024 1:22 PM |
| 125 | A lot of buyers have no desire and feel awkward signing something with someone they just met some kind of rapor needs to be established before requiring a legal document | 3/19/2024 1:00 PM |
| 126 | There are some services prospects expect before signing an agreement to see if your style of service meets their preferences, ex auto emails and home competitive price analysis. I think what is critical is that a client relationship agreement must be signed before any contractual | 3/19/2024 12:42 PM |

RECA Rules Review - Standards of Practice

documents are created for a client or customer. ie. absolutely must be signed before submitting an offer or fulfilling a transaction facilitation role.

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| 127 | I have always found it imposing to put a legal contract in front of a client when they don't really know me yet. I prefer to build relationship...If they walk before I get an EBRA signed, then I wasn't doing my job well. I've never had a client complain, and I'm very clear as to why the contract has to be signed. To do it early in the relationship is scary for the client and presumptive. | 3/19/2024 12:33 PM |
| 128 | It depends on the services. If you are sending out info via an email or merely showing a property, then no. If you are giving advice while writing an offer and have actually entered into a client relationship then yes | 3/19/2024 12:28 PM |
| 129 | This is a grey area. It's not reasonable to expect clients to sign service agreements until after some relationship has been established, and this is done by providing services (showing properties, giving informal evaluations, etc) Once the relationship has been established and there is now a level of trust, the service agreements should be signed. But at what point is this? Hard to say... Perhaps looking at those specific complaints and finding a common thread is the place to start? | 3/19/2024 12:20 PM |
| 130 | this only makes sense | 3/19/2024 12:05 PM |
| 131 | A service agreement by its very nature cannot have any validity if it is provided after the service has been performed. | 3/19/2024 12:02 PM |
| 132 | I assume that the agents needed apperwork for their files and got it later. That would be wrong unless the agent discussed with client that paperwork was needed later. If the agebt is not discussing this upfront and then doesn't do paper, that can be part of life on the road servicing fast requests.to write etc. This is getting too messy. | 3/19/2024 11:32 AM |
| 133 | Yes. Upon meeting in person. Both parties can then decide if they are a good fit for each other, and then discuss the protocol , the purpose of the required documents, and each others obligations. | 3/19/2024 11:24 AM |
| 134 | As long as it is completed I don't see a problem | 3/19/2024 10:59 AM |
| 135 | Not from a commercial standpoint. | 3/19/2024 10:58 AM |
| 136 | prior to providing services yes; answering a few questions for courtesty - no. | 3/19/2024 10:43 AM |
| 137 | I don't think we need to make the process more complicated we just need to do better in the process we already have?? | 3/19/2024 10:40 AM |
| 138 | In normal day-to-day practice, you may have a few conversations with someone prior to them getting serious about buying or selling real estate. You cannot expect a realtor to have a signed agreement every time the conversation of real estate comes up. | 3/19/2024 10:38 AM |
| 139 | I think there are certain situations where I will show homes knowing that an agreement will be entered into - but I found it to be best practice for me to have a consumer rep agreement signed before providing services | 3/19/2024 10:35 AM |
| 140 | Always better to be done prior to versus after the fact. | 3/19/2024 10:20 AM |
| 141 | understanding of services and obligations of both parties | 3/19/2024 9:52 AM |
| 142 | This should be a Law. If a client hires a realtor they should be loyal to the end. This would improve the overall industry. | 3/19/2024 9:48 AM |
| 143 | Exclusive Sellers Rep YES but Buyer Rep agreements NO Buyer's are often scared away when asked to sign a commitment the first time they meet a REALTOR® especially an Exclusive Buyer Rep that they are obligated to pay if they don't necessarily feel confident in the associate they have signed with. Enforcing these agreements after the fact are nearly impossible unless you want to sue and that creates a negative opinion of the real estate business. | 3/19/2024 9:47 AM |
| 144 | This is almost a given. Clear expectations from the outset for all parties involved is fundamental. | 3/19/2024 9:45 AM |
| 145 | Again being in commercial I will say this doesn't happen often, however in order to take away the confusion we should have this consistent. The only thing I will say is we work across | 3/19/2024 9:43 AM |

RECA Rules Review - Standards of Practice

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| | multiple markets with MSA's that cover this so this should be an acceptable agreement. | |
| 146 | Would be no different than a statement of work in any other freelance industry. | 3/19/2024 9:43 AM |
| 147 | Don't we already do this? The Consumer Relationships Guide? The way I understand it, if we don't get it signed at the "first possible convenient time" we can get into trouble with RECA... am I missing something here? | 3/19/2024 9:30 AM |
| 148 | It is always good to have clarity of obligations. Signing a form at an open house is too early and usually not understood. Before pen is put to paper, the customer/client should know who is working for who. | 3/19/2024 9:29 AM |
| 149 | I do not see why this can not be done after the fact. Both parties need to agree to sign it and a licensee can choose to work for a client without an agreement in an effort to earn business. | 3/19/2024 9:17 AM |
| 150 | It is security of services on both sides | 3/19/2024 9:13 AM |
| 151 | This would provide the client with a better understanding of what to expect. | 3/19/2024 9:01 AM |
| 152 | Perhaps Mortgage Brokers and Realtors should be expected to be trusted to use their best judgement and if they fail to do so they shgould be disciplined. | 3/19/2024 8:56 AM |
| 153 | This is clss we at enough. | 3/19/2024 8:54 AM |
| 154 | Should be reviewed with people immediately, first meeting with explanation they don't have to sign it until they feel comfortable "hiring" you. However, explaining the risks associated with not hiring an agent - that confidential information they share is protected once signed; that not everyone will honor that without a signed agreement. | 3/19/2024 8:27 AM |
| 155 | This one is tricky if there are clients who shop around and they seek advice from various industry members. It is in the industry member's best interest to protect themselves to obtain one, and that the requirement for one should be disclosed early and often, if a transaction is likely to occur and the client has not committed. Having a mandate to support this may be helpful. | 3/19/2024 8:25 AM |
| 156 | Sometimes time is of the essence in transactions. Added paperwork would slow this process. | 3/19/2024 8:11 AM |
| 157 | But clients will be reluctant to sign any agreement with a licensee until some level of trust is established. | 3/19/2024 7:58 AM |
| 158 | Please just focus on continuing to educate agents on WHEN to have service agreements and customer acknowledgements signed. More rules to cure lazy won't help. | 3/19/2024 7:52 AM |
| 159 | There's a lot of catching lease in this business that just creates way more work than we need. Anyone Can claim that they weren't explained properly. | 3/19/2024 7:42 AM |
| 160 | The challenge is many clients want to check out a few service providers to get an understanding of their knowledge and character before choosing to work with them. Sometimes this involves providing an initial service. | 3/19/2024 7:23 AM |
| 161 | Ads a trusted advisor in real estate, practically speaking, it is impossible to always have a signed form prior to providing some level of services to our clients. | 3/19/2024 7:07 AM |
| 162 | The public/clients, should know what the services to expect are, as soon as they want to receive services. | 3/19/2024 7:00 AM |
| 163 | It should be completed at the time of service or upon a writing an Offer. | 3/19/2024 6:57 AM |
| 164 | This will put more onus on the licensee to be upfront with clients and fully explain the service being provided. | 3/19/2024 2:21 AM |
| 165 | No, some clients consider this to be an exclusive contract and do not want to be restricted to one associate, broker or realtor. | 3/18/2024 11:28 PM |
| 166 | Yes but there should be exceptions. This market moves very quickly. | 3/18/2024 11:26 PM |
| 167 | Alot of times the customers do not want to be locked in with someone until they find the right property or build enough rapport. Once you bring out the customer acknowledgement form in the beginning to a cold lead online you might as well said good bye. They must sign the customer acknowledgement agreement before signing a Exclusive buyer seller agreement. that should be a rule. So the customer has a chance to ask before assigning an agent | 3/18/2024 11:04 PM |

RECA Rules Review - Standards of Practice

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| 168 | yes, there should be an obligation from the client and agent for a certain period of time before even going to show any property, | 3/18/2024 10:49 PM |
| 169 | Implied agency. In Siemens v Howard 2018 the test for implied agency is simply whether or not it's reasonable for the party asserting an agency relationship to infer from the conduct of the other party that he or she consented to an agency relationship. Whether the buyer signs before they start viewing homes or at the same time as they sign an offer to purchase has no bearing on whether or not an agency relationship exists. An agent will always assume agency if they're continuously opening doors for a buyer, who has told them they're not working with any other agent. One can assume the buyer's best interests are at heart since the agent hopes to close on a home with them. At some point a conversation is had about what that agent does and how they get paid. In utopia, everyone signs this agreement before an agent shows houses - and every buyer gets preapproved before shopping - but not every client wants to sign. They'd rather try out different agents until they're sure about the agent's abilities and the level of service they offer. Test driving until they choose the one. Pigeonholing and dictating how every buyer shops, especially out of towners who haven't met the agent yet, when implied agency has been established through Canadian courts, is outdated and dictatorial. The landscape of real estate continues to evolve while the law of agency does not. | 3/18/2024 10:48 PM |
| 170 | I am kind of shocked this is not the standard already. However, for practical reasons, this requirement should be tied to the first document the client signs. Requiring people to sign a service agreement/customer acknowledgement before you're allowed to pick up the phone or tell them how much a place is listed for is not helpful. | 3/18/2024 10:24 PM |
| 171 | A client relationship is often misunderstood by the clients. It needs to be addressed. | 3/18/2024 10:14 PM |
| 172 | The signing of a wsa with a prospective client should happen as soon as possible. That said, familiar relationships and at times sheer lack of time (like a prospect met at an open house hires a Realtor to buy a home the next day) might preclude such expeditious acknowledgement. This area is very vague in practice and varies greatly between brokers and other associates, and regardless of ruling should be delineated clearly for associates in real estate transactions. | 3/18/2024 10:09 PM |
| 173 | I think it could be a good idea but also I also foresee clients feeling obligated and more reluctant to this. | 3/18/2024 10:06 PM |
| 174 | A relationship would have already been established, and yes not specifically in writing, but I'm not sure if the written service agreement needs to be established immediately. Sometimes it's better to help out the clients and show them what you bring to the table before they would even engage in an agreement. I feel it's better for building client relationships if this process is taken slower. | 3/18/2024 9:38 PM |
| 175 | This is such a weird concept to the a lot of the public. Sometimes trust needs to be built before people are willing to sign a contract with someone. It's a CONTRACT!! | 3/18/2024 9:16 PM |
| 176 | This will define clearly professionals obligations to clients | 3/18/2024 8:38 PM |
| 177 | A potential client is generally receiving information from multiple realtors before they commit to a certain realtor to work with and complete a transaction with. This potential client may go to open houses and ask questions and have conversations that verbally create an agency relationship. If you force potential clients to sign before they are prepared to work with and commit to a certain realtor, these said clients won't be able to ask questions and/or give information to any realtor without this realtor asking the potential client to sign an agreement. This will be very frustrating to the public and to realtors. The system is working well as is. I can't imagine there are very many issues when the client has committed to working with a realtor and then later signs a service agreement. If the client has committed, this client would normally be comfortable with signing the service agreement at a later date - after the commitment has taken place. | 3/18/2024 8:24 PM |
| 178 | This is already the requirement. You are supposed to have a service agreement signed as soon as reasonably possible. | 3/18/2024 8:13 PM |
| 179 | No. Getting a buyer to sign an agreement before the first time taking them out for showings is next to impossible. An alternative could be: After a maximum of 3 buyer tours, a written statement of services shall be signed. | 3/18/2024 7:50 PM |
| 180 | Yes and no. If seeking general information then no. This would be nightmare logistically. If you are dealing with a client and obtaining an app, then yes. But don't we rally already do this? | 3/18/2024 7:32 PM |

RECA Rules Review - Standards of Practice

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| 181 | This is no brainer. | 3/18/2024 7:32 PM |
| 182 | In our area I would say more the issue is customers don't want to sign said agreement. In order to show a Broker listed property a service agreement should be in place. There is way too much double booking of agents, and fighting over the same clientele. The general public does not understand the concept of "Agency" and the agents who like to live in the gray areas prey on that. It should be the more honest and upfront you are the more opportunity you have for business as opposed to turning the industry into Honest Daves Used Car Sales. | 3/18/2024 7:23 PM |
| 183 | I think the reasons we get complaints on this is because the current form and process don't work. Many consumers do not want to make a commitment to agents the current seller representation agreements are used by some agent to hold consumers hostage and consumers still do not understand their right to competent service. Many agents gloss over the mechanisms that are to the benefit of the consumer. These agreements need to be simplified, protect the consumer more. We should be focussing more on getting agents to a higher level of professionalism. I sign an engagement letter with my accountant every year when they provide services, but it does not mean I cannot shop around - just tells me what my rights and risks are as a consumer. | 3/18/2024 7:19 PM |
| 184 | Again, yes and no. If someone calls me to go look at a house and I try to get them to sign an agreement first, they will go find someone that won't ask it of them or contact the selling agent to show them. It's a bit too much to soon however if you have been showing them houses all week, it's time to sign an agreement. | 3/18/2024 7:13 PM |
| 185 | Aa soon as agency is implied, a written service agreement should be entered into. | 3/18/2024 6:58 PM |
| 186 | It establishes client and professional relationships | 3/18/2024 6:49 PM |
| 187 | Isn't that already a rule? We are required to have them sign a buyer representation form or a listing contract already. | 3/18/2024 6:36 PM |
| 188 | After one showing, a customer may not, for whatever reason, want to continue working with the Realtor. I'm comfortable enough getting the agreements in place while writing an offer. | 3/18/2024 6:26 PM |
| 189 | I for one, as best practice, have clients sign the Consent form before commencing with the App & Docs etc. (Not sure that's a "service agreement") | 3/18/2024 6:18 PM |
| 190 | How did they do that without talking to the client about what they were doing? Once again working the gray.... | 3/18/2024 6:13 PM |
| 191 | It helps to clarify what the obligations and duties are that are to be performed. | 3/18/2024 6:04 PM |
| 192 | This will protect both the public and the industry. | 3/18/2024 5:49 PM |
| 193 | As the current rule states as soon as possible in the transaction. With Mortgage transactions being so competitive and the demands of clients for low rates it can be hard to determine the relationship until deal is further along. | 3/18/2024 5:48 PM |
| 194 | Selling rural properties I often meet my clients for the first time at the property. Most clients would not be happy with having to sit outside the house signing papers prior to viewing or meeting in an office a half hour or hour away to sign papers before viewing. | 3/18/2024 5:40 PM |
| 195 | The services required frequently changes throughout the relationship. It would be impossible and impractical to always have the document updated in advance. "In a timely manner" is a sufficient standard, NOT "in advance". | 3/18/2024 5:34 PM |
| 196 | Most buyers do not want to be forced into a contract to view a home. Also gives agent a chance to see if they want to have a working relationship with the client | 3/18/2024 5:29 PM |
| 197 | it should be done when an offer is being prepared as before that point the public do not want to be tied to one person and they get scared when agreements are presented earlier | 3/18/2024 5:25 PM |
| 198 | OTHERWISE IT IS SIMPLY BACKDATING A DOCUMENT. | 3/18/2024 5:25 PM |
| 199 | This is not possible in todays market. Offer times clients will contact us asking for services quickly due to a bidding deadline and we need to get the offer in ASAP. The reality does not allow for us to do additional paperwork prior to taking them on as a client. | 3/18/2024 5:22 PM |
| 200 | It would be impossible to ensure this 100% of the time. Often some basic services have to occur like showing a house or two before someone signs a contract. | 3/18/2024 5:19 PM |

RECA Rules Review - Standards of Practice

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| 201 | What does "providing services" actually mean? This needs to be explained- i think the test needs to be a formal binding offer, not just providing information or discussions about market conditions. | 3/18/2024 5:19 PM |
| 202 | It is best practice to sign service agreements prior to providing any services. | 3/18/2024 5:18 PM |
| 203 | to many times client winds up with multiple agents, all trying to do there best, but client does not have an exclusvie agent contract , causes many issues | 3/18/2024 5:15 PM |
| 204 | A signed written service agreement and a written statement of services should always be provided prior and obtained prior to providing services, as is expected in all other industries. | 3/18/2024 5:11 PM |
| 205 | the client will know what the REALTORS® duties and the clients will be | 3/18/2024 5:08 PM |
| 206 | Because the client should be able to have a bit of time to decide if that is the realtor they would like to work with on a full time basis. Every circumstance is different. | 3/18/2024 5:08 PM |
| 207 | Speaking more on written buyer representation agreements. I believe a written service agreement should only be required if remuneration or compensation is required by the client or customer. Honestly a non-exclusive buyer representation agreement does not accomplish much in reality. I see no reason why the form cannot be shortened to one sentence and signed at the time the purchase contract is written. "you are not required to compensate the brokerage for services, the brokerage will be compensated by the sellers brokerage as agreed to by the written seller representation agreement. " Now if the client or customer is paying the buyer brokerage that is a whole new story. | 3/18/2024 5:08 PM |
| 208 | have always had my service agreements signed prior to rendering services. | 3/18/2024 5:01 PM |
| 209 | Yes before a contract is written. No before showing a property | 3/18/2024 5:00 PM |
| 210 | This is really best business practise for the Realtor | 3/18/2024 5:00 PM |
| 211 | Before any offers are submitted or homes listed yes. However, the buyer/seller should be able to work with the agent for sure on the buying side to see if they are a good fit before having to sign a rep agreement. | 3/18/2024 5:00 PM |
| 212 | Isn't this in the rules already??? | 3/18/2024 5:00 PM |
| 213 | This already happens | 3/18/2024 4:54 PM |
| 214 | Yes, but the public needs to be better educated on this expectation. Consumers can be reluctant to sign something before they've had the opportunity to build a relationship or if they're not totally invested in the process so there should be some leeway here. Agents should know not to invest too much time in a consumer who isn't totally committed to them, but sometimes it's necessary to demonstrate knowledge, skills and expertise before a consumer is ready to sign a service agreement. | 3/18/2024 4:53 PM |
| 215 | Service is a very broad category. Service is provided at an open house or showing a property to a buyer who has called on sign. It's impractical to suggest that a n exclusive buyer representation agreement be signed at that stage of the relationship. | 3/18/2024 4:51 PM |
| 216 | Clients are aware of our services by and large and so I don't see the point in a written agreement. Won't protect anyone better than status quo. | 3/18/2024 4:51 PM |
| 217 | No showing of any property until buyer service agreement signed explaining the relationship of what is offered and the buyers responsibility to understand what is expected of them and how the service of buyer rep will be paid. As per NAR \$418 million dollar settlement, buyer brokers will have to sell their value and be paid by the buyers directly if seller offers no compensation. Same as a listing, no marketing done until listing is signed. Like a listing presentation, their will be buyer rep presentations to the buyers and they chose who they wish to represent them. Educate the public that they have ti get their own representation and no listing agent can show it to a prospective buyer. | 3/18/2024 4:47 PM |
| 218 | A standard set of minimum expectations for both parties would be good to help establish what each can and should expect to receive from the other. | 3/18/2024 4:45 PM |
| 219 | No. In this skittish world people don't want to feel "pressured" into signing anything. Signing at time of 1st offer should be sufficient...or earlier if licensee and Client agree. Byt then a "true" relationship has been established. | 3/18/2024 4:45 PM |

RECA Rules Review - Standards of Practice

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| 220 | I would never do it any other way | 3/18/2024 4:43 PM |
| 221 | There is no point wasting time with people who will not sign service agreements. | 3/18/2024 4:42 PM |
| 222 | Often clients check a box agreeing to services when submitting an online application or signed a written application that covers this, however, audit requirements also require a written service agreement signed which comes once a mortgage commitment is issued by a lender. | 3/18/2024 4:42 PM |
| 223 | the service agreement should be signed at the minimum when the offer is written for a "buy" client | 3/18/2024 4:40 PM |
| 224 | I think that's dependant upon what we deem providing services is. Is showing a property upon your first meeting providing services? I guess it is but I can't ask a person I've met for the first time in person outside of a property to sign a four page service agreement and expect them to feel at ease with it. Real life scenarios don't always allow for a meeting before hand to go over a written service agreement with someone. We can qualify a person over the phone, meet at a property and show them the property if after that showing they would like to continue working with me then we able to go over the service agreement. Or if they don't what to continue a relationship we go out separate ways. | 3/18/2024 4:35 PM |
| 225 | It can be difficult, client might not want to sign that early on. | 3/18/2024 4:33 PM |
| 226 | While a good practice is to have your written service agreement signed up front, it may not always be attainable. Many clients are technologically inept, some applications are processed very quickly, and the service agreement may be signed with the lenders commitment and other documents later in the process. This may have also been verbally explained to the client prior. The written service agreement is required for compliance, and the brokerage should be held accountable for remitting payment to the agent without verification of compliance documents. This would classify under "good character" as it suggests lazy or incompetent service if the service agreement is requested for signature after the mortgage has funded. | 3/18/2024 4:33 PM |
| 227 | Reduce legal issues. | 3/18/2024 4:32 PM |
| 228 | although when rushing to complete offers this is not always possible | 3/18/2024 4:31 PM |
| 229 | I think that this is grey but it definitely should not be long after. Maybe 2-3 meetings then a requirement for the written service agreement. Also, definitely before ever writing a contract for the sale or purchase of a property | 3/18/2024 4:29 PM |
| 230 | RECA should clarify what constitutes services particularly for condominium management where general questions could easily be interpreted as service. | 3/18/2024 4:29 PM |
| 231 | Such as cases of implied agency. Sometimes we meet customers that refuses to sign any representation until they sign on a firm contract. These individuals are using their right to explore different mortgage or real estate agencies. It's not fair for the agents involved, but the customers have the right to choose. So us agents are working on implied agency, on behalf of these customers, with their direct instructions. | 3/18/2024 4:27 PM |
| 232 | Should be implemented and also allow an optional retainer agreed upon to be charged for work provided if the deal does not close. There have been many instances on the residential side where clients will enter into an agreement with many brokers resulting in many hours of time spent by the broker with no compensation for the effort. The retainer would specify the amount per hour the client would need to pay for the broker's service should the deal not close. | 3/18/2024 4:27 PM |
| 233 | This is a critical MUST. You can not disseminate peoples personal and professional information without their consent. That consent is while being entered in with a Service Agreement. This protects both the consumer and the brokerage and the reputation of the entire Real Estate Industry. There are people in all departments that list items they don't have an agreement to do, people broker deals prior to being engaged by clients. it harms the reputation of our industry and does little to protect the consumer. A service Agreement should be a minimum to start any work. | 3/18/2024 4:27 PM |
| 234 | Alternative suggestion is the agreement should be in stages. Clients are scared of signing documents from the beginning when they don't know what they are getting into and they they know others they know have not signed any documents upfront | 3/18/2024 4:26 PM |
| 235 | goes without say | 3/18/2024 4:25 PM |
| 236 | Yes if I am representing a Client I need to know what they expect and what My obligations are | 3/18/2024 4:25 PM |

RECA Rules Review - Standards of Practice

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| 237 | Some people are very Leary to Sign anything right away. It takes time to build a trusting relationship. Also a relationship can be established in the middle of a showing not easy to stop and sign paperwork | 3/18/2024 4:24 PM |
| 238 | All clients/customers shall be well informed before the service starts as it serves to protect them better | 3/18/2024 4:24 PM |
| 239 | We are asked advice and opinions frequently that we'd just look like d-bags throwing paper in front of people for immediately. It does not look good to clie ts or potential clients. Within reason we know at what point a service agreement is expected and accepted. | 3/18/2024 4:23 PM |
| 240 | Clarity is key, this helps protect the licensee and the public. | 3/18/2024 4:21 PM |
| 241 | I think that in cases of residential real estate, agents are hesitant to ask for their clients to sign an agreement in fear of losing a sale. More education of the public is needed to alleviate their concerns. Also, if all agents were more proactive in getting clients to sign there would be less concerns with losing a deal. | 3/18/2024 4:21 PM |
| 242 | This should be done and it should be made known to the public this is a requirement and that anyone operating outside of these requirements is in contravention. Our current councils, associations and boards do a great job of placing these requirements on us associates yet does nothing to enforce the requirement or inform the public of why it is a requirement. | 3/18/2024 4:21 PM |
| 243 | Only if they feel it necessary. Personally I feel if your providing proper service client will respect it in turn. I don't feel a contract is necessary. | 3/18/2024 4:20 PM |
| 244 | Yes, I have lost a couple of deals by not having an agreement before showing, however, I think trash the whole thing, it puts more onus on the Realtor to be more diligent in their role right from the start | 3/18/2024 4:18 PM |
| 245 | So many client relationships start off very non-committal. I don't think consumers or agents will be better off by requiring agents to put contracts in front of clients before performing a single service. They may not even have met the agent and then would be required to commit to them for their entire purchase? Such a policy will do more harm than good. My Policy was always that the agreements had to be entered into / time stamped before a trade in real estate (purchase contract) came into play. | 3/18/2024 4:17 PM |
| 246 | After verbal agreement it would be reasonable just to provide (by the email or paper) the information with the list of services. | 3/18/2024 4:16 PM |
| 247 | There is a tipping point in an initial discussion where a service agreement is mandatory. Once I have decided to provide the requested service to the client, I need to solidify that with a service agreement, before I continue on. | 3/18/2024 4:16 PM |
| 248 | Clients don't always know if they want to work with an agent right away, they have to spent some time with the agent, clients need to have time to determine if the agent is"a good fit". The agent should be required to provide the service agreement to the client for review. We should require this be done in some trackable way ie email | 3/18/2024 4:15 PM |
| 249 | The public perceives the service agreement as a contract that binds them, and I hear it all the time that buyers moved on because the realtor asked them to sign something before they could see homes. The current version of the binding agreement is very intimidating. I have continued to use the non-binding agreement for this reason. until the public can get a better understanding of the service agreement or the realtor can do a better job explaining a binding agreement, more details like a written statement of services could help alleviate this intimidation . | 3/18/2024 4:15 PM |
| 250 | When possible. Clients often want immediate answers and it can result in a service agreement going out after an initial meeting rather than prior to or during. There should be room for an odd exception but as a rule it should be done upfront. | 3/18/2024 4:14 PM |
| 251 | Yes and no, it all depends on the situation. Some people don't even want to sign any at first until they know you first. On the other hand most people are okay to sign the service agreement with you but it should be done sooner than later. | 3/18/2024 4:13 PM |
| 252 | This s putting the horse before the cart. The current rule is that before we can provide any specific details, show a home, provide guidance etc to a consumer, that they must sign the service agreement - look at it this way, before you walk into an auto dealership just to look around, you must sign an agreement that you will be committing to only buy a car from that | 3/18/2024 4:13 PM |

RECA Rules Review - Standards of Practice

dealership and no other dealership or auto manufacturer, same thing with a food store etc etc - we should have the necessity to explain it all to the consumer the first time we meet, get to show them homes, information etc only on the first occasion, and then ONLY then be mandated to have them sign the agreement. If they are not sold on you, let them move on, just like you should as well, otherwise they will not have an issue with signing anything. However, the client should be necessitated to provide the full particulars including a credit card for charges should they decide to work with someone else. As it is they can simply walk and how do we chase them even if a form is completed - thus perhaps no form should ever be signed as it has NO teeth.

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| 253 | As soon as practical should be the expectation. There are instances where offering some level of service comes naturally before a service agreement might be signed. For example, when meeting a prospective client at an open house. That client may be interested in writing an offer, but will have effectively have been provided service by way of a showing before it would be reasonable to discuss signing a contract. Similarly, when fielding phone calls and offering information that could be deemed providing service. Requiring an agreement be signed before *any* service can be provided only creates opportunities for industry members to run afoul of the Act unnecessarily. | 3/18/2024 4:12 PM |
| 254 | This should be at the discretion of the licensee and his relationship and risk tolerance with the particular client. Some clients may want to 'try before they buy' before engaging in any written documentation. It is up to the licensee to ensure the prospective client is informed of their choices early on, preferably before they engage in fiduciary type actions, as with the consumer relationships guide and these interactions should be well documented. | 3/18/2024 4:12 PM |
| 255 | Full disclosure | 3/18/2024 4:11 PM |
| 256 | I don't believe clients want to sign these service agreements in the early stages while they are still deciding on whether or not they have chosen a representative | 3/18/2024 4:11 PM |
| 257 | I thought this was already a requirement. It protects both the licensee and the consumer should problems arise. | 3/18/2024 4:10 PM |
| 258 | People need to feel a level of trust with the agent before signing an exclusive agreement. Usually this takes a few meetings to establish. | 3/18/2024 4:10 PM |
| 259 | Our office has always maintained that service agreements be completed before offering service. | 3/18/2024 4:10 PM |
| 260 | Don't hate the player, hate the game. | 3/18/2024 4:09 PM |
| 261 | It should be signed before pulling credit. | 3/18/2024 4:09 PM |
| 262 | Unnecessary extra work for realtors | 3/18/2024 4:08 PM |
| 263 | Yes and no, prior is hard as it is nice to be able to establish a relationship first. Having clients/potential clients sign upon first meeting can be off putting. That being said before any listing is posted or offer is written all documents which pertain should have been reviewed and signed by the client. | 3/18/2024 4:08 PM |
| 264 | I believe the paperwork already required by RECA covers much of this. | 3/18/2024 4:08 PM |
| 265 | grey area | 3/18/2024 4:07 PM |
| 266 | There has to be a period of time and practise whereby both the client and agent are able to establish the decision of whether there will be an acceptable working relationship. | 3/18/2024 4:07 PM |
| 267 | What is the definition of providing services? If someone calls to ask a question regarding a property, is the answer not technically "service?" | 3/18/2024 4:06 PM |
| 268 | Service agreements should be signed when an offer is being written and then we can chat about fees and the type of services you offer apart from finding a home for them. They need to see how you will negotiate for them and guide them through the process. If you got this far in getting to sign a deal, you should be trusted and they should be happy to sign with you. | 3/18/2024 4:06 PM |
| 269 | Same as other questions. | 3/18/2024 4:05 PM |
| 270 | If the client doesn't want to engage with the realtor, they don't care about a Realtors obligations. | 3/18/2024 4:04 PM |

RECA Rules Review - Standards of Practice

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| 271 | Right now our office currently does this. | 3/18/2024 4:04 PM |
| 272 | but every single client / customer willing to sign agreement before starting services. The rules should be if no signed contract on hand, licensee should not provide any professional services | 3/18/2024 4:03 PM |
| 273 | In my opinion with a seller yes i agree an agreement should be signed first. With a buyer sometimes it is nice to work with them first and get that trust. I always have agreements signed before submitting offers through. | 3/18/2024 4:03 PM |
| 274 | Was the service provided done correctly? When does it matter to have the contract signed? It is so hard in our new world to get clients to sign anything prior to you showing them you are of "good character" and all the fraud out there currently. You need to build a level of TRUST prior to diving into contracts and agreements! You can't just start throwing paperwork at people at the open house which they tried about 15 years ago. | 3/18/2024 4:03 PM |
| 275 | I thought this was already a rule | 3/18/2024 4:02 PM |
| 276 | Not at the time of a CMA or listing presentation - but before the listing / purchase contracts are signed and dated. | 3/18/2024 4:02 PM |
| 277 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:02 PM |
| 278 | I thought this was already required. | 3/18/2024 4:02 PM |
| 279 | Consumer relationships guide should be necessary. | 3/18/2024 4:02 PM |
| 280 | Gives a clear "road map" as to the services to be provided. | 3/18/2024 4:01 PM |
| 281 | Has my lawyer said he can only read paperwork not handshakes | 3/18/2024 4:00 PM |
| 282 | It is not always practical to get a service agreement signed before viewing properties with a new buyer. | 3/18/2024 4:00 PM |
| 283 | but unfourtnealey with ditigal signatures this is rarely explained | 3/18/2024 3:59 PM |
| 284 | I thought this was already a requirement. | 3/18/2024 3:58 PM |
| 285 | yes there should be requirements that are clear. For example prior to a service contract a customer acknowledgement and fintrac should be done | 3/18/2024 3:57 PM |
| 286 | You can enter in a legally binding oral agreement. In Alberta, we still have lots of business conducted in this method. It comes back to the previous point that generally we act with Good Character. If we implement this as a requirement, then we can operate in good faith. It leaves a sour taste and a cold business approach if you need to write all your promises on paper. The best relationships are built on trust - this requirement essentially indicates that there is no trust between parties. | 3/18/2024 3:57 PM |
| 287 | When working with BUYERS - We all know best practice is to sign a Buyers Rep Agreement prior to administering any services. I understand why this is. However, it isn't always appropriate, in my experience. I think it should be up to the agent to present the agreement when they feel comfortable to do so. It's up to the agent to risk working for 'free' or getting 'screwed around' by a client... there is also non-exclusive or exclusive so they can find a solution that works for them & for the client. When working with SELLERS - A Listing Agreement MUST be signed to provide listing services, in my opinion. Too much on the line for other parties (offering commissions, for example), listing on the MLS, job roles not clearly defines that could end up extremely messy. | 3/18/2024 3:56 PM |
| 288 | I think the service agreements should be in place at the earliest opportunities. However I feel in the industry (not just in Alberta) there is massive gap in educating the public about what service agreements are required in a transaction. There is also a lot of consumer distrust about being 'trapped' by a service agreement. I believe that is why industry members don't introduce this form until they believe the relationship with the client is unwavering. | 3/18/2024 3:55 PM |
| 289 | Yes this can be explained to a client but often an individual will not want to commit to a contract when seeing a home for the first time. This pressures the individual and in many cases they are uncomfortable. I am pretty sure you get as many complaints from people that | 3/18/2024 3:55 PM |

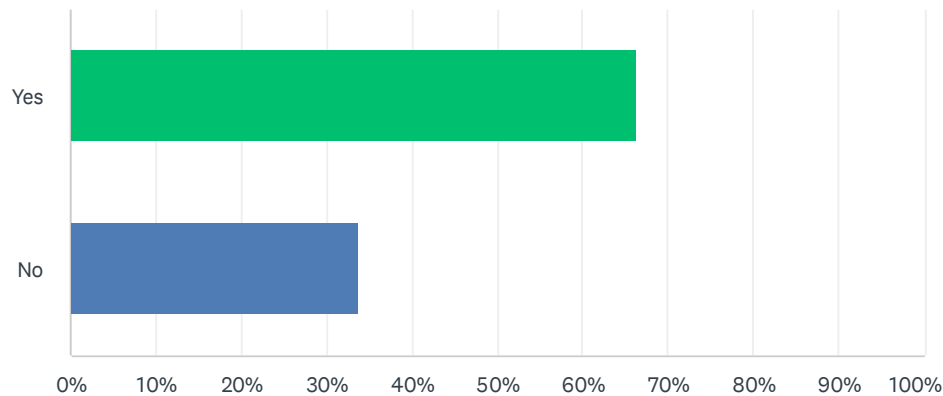
RECA Rules Review - Standards of Practice

didn't want to sign the agreement. It would be great if you surveyed the public on this issue and found a compromise.

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| 290 | I do not trade in real estate or mortgages, therefore, cannot comment. | 3/18/2024 3:54 PM |
| 291 | This is very hard to do with clients who don't want to sign anything before meeting the agent | 3/18/2024 3:52 PM |
| 292 | Should always be completed prior to services | 3/18/2024 3:51 PM |
| 293 | No | 3/18/2024 3:50 PM |
| 294 | A contract should be written before an offer is made. I still have legal obligations if I'm providing advice. I think if I push too hard for a contract the moment I meet someone it seems a little greedy and sketchy and would undermine my professionalism and confidence | 3/18/2024 3:48 PM |

Q12 When dealing with a self-represented consumer, should a licensee be required to provide a customer acknowledgement prior to providing services?

Answered: 664 Skipped: 13



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 66.42% | 441 |
| No | 33.58% | 223 |
| TOTAL | | 664 |

| # | PLEASE EXPLAIN YOUR REASONING. DO YOU HAVE ALTERNATIVE SUGGESTIONS? | DATE |
|----|--|--------------------|
| 1 | These people usually want little interaction with a realtor and probably won't sign anything | 4/19/2024 11:23 PM |
| 2 | Written service agreement requirements are already in place. | 4/19/2024 2:21 PM |
| 3 | Sometimes it is just a tour that goes nowhere. | 4/19/2024 12:19 PM |
| 4 | Absolutely, for them to fully understand their status as a self-presented consumer. | 4/19/2024 10:21 AM |
| 5 | Same as above | 4/19/2024 6:44 AM |
| 6 | If we're have to deal with customers who refuse to enter into agency agreements, this avoids the customers coming back on any realtor because they "said" they weren't told told. The wording of customer acknowledgment needs to be stronger and protect the agents more fully. | 4/18/2024 11:14 PM |
| 7 | There should be a written services agreement signed by both parties. | 4/18/2024 8:55 PM |
| 8 | Yes again no grey areas should exist and the self-represented consumer needs to know what they are receiving and engaging in with the licensee. | 4/18/2024 7:03 PM |
| 9 | I am not sure if the courses have changed or if there is an in-excusable level of incompetence in the industry, but the courses are very definitive on this issue and the fact that these questions are being asked begs the questions how has this become an issue and why is it not being addressed at every level in the industry. This is simply a 'competency' issue and confirmation that either the and the Brokerages have become complacent and in that have compromised the competency and integrity of the industry. Just my opinion, but it seems like a simple fix to me. | 4/18/2024 6:47 PM |
| 10 | This is again up to the two parties to discuss and agree upon | 4/18/2024 5:16 PM |
| 11 | Many people believe that the services of a real estate professional are optional. They often do | 4/18/2024 3:54 PM |

RECA Rules Review - Standards of Practice

not understand the various nuances or potential pitfalls involved. They believe they can just sue if someone does them wrong. It is our responsibility, as industry professionals, to ensure that the public understand and appreciate the value of the expertise we can provide. The previous social media and television ads were cute and funny but may have lead people to believe they would recognize those obvious, potential pitfalls themselves and would be safe to proceed on their own.

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| 12 | for same reasons as above | 4/18/2024 3:47 PM |
| 13 | Clarity | 4/18/2024 2:59 PM |
| 14 | Protects the realtor and the member of the public when all parties understand what is covered in a customer status relationship | 4/18/2024 2:15 PM |
| 15 | But a Realtor who is protecting themselves will take that step to have one signed despite not being required, to ensure there is a clear understanding | 4/18/2024 2:15 PM |
| 16 | I would think you would then use the service agreement that you are representing the lender and not the client? | 4/18/2024 11:37 AM |
| 17 | If they declare they're self represented, leave it at that. | 4/18/2024 11:35 AM |
| 18 | The self represented party should only have to sign a document if a transaction is imminent. This would allow the agent /broker to clearly show that they are not representing the customer / consumer and that they recommend they get their own representation. Much like current forms. | 4/18/2024 11:28 AM |
| 19 | Consumers should know that we are representing the client. If they choose to represent themselves, they should understand that we are under no obligation to them. | 4/18/2024 11:25 AM |
| 20 | If they want to be self represented then that is their choice. If the licensee provides them with information confirming what their rights and obligations are then what else is needed? Are you asking if it needs to be signed in writing and agreed to? | 4/18/2024 11:17 AM |
| 21 | Again, many wont sign until they get what they want but not signing means they can claim falsehoods if they werent happy with the agent. | 4/18/2024 11:11 AM |
| 22 | If they chose to represent themselves then this would be a great document to have. | 4/18/2024 10:53 AM |
| 23 | It would make sense to have the customer acknowledge in writing so there are no issues after. | 4/16/2024 1:47 PM |
| 24 | This should be added to the rules so that when a customer is choosing to self-represent so that the customer is acknowledging they are self-representing and the terms of the engagement. It would provide clarity to the transaction and to their perception of the involvement of the licensee. | 4/15/2024 10:55 AM |
| 25 | that way there is no confusion as to what the obligations are to the consumer | 4/12/2024 9:33 AM |
| 26 | This is fine if the self represented client is up front about this decision from the start. However the Consumer Relationship guide does state they can choose their representation at any point in time. When I go through an agreement for a listing, I do make note that in signing the agreement, I consider them a client. I don't know how you can go from a client relationship, back to a customer relationship , but RECA says you can. Which is cumbersome, if you've already been providing services that you would only provide to a client. In the instance of a buyer becoming a customer, prior to signing anything, I think an agent needs to be conscientious of the services they are providing as they build their relationship with a potential buyer. | 4/11/2024 11:35 AM |
| 27 | Yes, but only prior to providing transaction related services. Not prior to providing information, etc. | 4/10/2024 2:16 PM |
| 28 | The sellers think they know more than a realtor. If the owners want to make a mess of it, that is a risk they are taking and its their loss. | 4/9/2024 8:47 PM |
| 29 | THE LICENSEE CAN ASK QUESTIONS BEFORE PROVIDING SERVICE SO THAT HE DOESN'T HAVE TO GET A FORM SIGNED. | 4/9/2024 5:27 PM |
| 30 | Best to be clear with all parties so there is no confusion. | 4/9/2024 11:38 AM |
| 31 | absolutely. This is part of my normal practice | 4/7/2024 10:21 AM |

RECA Rules Review - Standards of Practice

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| 32 | YES! YES! YES! The lines are badly blurred between self-represented consumers and licensees. In my Brokerage, I strictly enforce this procedure and if the licensee does not comply, I have a Document Late Fee that I apply to the Agent's Monthly account. I suggest that if Brokers would be given the latitude to exercise and enforce a standard monetary penalty at Brokerage level, the licensee's conduct regarding disclosure, written service agreements, and maintaining trade files would dramatically improve. Because each Brokerage is independently operated, it would be impossible to implement. The Late Fee Document has worked wonderfully in my office. | 4/6/2024 12:57 PM |
| 33 | We need to be careful about that, though, because I think "self-represented" is quite different from "Customer status", and they come with different obligations. | 4/4/2024 4:45 PM |
| 34 | This will encumber the process. The required paperwork, in this case a customer acknowledgement, should be done after it is clear a business relationship will be established. | 4/4/2024 10:59 AM |
| 35 | Again, I thought this was already required. | 4/4/2024 10:46 AM |
| 36 | Again, there are certain Industry areas where this may be necessary but not all. Commercial customers are typically more sophisticated and / or have legal representation. Adding a "customer acknowledgement" is not appropriate here. | 4/3/2024 11:24 AM |
| 37 | I don't think we should assume that a self-represented consumer is fully aware of all applicable laws and rules and understands them, their role and the role of the licensee so I think it would be prudent for the licensee to provide a customer acknowledgement prior to providing services. This would benefit both parties to help reduce misunderstanding. | 4/2/2024 8:49 PM |
| 38 | I'm not clear on what a "self-represented consumer" is. | 4/2/2024 7:03 PM |
| 39 | No specific comment. | 4/2/2024 4:05 PM |
| 40 | Same comments as #9 For real estate, written service agreements should be mandatory before any offer is ever made. They should not be mandatory just for showing properties to clients. If an agent for their own protection of commissions wants to get one signed upfront before a single showing, that is fine. Consumers do not want to feel tied to one agent at the beginning of the process. They also don't want to sign a lengthy service document when they are in the very beginning of starting their home search. It makes it very difficult to get new clients. Perhaps a very small half page waiver that states there is no agency relationship/ service agreement yet, but one will have to be entered into before any offers, that could be a standard form signed before any showings take place? | 4/1/2024 6:13 PM |
| 41 | That is how I practice already. | 4/1/2024 1:49 PM |
| 42 | It's obvious to do so | 3/30/2024 1:11 PM |
| 43 | I support this | 3/30/2024 8:55 AM |
| 44 | If our industry did what was proposed, we would not be able to work with a large volume of customers because many consumers have a policy (which by the way unlike for real estate professionals is not regulated by RECA) is not to sign anything until they are ready to purchase a property. For this reason, in my view RECA has no choice but to rely on the best judgement of real estate professionals and brokers as to the timing of when the service agreements should be used and remember: disclosure is not just in writing, it is also verbal. Having good conversations with consumers at initial meetings can be more effective than simply signing cumbersome documents. | 3/29/2024 6:52 AM |
| 45 | na | 3/28/2024 3:02 PM |
| 46 | I am not able to provide a sound answer from a real estate perspective. | 3/28/2024 11:51 AM |
| 47 | They need to know what services the realtor will provide and what services they won't provide. (they might change their mind and choose to be represented) | 3/27/2024 11:44 AM |
| 48 | It clearly states what the relationship and services are right from the start of the transaction. | 3/27/2024 11:15 AM |
| 49 | Same as above. | 3/26/2024 11:30 AM |
| 50 | While this is advisable, RECA shouldn't mandate best practices. Also - define "Providing Services", if a broker offers a commitment and a Service Agreement at the same time, and the borrower refuses both, has the broker provided services? Ultimately, as long as the broker isn't offering a Service Agreement AFTER the commitment, then the borrower still can walk away. | 3/26/2024 11:13 AM |

RECA Rules Review - Standards of Practice

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| 51 | Will come off as a CYA form to the customer. Why do we need a written agreement to preform customer services. | 3/26/2024 8:28 AM |
| 52 | Discussions about services can take place, however when the work is requested so should an acknowledgement | 3/26/2024 7:52 AM |
| 53 | Change "Custome" to "Unrepresented Party" | 3/25/2024 3:08 PM |
| 54 | See my earlier comments. The Licensee need not get the Customer to sign and acknowledgement, but must provide to the Customer with information to clarify each's role. | 3/25/2024 1:49 PM |
| 55 | The expectations and boundaries need to be establish first | 3/25/2024 1:30 PM |
| 56 | This relationship needs to be made super clear so in this case a customer acknowledgement helps clarify and protects the agent. | 3/25/2024 12:48 PM |
| 57 | Just like the explanation I gave above. It will help eliminate this from happening, and keep the customer informed of the agent's duties required to give the customer. | 3/25/2024 10:01 AM |
| 58 | Something simple saying hey dipshit. You should get professional advice. If you don't you are not allowed to whine when you get fucked. That's like playing a sport without equipment and whining when you get hurt | 3/23/2024 6:54 PM |
| 59 | THE LICENSEE SHOLD NOT HAVE TO PUT PRESSURE ON THE SELF REPRESENTED CONSUMER BY GETTING THEM TO SIGN SOMETHING THEY DO NOT WANT | 3/22/2024 4:30 PM |
| 60 | Again it makes my point of SOP strong. | 3/22/2024 2:07 PM |
| 61 | As self-represented as the consumer may be, they are entitled to a basic level of service and it should be easily quantifiable for the consumer so they know what they can expect from the agent. | 3/22/2024 10:39 AM |
| 62 | Same as above. | 3/21/2024 9:27 PM |
| 63 | I am assuming this means no realtor involved. | 3/21/2024 1:50 PM |
| 64 | This would avoid confusion as to the consumer as to what is expected from the licensee | 3/21/2024 1:21 PM |
| 65 | To clarify roles and responsibilities early. | 3/21/2024 12:44 PM |
| 66 | Unsure but some Customers may not understand the difference between Customer & Client and their expectations may not be fully understood. | 3/21/2024 10:52 AM |
| 67 | Yes this should be signed prior to a transaction to clarify the fiduciary duties to customers. | 3/21/2024 10:32 AM |
| 68 | In my opinion, there are a lot of tire kickers in the industry, so having unnecessary service agreements in place he's a little bit ridiculous. Once there is proper intent to engage then absolutely a customer acknowledgement service agreement should be put in place. | 3/21/2024 10:17 AM |
| 69 | Yes, once again there are a lot of clients who do not understand the relationship with real estate agent/property manager. Having them sign a form and EXPLAINING the form is crucial. People will sign anything willy nilly without reading. | 3/21/2024 10:03 AM |
| 70 | If a client declares themselves to be self represented, are they not saying they don't require any help? | 3/21/2024 9:57 AM |
| 71 | Transparency of the services that can and cannot be rendered. | 3/20/2024 7:17 PM |
| 72 | I'm not sure what a self-represented consumer means? | 3/20/2024 5:14 PM |
| 73 | Then the relationship between Client and Licensee/Industry Member is very clear and full disclosure. | 3/20/2024 4:45 PM |
| 74 | Again, the better back up information on hand the easier it is to refer to it in the future. | 3/20/2024 3:59 PM |
| 75 | As above, although I'm unclear as to what a 'self-represented' consumer refers to... | 3/20/2024 3:57 PM |
| 76 | In conversation it should certainly be addressed but paperwork is not needed. | 3/20/2024 3:36 PM |
| 77 | Agreements should only be made with clients, outlining our obligations. | 3/20/2024 3:26 PM |
| 78 | I don't know what a "self-represented consumer" is. Or the scope of "customer acknowledgement". | 3/20/2024 1:34 PM |

RECA Rules Review - Standards of Practice

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| 79 | There should be something in place that outlines the obligations of the professional, but it should also include a simple termination clause for the benefit of the client. | 3/20/2024 10:57 AM |
| 80 | I make sure self-represented consumers always sign a customer acknowledgement at the time they write the offer and I always explain the difference between a client and a customer well before an offer is written. | 3/20/2024 10:22 AM |
| 81 | Ideally it best that happens; however, often people want to interact, request information or some assistance, yet do not wish to lock into a specific brokerage acknowledgement agreement. The self represented consumer would typically be the most dangerous brokerage interaction that results in litigation. This is why it is essential that the brokerage relationships between parties to a transaction agreement be expressly disclosed in the final execution draft of such an agreement. | 3/20/2024 10:17 AM |
| 82 | There are many times when we start working with potential customers that we do not know they are self represented. It is challenging for some clients/customers to make this determination prior to discussions. We have been trained to determine when an agency relationship begins. We can provide services without agency, for example, market data without interpretation, recent sales, other properties for sale now. Asking for this type of representation to be signed in the first meeting can scare that person away from being a customer or a client. It is not appropriate. | 3/20/2024 9:54 AM |
| 83 | If the relationship evolves - an amended agreement can be signed. But signing an acknowledgement after an offer has been signed reduces the importance of having critical discussions prior. | 3/20/2024 9:16 AM |
| 84 | see above | 3/20/2024 5:45 AM |
| 85 | Yet again, I believe there is an implied relationship from the onset. | 3/19/2024 9:22 PM |
| 86 | No. If the self-representing customer fails along the way, they're liable. The stupidity of the self-represented buyer is not the responsibility of the licensee. | 3/19/2024 8:33 PM |
| 87 | The customer is self represented, and the current legislation covers all the required paperwork that is needed. | 3/19/2024 6:20 PM |
| 88 | Yes & no - maybe a short grace period then a form Yes but there's a limit to services if not a client | 3/19/2024 5:16 PM |
| 89 | When someone chooses to be self-represented, they should be informed of the implications of their choice. | 3/19/2024 5:02 PM |
| 90 | My understanding that it is a requirement already. But since the question is here, my understanding is that the rational is to get a written confirmation from a consumer that they do understand the nature of the relationship and what it entails. | 3/19/2024 4:38 PM |
| 91 | this gives the client a clear understanding of what to expect with the service. | 3/19/2024 4:37 PM |
| 92 | The self represented consumer is already bringing their biases and will not be phased by any protectionist documentation. Perhaps they could be asked to state right off the bat who their experienced residential real estate lawyer is, instead (who will be called for verification). | 3/19/2024 4:29 PM |
| 93 | I don't think this would cause a problem | 3/19/2024 3:56 PM |
| 94 | I think this applies when the licensee writes an offer to purchase. I believe many self-represented individuals would be turned off by having to sign a consumer acknowledgement. | 3/19/2024 3:23 PM |
| 95 | This way it is clear of what role you play. No grey area. Less possibilities of problems after the fact. | 3/19/2024 3:23 PM |
| 96 | No if they are self represented they are saying they know what they are doing | 3/19/2024 3:21 PM |
| 97 | There should be an understanding of the parameters. | 3/19/2024 2:55 PM |
| 98 | There should be a firm understanding by both parties of the role involved with a self-representation. | 3/19/2024 2:38 PM |
| 99 | A tenant represents themselves. There should not be any paperwork between the tenant and agent. | 3/19/2024 2:33 PM |

RECA Rules Review - Standards of Practice

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| 100 | It provides clarity to the relationship. | 3/19/2024 2:16 PM |
| 101 | It depends on the management contract and the spending limits. | 3/19/2024 1:55 PM |
| 102 | Again, these are adults. What does paper have to do with anything except make the process more cumbersome. | 3/19/2024 1:54 PM |
| 103 | I was under the impression this was already the case! | 3/19/2024 1:22 PM |
| 104 | We can't be required to get something signed every time we have a phone call. What defines "providing services"? Anything prior to writing an offer should not have this requirement unless the agent feels more comfortable. | 3/19/2024 12:33 PM |
| 105 | Once again what services. | 3/19/2024 12:28 PM |
| 106 | clarity is best and certainly in this circumstance at minimum in the best interest of the customer | 3/19/2024 12:05 PM |
| 107 | A check box on the offer | 3/19/2024 11:32 AM |
| 108 | Not in a commercial deal | 3/19/2024 10:58 AM |
| 109 | Yes, self representing, means they need to confirm they understand or later they blame for not being told or knowing. | 3/19/2024 10:43 AM |
| 110 | Define Prior? | 3/19/2024 10:38 AM |
| 111 | For everyone's protection. But the licensee also needs to be responsible and consult with the broker | 3/19/2024 10:35 AM |
| 112 | There should not be any self-represented clients in the MLS system. If they want representation they should hire a realtor. If not they will be a FSBO and have all the liabilities. Dealing with self-represented clients always causes issues because they do not know the laws and practices of the real estate industry. | 3/19/2024 9:48 AM |
| 113 | Again, establishing the expectations of a relationship from the outset is important. | 3/19/2024 9:45 AM |
| 114 | Yes I think so so that people are not confused as to the situation they are in. | 3/19/2024 9:43 AM |
| 115 | Examples help to clarify grey areas - again no different than a statement of work for other industries. | 3/19/2024 9:43 AM |
| 116 | Isn't this already covered in the Consumer Relationships Guide? You know, the one that gets us into trouble if we don't get it signed asap? Again, I must be missing something here. | 3/19/2024 9:30 AM |
| 117 | If a consumer wants to represent him/herself, it should be up to the consumer to give notice to the agent of their intention. | 3/19/2024 9:29 AM |
| 118 | the self rep then is clear on the licensees obligations | 3/19/2024 9:11 AM |
| 119 | removes any confusion or misunderstanding of what the consumer should expect. | 3/19/2024 9:01 AM |
| 120 | Prior to engaging into any sort of written agreement but not prior to setting up a showing. | 3/19/2024 8:56 AM |
| 121 | Of course. | 3/19/2024 8:54 AM |
| 122 | the self Rep consumer is taking on all the risk, liability themselves.....the licensee would be doing this out of best practice not due to legislation.... | 3/19/2024 8:47 AM |
| 123 | It should at least be acknowledged by the customer in writing in case they later bring in an industry member, eg to allow for any amendment of terms in fees. | 3/19/2024 8:25 AM |
| 124 | These clients who self represent, know that they are not receiving the same level of service, and choose so for a reason. | 3/19/2024 8:11 AM |
| 125 | To ensure the customer understands they have no representation. | 3/19/2024 7:58 AM |
| 126 | Many, they do not want to be locked into any agreements. They have already implied that's what they would like. The agents need more protection here not the consumers. We are being setup to remove any protections by doing this. | 3/19/2024 7:42 AM |
| 127 | To clarify their role and ensure they are not assumed to be representing the consumer as an agent. | 3/19/2024 7:00 AM |

RECA Rules Review - Standards of Practice

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| 128 | The Self represented consumer should be required to provide an agent with acknowledgement along with their responsibilities to the agent or brokerage. | 3/19/2024 6:57 AM |
| 129 | There are instances when self-represented consumers are taken advantage of. This would minimize this. | 3/19/2024 2:21 AM |
| 130 | Once again, our current disclosure forms work well for this. A mortgage document trail is long enough. Do we need more? No, I don't think so. | 3/18/2024 11:28 PM |
| 131 | They chose to represent themselves and if they are a customer they are going to sign the transactional agreement to avoid any conflict of interest. I feel like that would be redundant if I am understanding the question correctly. | 3/18/2024 11:26 PM |
| 132 | There should be a different form that says you are dealing with a realtor unrepresented and you accept moving forward and accept the risks of not having a professional represent you. | 3/18/2024 11:04 PM |
| 133 | They've explicitly said they're self represented? Good lord why is this a question. Beaureacritic nonsense. A text message or email - "I don't need an agent, I've bought many homes before. Just present my offer, thanks" Or, - "I'm not using an agent to sell my home" holds up in court. Obviously the agent works for the other party. | 3/18/2024 10:48 PM |
| 134 | This one is a little iffy, as self-represented consumers can be distrusting and refuse to even take a piece of paper from you, let alone sign something. So we need to be able to account for that. | 3/18/2024 10:24 PM |
| 135 | This makes logical sense when considering transparency and creating more confidence in the industry. | 3/18/2024 10:09 PM |
| 136 | To cover your butt. So that they know everything is on the up and up. You explain your duties and the they understand your responsibilities clearly. | 3/18/2024 9:16 PM |
| 137 | This question is quite vague. It really depends on the service being provided. | 3/18/2024 8:24 PM |
| 138 | 100% - no! Working with "self-represented" consumers is already hard enough - don't make it even harder. Having the paperwork signed at some point should be adequate. | 3/18/2024 7:50 PM |
| 139 | This needs to be thought through. What constitutes providing services? Most times this gets signed when a customer says they want to make an offer. We need to have forms that do a better job of providing the consumer with the pros and cons and let them make an informed decision with clear language. I think this is more important than the timing of when it gets signed. | 3/18/2024 7:19 PM |
| 140 | Yes, providing those services involve a sales contract. Generic real estate services that the general public expect from a licensee should not require a customer acknowledgement. Everyone is a customer until agency is implied or entered into. | 3/18/2024 6:58 PM |
| 141 | Only disclosure to lenders | 3/18/2024 6:49 PM |
| 142 | What services would they be providing to a self represented consumer? If they are self represented they should sign a customer acknowledgment indicating they are not being provided any services by the realtor. Customers should be encouraged to seek representation. If they don't want realtor representation then they should hire a lawyer to help them through the process but professionals should not be expected to work for free and take on the liability just because someone wants to represent themselves. | 3/18/2024 6:36 PM |
| 143 | It should explain possible consequences and/or outcomes to the customer so they can make an informed decision as to continue being self-represented. | 3/18/2024 6:26 PM |
| 144 | Best practices people. | 3/18/2024 6:18 PM |
| 145 | Let them fend for themselves. | 3/18/2024 6:13 PM |
| 146 | So no confusion in the professional relationship. | 3/18/2024 6:04 PM |
| 147 | Same reason as with a service agreement: protect all parties. | 3/18/2024 5:49 PM |
| 148 | What is the definition of a self represented customer? Isn't that why we have 3 different service agreements? | 3/18/2024 5:48 PM |
| 149 | I think when you meet the client for the first time at a property you should explain that they are | 3/18/2024 5:40 PM |

RECA Rules Review - Standards of Practice

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| | just a customer and have them sign then. It shouldn't have to be prior to meeting them at the property. | |
| 150 | No. They are self representing, let their representative take care of that. If I'm not getting compensated, I'm not providing them anything, ever. Don't be ridiculous. Do you want to work for free? I won't. | 3/18/2024 5:34 PM |
| 151 | See my comment above about what does "services" mean. As a LL rep I do not want to have to get uprepped tenants to sign anything prior to touring my vacant spaces. If things proceed to an Offer then its laid out I am only repping the landlord. | 3/18/2024 5:19 PM |
| 152 | Same as above. We have been stood up plenty of times and this is a sure way to ensure there is a written agreement. | 3/18/2024 5:18 PM |
| 153 | More information and description of expectations, the less the misunderstandings can occur. | 3/18/2024 5:11 PM |
| 154 | If you know you won't be working with the person as a client early on, it would be good to get the duties out of the way pre-hand. | 3/18/2024 5:08 PM |
| 155 | Outlines expectations and responsibilities for both parties. | 3/18/2024 5:08 PM |
| 156 | Yes because we are going to be assisting the unrepresented through the paperwork during a transaction | 3/18/2024 5:01 PM |
| 157 | Definitely more of a CYA. | 3/18/2024 5:00 PM |
| 158 | Yes this will make sure the consumer know where they stand in the relationship and also reinforces to the Realtor what the relationship is. | 3/18/2024 5:00 PM |
| 159 | If you're a listing agent and an unrepresented person comes into the deal. They need to be aware that you're simply filling out paperwork for them and don't legally owe them any duties. | 3/18/2024 5:00 PM |
| 160 | If this is the sophisticated buyer, why not? | 3/18/2024 5:00 PM |
| 161 | There are some instances where it's almost impossible to have a customer sign something before providing a service. A customer reaches out and wants information about a property. They shouldn't have to sign something in order to get that information. But if a customer begins contacting an agent repeatedly or demonstrates interest in a property or services that the agent can't provide to a customer, the agent should have them acknowledge customer status at that time. | 3/18/2024 4:53 PM |
| 162 | Unless SERVICE is better defined, this is not practical. | 3/18/2024 4:51 PM |
| 163 | The seller agent cannot say anything to the buyer other than what is on the listing and offer no advice on market or offers or motivations. The buyer must sign off that they will not be offered any influential info or market info. They can open the door and nothing else. Have the unrepresented buyer either make their own written offer or have their lawyer prepare or a licensed agent who does it for a buyer service agreement fee. The seller rep can offer no advice or input at all. | 3/18/2024 4:47 PM |
| 164 | only once entering into a relationship should the acknowledgment be required | 3/18/2024 4:45 PM |
| 165 | To cover the licensee's butt to be blunt. | 3/18/2024 4:45 PM |
| 166 | If they do not sign, drop them immediately. Its a waste of time and without written acknowledgements they are likely to lie if things go sideways. | 3/18/2024 4:42 PM |
| 167 | Aren't all mortgage clients self-represented? Not sure when they would not be | 3/18/2024 4:42 PM |
| 168 | there should be a simple one line, with link to a website portal with greater details inserted into an agreement, whereupon signing the agreement (i.e. purchase agreement" the client/customer acknowledges their consent and understanding. | 3/18/2024 4:37 PM |
| 169 | They should sign it before completion of deal. | 3/18/2024 4:33 PM |
| 170 | In one example, I had a client who became a Realtor to save on fees for a purchase. They purchased firm and the application did not qualify. If a consumer is self-represented without a recommended lawyer, Realtor, or mortgage broker (working directly with an unlicensed banking associate), they should acknowledge and accept any liability assumed by the absent professional in question. | 3/18/2024 4:33 PM |

RECA Rules Review - Standards of Practice

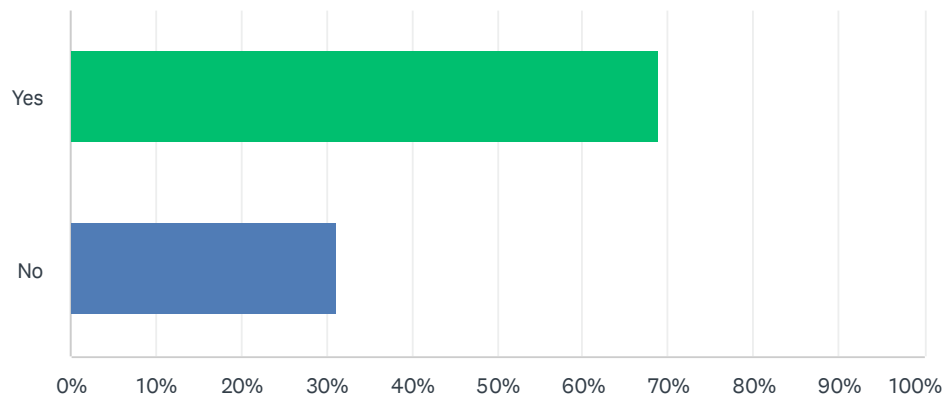
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| 171 | It's the decision of the consumer to be self-repped. | 3/18/2024 4:32 PM |
| 172 | make it clear | 3/18/2024 4:31 PM |
| 173 | The self represented consumer should provide a waiver of representation with the customer acknowledgement | 3/18/2024 4:29 PM |
| 174 | I'm not sure how this question applies to my industry. | 3/18/2024 4:29 PM |
| 175 | Yes, but where is the line for providing a service? If the customer wants to know information that is deemed public information, but does not want to do the leg-work themselves, and wants to get the knowledge directly from the agent. Do we refuse to do the research, or use our knowledge because we do not have a customer acknowledgement; but be seen as not operating within a standard of industry, or do we openly provide our knowledge that is essentially what gives us agents value in the eyes of customers? | 3/18/2024 4:27 PM |
| 176 | Client should always be responsible for getting independent legal and financial advise from a third party. | 3/18/2024 4:27 PM |
| 177 | same as above | 3/18/2024 4:25 PM |
| 178 | I believe so but this is the fine line. I show the property. I'm careful not to cross the line but all of a sudden I'm entering Customer / or client status and its easy to mess up. The street has this happen so fast especially in this market and consumers don't want to be directed or lead | 3/18/2024 4:25 PM |
| 179 | Customers shall be well informed of all aspects of the future service by the licensee | 3/18/2024 4:24 PM |
| 180 | They made their decision. | 3/18/2024 4:23 PM |
| 181 | Clarity is key, this helps protect the licensee and the public. | 3/18/2024 4:21 PM |
| 182 | See above... | 3/18/2024 4:21 PM |
| 183 | All parties then have documentation of there understanding of the roles and responsibilities. | 3/18/2024 4:21 PM |
| 184 | If the general public is willing to self represent, it is "their" responsibility to become informed of all the risks. I can also pull my own teeth but I'd rather trust my doctor who spends years in university to learn the trade. If I still decide to pull my own tooth, even though my doctor is the subject matter expert, I'm an idiot. | 3/18/2024 4:20 PM |
| 185 | There's a fine f line between providing assistance and giving advise. | 3/18/2024 4:20 PM |
| 186 | Duties are clear that way | 3/18/2024 4:18 PM |
| 187 | Only prior to a trade in real estate taking place, along with consumer relationships. | 3/18/2024 4:17 PM |
| 188 | To provide the notice (by email or booklet) with the clarifications regarding the representations. | 3/18/2024 4:16 PM |
| 189 | Self represented clients should be aware that they need to get independent legal advice, at the very least | 3/18/2024 4:16 PM |
| 190 | From a mortgage broker standpoint this would help, but doubtful it would eliminate most of the issues that arise with clients self-representing. From the standpoint of a private sale/purchase as a mortgage broker far too often we have to say we are not qualified or licensed to advise on (insert matter). The acknowledgement should cover this. | 3/18/2024 4:14 PM |
| 191 | Just to acknowledge that you aren't representing then and that they take on the responsibility. | 3/18/2024 4:13 PM |
| 192 | The consumer has chosen to be self represented, why should we be required to eductae them - taht was their choice. In today's world, the internet allows for deep information. | 3/18/2024 4:13 PM |
| 193 | Similar to the above, the requirement to sign a contract with an individual, whether or not they will be represented by an industry member or self-represented is not practical and only creates opportunities for industry members to run afoul of the Act unnecessarily. | 3/18/2024 4:12 PM |
| 194 | This is tricky because by providing services if one means actions that require exercising fiduciary duties then yes, but a customer by definition is not afforded services as such. | 3/18/2024 4:12 PM |
| 195 | Self Represented Customer has no representation. There is a reason people use realtors. It's a service. In no way should a licensed person be obligated to a self represented individual. | 3/18/2024 4:11 PM |
| 196 | Same answer as question 8. | 3/18/2024 4:10 PM |

RECA Rules Review - Standards of Practice

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| 197 | Gets everyone on same page and clearly says what our roles and duties are so there is no misunderstanding that we don't negotiate in their behalf, etc without an exclusive buyers agreement. | 3/18/2024 4:10 PM |
| 198 | Question is a little confusing, in that consumer Acknowledgement should be signed in advance which clarifies their is no representation or services provided under customer status. | 3/18/2024 4:10 PM |
| 199 | Duh! | 3/18/2024 4:09 PM |
| 200 | As above. | 3/18/2024 4:09 PM |
| 201 | Maybe? If so it would need to be clear and to the point. For one thing we already have too much paperwork it is a challenge to review with some people already as it is so lengthy. Adding to it may just add confusion, some people may think that this agreement indicates the opposite (that you are representing them). | 3/18/2024 4:08 PM |
| 202 | It was the consumer's choice to self-represent. RECA's job should not be to take away all risk and liability from a person who chooses this route. | 3/18/2024 4:08 PM |
| 203 | In the cases of self-represented consumers, then the consumer would be required to understand the legal needs of the agent acting on behalf of the Seller Client | 3/18/2024 4:07 PM |
| 204 | Same as above | 3/18/2024 4:05 PM |
| 205 | Too much grey area and much open to interpretation. | 3/18/2024 4:04 PM |
| 206 | To clear define that you are not giving them any advice. | 3/18/2024 4:03 PM |
| 207 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:02 PM |
| 208 | I don't really have an opinion either way. I am licensed as a condo manager, so I don't think this relates to me. | 3/18/2024 4:02 PM |
| 209 | Both parties then know what are the ground rules. | 3/18/2024 4:01 PM |
| 210 | Absolutely if the realtor is on one side and there's no realtor on the other side of the deal there should be paperwork that states that the realtor involved in this transaction and who they're representing | 3/18/2024 4:00 PM |
| 211 | it depends on when you decide the relationship exists. For example at an open house it is not necessary but prior to writing a contract and discussing specific things it is. | 3/18/2024 3:57 PM |
| 212 | Self-represented to me means you are taking the responsibility of informing yourself on what needs to be known. If I self-represent in court, it is understood that I know enough of the law to make competent decisions for myself. | 3/18/2024 3:57 PM |
| 213 | Yes, your limited scope of work should be clearly outlined. | 3/18/2024 3:56 PM |
| 214 | This outlines expectations of services from the licensee as soon as possible. Adds transparency to the customer. And reduces the chance of problems in the future. | 3/18/2024 3:55 PM |
| 215 | I'm not sure what this means and if it applicable to Condominium Management, therefore, am unsure how to respond. | 3/18/2024 3:54 PM |
| 216 | They have been useless in real estate sales, has RECA not even noted the massive gap that some random form that no one reads creates? | 3/18/2024 3:54 PM |
| 217 | There isn't a need in my opinion- some consumers just hate contracts and are unwilling to sign even customer status forms. This should be made clear to the consumer and respect their wishes. They don't have to sign anything when they buy unlisted or private sale properties. | 3/18/2024 3:52 PM |
| 218 | They need to understand the situation. They don't know what they don't know | 3/18/2024 3:51 PM |
| 219 | at all times. | 3/18/2024 3:51 PM |
| 220 | No | 3/18/2024 3:50 PM |
| 221 | It's a safe answer to cover ourselves | 3/18/2024 3:48 PM |

Q13 In the interest of transparency, if licensees provide client information to a third-party service provider for the purposes of a referral, should the licensee provide notice to the client and collect the client's consent (provided the consent must comply with the Personal Information Protection Act [PIPA])?

Answered: 668 Skipped: 9



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 68.86% | 460 |
| No | 31.14% | 208 |
| TOTAL | | 668 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|---|---|--------------------|
| 1 | Ask permission or have client contact service provider | 4/19/2024 11:24 PM |
| 2 | Yes, if licensees provide client information to a third-party service provider for the purposes of a referral, they should indeed provide notice to the client and collect the client's consent, ensuring compliance with the Personal Information Protection Act (PIPA). | 4/19/2024 5:32 PM |
| 3 | This is already a requirement. This is redundant | 4/19/2024 2:21 PM |
| 4 | Its implied consent and if anyone tells you differently then they just want to use that one thing to nail the realtor. | 4/19/2024 11:40 AM |
| 5 | Definitely, always. | 4/19/2024 10:23 AM |
| 6 | This is already covered under the PIPA and FOIP legislation. If a industry member is guilty of violating PIPA legislation by the OIPC, they would need to report to RECA, this is a good example of competent service, or not. a. express consent b. implied consent, and c. consent by not opting out (section 8). | 4/19/2024 9:38 AM |
| 7 | In my opinion this supports full and lawful disclosure. If the client would prefer to disclose information to third parties themselves? Forbes can indicate Realtor representation and contact information. | 4/18/2024 11:16 PM |
| 8 | I personally don't feel that a licensee should provide client information to anyone, referral or not. If they want to they need to ask first not just provide notice to the client, ask the client | 4/18/2024 7:05 PM |

RECA Rules Review - Standards of Practice

and get permission.

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| 9 | This is really beginning to annoy me in that these issues are all defined in the training and the answers to such questions as the one above are definitive in the courses. IN ALL THE COURSES and COURSE MATERIALS! Unfortunately, as recently as yesterday, I have received promotional material from a mortgage broker looking to obtain client information to expand his business and mine. My reply was that information is private and if he wanted to grow his business with my client base he should impress me with what he can do for my clients in order to obtain a referral of a client from me, which by the way should be accompanied by two other mortgage broker names as well. | 4/18/2024 6:48 PM |
| 10 | More paper work for what purpose here? The disclosure is fine verbally. Provide the transparency when you ask your client if it is okay. Not really sure why we are going to become more like administrators and not looking after the customers and clients more in the business of Real Estate. | 4/18/2024 5:19 PM |
| 11 | It can be a verbal consent. | 4/18/2024 4:44 PM |
| 12 | Full disclosure | 4/18/2024 2:59 PM |
| 13 | I feel this is between the realtor and the person who gave the referral, it has nothing to do with the client. It doesn't affect how much the client pays for their service, so should not be part to this separate transaction. Do doctors have their patients sign disclosure forms for their kickbacks or referrals to specialist doctors or for each pharmaceutical company they prescribe drugs for? They do not. | 4/18/2024 2:21 PM |
| 14 | TRANSPARANCY never hurts | 4/18/2024 2:18 PM |
| 15 | Consent to share personal information by a licensee should be acquired prior to the referral, and the Licensee receiving the referral should request the confirmation of consent. | 4/18/2024 11:52 AM |
| 16 | I feel though that this is already covered by existing provincial and federal privacy legislation. | 4/18/2024 11:38 AM |
| 17 | Full disclosure always the best practice. | 4/18/2024 11:37 AM |
| 18 | Personal information is private. Regardless if there is a referral or not, licensees should not be providing personal information without consent | 4/18/2024 11:26 AM |
| 19 | Heck no! It's good enough I tell my clients I have a referral realtor for you if interested. If they are, that's their consent! | 4/18/2024 11:19 AM |
| 20 | If PIPA covers this why are we looking at this? | 4/18/2024 11:18 AM |
| 21 | The disclosure of information is already part of the client service agreement, for the purposes of arranging financing. If brokers are disclosing information to a third-party outside of the purposes of arranging financing, then yes, I believe the licensee should provide notice. | 4/18/2024 10:56 AM |
| 22 | Clients should be able to not allow or allow as they see fit. | 4/16/2024 1:48 PM |
| 23 | This should be added to add transparency and clarification (need to comply with PIPA anyway). | 4/15/2024 10:55 AM |
| 24 | this acknowledgement is already in the offer to purchase and listing contract no need to double up more paperwork | 4/12/2024 9:35 AM |
| 25 | In general & at any stage of the relationship, I do want the client to know & have their permission to share their information. I do generally ask them (or provide them with the contacts & they can choose who to contact), if it is ok if I share their information. Sometimes its verbal. Sometimes I get it in writing in an email or text & save a screenshot of that part of a conversation into my files. I think protecting peoples' personal information is pretty standard practice for most companies & industries. | 4/11/2024 11:39 AM |
| 26 | A disclosure must already be made if there is going to be a fee received for the referral. So I take this to mean should there also be a disclosure if there will be no fee received. In my experience, the only time a licensee provides a client's information to a third-party service is when the client has asked for a referral to a vendor of that service. Asking licensees to record the notice and consent of this seems like unnecessary paperwork, to cover a liability that is relatively non-existent. | 4/10/2024 2:23 PM |
| 27 | Yes, this is just good policy now a days where everyone is trying to steal our contact | 4/9/2024 8:47 PM |

RECA Rules Review - Standards of Practice

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| | information. | |
| 28 | AS LONG AS THE LICENSEE PROVIDES THE CLIENT WITH A WRITTEN STATEMENT (SUCH AS AN EMAIL) THAT HE MAY RECEIVE A REFERRAL FEE)THIS SHOULD AVOID ANOTHER FORM REQUIREMENT. | 4/9/2024 5:30 PM |
| 29 | But it should not have to be on a written format signed by the client. A discussion followed up with an email to the client confirming that the info will be shared is sufficient. | 4/9/2024 11:39 AM |
| 30 | I wouldn't want someone phoning me out of the blue and saying they had been given my phone number by someone else to provide a service. It is a reasonable expectation that you protect your client's information and ask their permission before providing it to anyone. It's rude to be so presumptuous. | 4/7/2024 10:26 AM |
| 31 | This has been a huge area of contention. Client information in this industry flows way to generously. | 4/6/2024 12:58 PM |
| 32 | It should be part of any contract, and wouldn't need a rule. | 4/4/2024 4:45 PM |
| 33 | Yes, absolutely. Because the licensees are gaining financially, one way or another , by providing thier clients information. | 4/4/2024 11:02 AM |
| 34 | We're supposed to be transparent about our activities for the client, this is consistent with that. | 4/4/2024 10:47 AM |
| 35 | Transparency is the best method | 4/3/2024 10:36 PM |
| 36 | Absolutely. I can't believe this is even up for debate. If we don't get the client's consent, we're sharing the client's information with 3rd parties which the client may not want. As a client, if I got emails or phone calls from a 3rd party for a service I did not specifically ask the licensee if they know of any service providers and the 3rd party told me that my information was given to them by a licensee without my consent, I would be pretty angry. | 4/2/2024 8:56 PM |
| 37 | If the client is being referred they should be a willing participant in that activity, if they are prove it. Further - this rule needs additional review. If a licensee is referring a client to another (RECA) licensee they should not have to disclose "a referral fee, remuneration or benefit" as rule 41 ensures all licensees operate appropriately. If a licensee is referred to an unlicensed person (or licensed by a different regulator) they must disclose, given the risk that the referral is for the purpose of receiving remuneration as no other regulatory control exists. Licensees should also be prohibited from referring licensed activities to unlicensed practitioners, for example a home sales person without a real estate license or a bank representative who does not have a mortgage license. | 4/2/2024 7:10 PM |
| 38 | That is straight forward. | 4/2/2024 7:00 PM |
| 39 | Privacy policy in place should be able to satisfy this requirement. | 4/2/2024 4:06 PM |
| 40 | Yes, and RECA should be enforcing the current offside process where condo managers are making profits and kickbacks from a third party company that is selling said private documents. | 4/1/2024 5:26 PM |
| 41 | BUT I think this should be on the default service agreement. Not when the associate is about to get a referral. Some clients try to use this request for referral acknowledgement to ask for more work than was originally agreed. So suddenly it becomes a renegotiation. Candidly: often it is "New Canadian" male clients from cultures of more constant negotiation asking for more work from female associates, or to lower already agreed upon rates | 4/1/2024 4:21 PM |
| 42 | Interesting point but I see it as already on the Referral Form that the Client acknowledges. | 4/1/2024 1:51 PM |
| 43 | Yes, I do not believe it is fair for Realtors to give client information without their consent that they know we will be receiving a fee. The other challenge here is that the rest of the Real Estate world does not act this way so that will cause Realtors a few extra challenges. | 3/30/2024 8:58 AM |
| 44 | This could be done in a conversation, but then have no paper trail that it was consented. | 3/29/2024 9:23 AM |
| 45 | Consent can be verbal or written and in real estate, time is of the essence so expediency is paramount. The bottom line is this: if a client consents to a referral (verbally or in writing), is contacted by a third-party service provider and decides not to engage their services, the onus rests with the consumer to cease communications with the third-party service provider and then communicate their decision with the real estate professional. We do not require extra paperwork in our industry because this only adds red tape, not reduces it. | 3/29/2024 6:55 AM |

RECA Rules Review - Standards of Practice

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| 46 | na | 3/28/2024 3:02 PM |
| 47 | I agree with the licensee being required to provide notice to the client of the referral, however putting in additional restrictions to limit the ability to refer does not seem like the best solution. | 3/28/2024 11:52 AM |
| 48 | I don't think a client really cares if we receive a referral. I have spent a fair bit of time trying to get signatures from a client, and they seemed very "dis-interested" | 3/27/2024 11:46 AM |
| 49 | Admittedly, sharing borrowers' personal info should always be prefaced with the borrowers' consent for same, but why have laws that say you should follow other laws, it's redundant. | 3/26/2024 11:16 AM |
| 50 | you should always get consent, but I am not saying it should be in writing, verbal should be acceptable. | 3/26/2024 8:29 AM |
| 51 | Yes, we should always seek approval from the client before sharing information. | 3/26/2024 7:53 AM |
| 52 | Prior to making a referral to a third-party, a licensee should have written authorization outlining the specifics that can be disclosed. Our Brokerage has a form for exactly this. | 3/25/2024 3:10 PM |
| 53 | The client should be advised that they are not obligated to use the person or business that they are being referred to, but if they do use that service then the agent may receive a referral. | 3/25/2024 1:32 PM |
| 54 | Clients must already sign a fee disclosure agreement whenever a realtor receives compensation. | 3/25/2024 11:13 AM |
| 55 | Is this not a current requirement? Is this not why we are required to have the referring agent fill out a Referral Fee Consent Form and have the referred client sign it? | 3/25/2024 10:03 AM |
| 56 | This is designed to keep small players out. This doesn't protect albertans. It protects lenders. I am fine with that but let's not call it consumer protection. | 3/23/2024 6:56 PM |
| 57 | The whole industry of mortgages is referring to brokers and lenders and privates. Things would grind to a halt if you needed a client consent every time you send somewhere. | 3/23/2024 11:37 AM |
| 58 | IT IS A LEGAL TRANSPARENCY THAT A LICENSEE GETS THE CLIENTS CONSENT REGARDING REFERRALS | 3/22/2024 4:41 PM |
| 59 | A list of third party can be compiled centrally at Brokerage which can be part of third party referral Brokers can identify such third parties who have reputation, credibility and licensed with insurance coverage etc. | 3/22/2024 2:12 PM |
| 60 | Yes and no. Consent should be obtained and a record of such consent preferable, however I feel a form is excessive - unless the licensee is receiving a fee for the referral. | 3/22/2024 10:41 AM |
| 61 | Personally I will provide three or more options for industry service providers and there is no guarantee that a client would even if the suggestions for whatever service that is needed. Seems like red tape | 3/21/2024 10:02 PM |
| 62 | Clients should be OK with you connecting them with real estate related services. This just seems like red tape. | 3/21/2024 9:28 PM |
| 63 | This is the client's information and the client is the one to allow their information to be shared | 3/21/2024 1:22 PM |
| 64 | All referrals should be explained and signed by client prior to providing information to a third party. | 3/21/2024 12:45 PM |
| 65 | it is important to get permission to refer but I feel the action trail is enough to support compliance. | 3/21/2024 11:08 AM |
| 66 | This is difficult especially when it may be unknown that a referral may be forthcoming. The fact that you are trying to help the Client should be the determining factor. | 3/21/2024 10:54 AM |
| 67 | Written email to consent to share client personal info with mortgage brokers, home inspectors and lawyers is sufficient. | 3/21/2024 10:35 AM |
| 68 | Some sort of acknowledgement would be highly recommended whether it's an email or text message but something that can be referred back to. | 3/21/2024 10:18 AM |
| 69 | Yes, the more we can do to protect personal information the better. There are enough scams out there trying to get this info from people. | 3/21/2024 10:11 AM |
| 70 | If wanted this should be part of a service agreement that the client consent to sharing of | 3/21/2024 10:01 AM |

RECA Rules Review - Standards of Practice

details to third parties when applicable. To do this for all potential referrals would be a laborious process, no to mention this could include mortgage brokers, inspectors, lawyers, other agents, condo docs review companies etc.

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| 71 | Clients want to know who is receiving this personal info. A statement to that effect helps with transparency | 3/21/2024 9:58 AM |
| 72 | I think as agents that we should provide the client with the referral and they contact the company directly. | 3/20/2024 7:45 PM |
| 73 | Personal information needs to be kept confidential unless it is authorized to distribute. | 3/20/2024 4:00 PM |
| 74 | This should be included in the consent, NOT a separate form. | 3/20/2024 3:58 PM |
| 75 | Yes and no. Practice should be that if you are going to share your clients information with a third party, the client should be made fully aware of who it is and why. Whether in writing or not, the client needs to be made aware. | 3/20/2024 3:38 PM |
| 76 | Yes, however, this should not be onerous. It is reasonable to expect a simple text or email consent from a client prior to sharing their information with third party consultants or referrals. | 3/20/2024 3:28 PM |
| 77 | I don't understand the question. An example would help. If the "third Party" an appraiser, lawyer, commissioner of oaths then this should be "no" as they are already bound by client confidentiality. Any professional party that is engaged to work on the file would be held to the same standard. Anyone outside this professional level should have approval from the client to provide client information. | 3/20/2024 1:39 PM |
| 78 | should be part of the initial service agreement | 3/20/2024 10:51 AM |
| 79 | This sounds onerous. I always get permission to share a client's details when I make a referral but collecting written consent through a PIPA process sounds very time consuming. | 3/20/2024 10:24 AM |
| 80 | Absolutely! I believe that this is required in law under privacy legislation and good faith provisions, especially from persons like real estate professionals who in law are viewed very differently from everyday people. | 3/20/2024 10:19 AM |
| 81 | This should be blanketed under our service agreements as part of the buying/selling process. | 3/20/2024 9:17 AM |
| 82 | Usually the client is asking to be referred | 3/20/2024 8:37 AM |
| 83 | disclosure is a good thing | 3/20/2024 5:46 AM |
| 84 | Anything over and above the current rules seems like additional red tape. | 3/19/2024 9:24 PM |
| 85 | In a casual format. Agreeing to share contact details can be done via text, email, or phone call. It does not need to be a red-tape-inducing document. | 3/19/2024 8:34 PM |
| 86 | The current legislation covers the needs of consent and notice to clients regarding referrals. There is no need for extra paperwork when the current system works smooth. This may cause hardship in referrals, as many clients may find the need for more paperwork annoying and hindering rather than protective in nature. | 3/19/2024 6:22 PM |
| 87 | Yes but gauge the situation & otherwise keep it simple - verbal or text msg or | 3/19/2024 5:18 PM |
| 88 | This would be overly burdensome on all parties. | 3/19/2024 5:03 PM |
| 89 | My answer is "I am not sure." When providing information to a 3rd-party service, the rule already specifically says that the 3rd party must be qualified to perform the services. The total fee disclosure with a 3rd party is usually provided to the consumer. So the only question is whether the consumer should know whether there is a referral fee as a portion of the total fee involved. Now, my question is whether there was any study that explicitly showed that not disclosing the referral fee is detrimental to consumers in general, and whether this rule should rather be adopted from other industries. For example, when shopping in a grocery store, it is not explicitly disclosed on the receipt that another party (say Mastercard) receives a certain fee from the transaction. Does the consumer really care? | 3/19/2024 4:46 PM |
| 90 | this way everyone is on the same page | 3/19/2024 4:38 PM |
| 91 | Seems like it will just confuse the public. | 3/19/2024 4:19 PM |
| 92 | this would then ensure that all groups involved are all aware of the details | 3/19/2024 3:57 PM |

RECA Rules Review - Standards of Practice

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| 93 | Typically, we are already asking the individual if we can pass along their contact information to a referral source; requiring a form to be signed is too formal and creates too much of a barrier versus providing a quick turnaround. | 3/19/2024 3:25 PM |
| 94 | It is always best practice to disclose but consumers have varying styles of communication and may not deem it necessary to sign paperwork for referrals. | 3/19/2024 3:24 PM |
| 95 | The client should be made aware of what is happening | 3/19/2024 3:22 PM |
| 96 | This should be the responsibility of the third party to confirm with the client. | 3/19/2024 2:55 PM |
| 97 | If licensee has received the approval to refer, we usually have them sign a referral form for their consent. The amount of paper and documentations continues to grow, and this in itself becomes overwhelming to both the client and associates | 3/19/2024 2:42 PM |
| 98 | If the purpose is purely to receive remuneration in monetary funds then yes. If the purpose to refer is to provide the client with another service then no. | 3/19/2024 2:36 PM |
| 99 | It would provide openness to the situation | 3/19/2024 2:20 PM |
| 100 | This should be practice already | 3/19/2024 1:56 PM |
| 101 | Impossible to track | 3/19/2024 1:55 PM |
| 102 | No, I feel that if there is a verbal consent or email, text form should be sufficient. But, if there has been a precedent forming due to these issues arising, then there should be changes to the process. And if we do make those changes, there needs to be more clarification to what a "Third Party Provider" is. | 3/19/2024 1:26 PM |
| 103 | This should already be the case | 3/19/2024 1:22 PM |
| 104 | I think written notice to the client for records would be enough requiring signed documentation gets cumbersome | 3/19/2024 1:01 PM |
| 105 | The current rule that all referral fees must be disclosed in writing is sufficient. | 3/19/2024 12:44 PM |
| 106 | A licensee should NEVER share a client's information w/o written consent. I pass 3rd party service provider information to my clients and let them reach out. Then they're sharing their information. I never share it. | 3/19/2024 12:34 PM |
| 107 | I think that simply consenting to provide to a third party should be sufficient. The administrative burden is becoming monumental. There needs to be ways to reduce this. | 3/19/2024 12:23 PM |
| 108 | There's no checkbox for "maybe" If passing on someone's name and phone number to mortgage broker, does this require filling out a consent form? I don't think so. Just a verbal consent. It just depends on what level of information you are passing on. | 3/19/2024 12:22 PM |
| 109 | What a mess - good luck | 3/19/2024 11:33 AM |
| 110 | In a general sense, authorization should be acquired prior to sending out client information. | 3/19/2024 10:59 AM |
| 111 | Yes...don't share unless you have written permission to do so. | 3/19/2024 10:44 AM |
| 112 | not necessary | 3/19/2024 10:41 AM |
| 113 | To be transparent with each step of the process | 3/19/2024 10:36 AM |
| 114 | Referrals should be considered a courtesy and a privilege and not necessarily a governed endeavour | 3/19/2024 10:21 AM |
| 115 | Realtors should not be allowed to pay an unlicensed referral or accept a referral from an unlicensed party. This is what gives us all bad names and harms the public. | 3/19/2024 10:05 AM |
| 116 | I wouldn't want my name shared without prior notice - I also won't accept calls/messages from unknown numbers or sources. Referral wouldn't be successful. | 3/19/2024 9:55 AM |
| 117 | Always | 3/19/2024 9:49 AM |
| 118 | This further enhances the public confidence in the industry. | 3/19/2024 9:46 AM |
| 119 | I think there should be a spot for the client to sign these forms and any forms providing anything that would be considered personal information, that should solve this issue. "Oh, you | 3/19/2024 9:34 AM |

RECA Rules Review - Standards of Practice

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| | didn't know? Funny because there's your signature right there..." | |
| 120 | Obviously | 3/19/2024 9:29 AM |
| 121 | Rule 45 covers this. No need for additional forms. | 3/19/2024 9:18 AM |
| 122 | The associate should not be providing any client information without their knowledg | 3/19/2024 9:02 AM |
| 123 | Clients and Customers need to sign a referral acknowledgement form already do they not? I am really starting to wonder what you guys are up to? Are you not tackling issues here that have already been addressed? | 3/19/2024 8:58 AM |
| 124 | Clarity is always important. | 3/19/2024 8:56 AM |
| 125 | I believe that this has already been addressed in the AREA forms | 3/19/2024 8:53 AM |
| 126 | referrals are interesting, is there a fee attached, yes the clients consent is very important. | 3/19/2024 8:48 AM |
| 127 | It is good practice to get permission from the individual that you are referring for anything. Mandating written consent or acknowledgement would promote this behavior. | 3/19/2024 8:27 AM |
| 128 | only make sense | 3/19/2024 7:59 AM |
| 129 | Especially in this day and age, everyone should know what of their information is being shared to who, and why. | 3/19/2024 7:02 AM |
| 130 | Referral information should be written into every Purchase Contract; which would simplify the entire process. Client can just initial the details provided. | 3/19/2024 7:01 AM |
| 131 | I think the client should control who they are referred to and why. This is normally handled verbally. It has worked well in the past. | 3/18/2024 11:29 PM |
| 132 | We already do this. Before we share information we get client consent. | 3/18/2024 11:28 PM |
| 133 | If my client has asked me to help them with something requiring a third party service, it's implied I'll share their contact info. Phone and email. Or they can call the third party themselves. Why in the world we have an unnecessary form to sign to say this person is okay with me sharing name, phone, email and potentially the address of the home they're buying, when the only reason for the third party service is my client asking for it, or my working in their best interest, is beyond me. Verbal confirmation should suffice. | 3/18/2024 10:56 PM |
| 134 | I thought this was already required?! | 3/18/2024 10:24 PM |
| 135 | There should be disclosure. | 3/18/2024 10:16 PM |
| 136 | Yes, perhaps. But this will drown people in paperwork and create an unnecessarily redundant level of paperwork for clients. This goes too far, I'd be curious to know what precedent exists of a consumer requesting an associate in providing a third-party contact, then being offended about information used to service the client becoming problematic. This verges on paranoia. | 3/18/2024 10:13 PM |
| 137 | I would think the client is aware and approves of the referral as they sign the document | 3/18/2024 9:26 PM |
| 138 | Any time I would refer a client to another realtor, it would only be natural to ask the client if they want to be referred. Getting consent would be the only way a referral would work. I'm not sure why a realtor would refer a client to another realtor if the client does not want to be referred. Again...consent would naturally be given so more paperwork does not seem necessary here. | 3/18/2024 8:29 PM |
| 139 | There is no "undecided" option; however, I don't believe this is a terrible idea - I just don't know if it would be followed. Whenever I refer someone, I always seek their approval before I share information, so I personally wouldn't have a problem with this rule. | 3/18/2024 7:52 PM |
| 140 | But then again, don't we already obtain the consent on our consent forms?? | 3/18/2024 7:32 PM |
| 141 | This seems like more red tape to try and help a customer facilitate a transaction. In 5 years of doing this I have not collected so much as a gift card from any of the referrals I have given. | 3/18/2024 7:24 PM |
| 142 | The question is poorly worded. I think we have an obligation to obtain consent for sharing of personal information. What does provide notice mean? How do we comply with legislation but also ensure the process is not so onerous that we look ridiculous in practice. | 3/18/2024 7:20 PM |
| 143 | Written consent alone is sufficient unless remuneration is involved. | 3/18/2024 7:01 PM |

RECA Rules Review - Standards of Practice

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| 144 | This is standard | 3/18/2024 6:50 PM |
| 145 | Every other profession includes this in the representation documents the customer signs. Many medical offices state in their new client forms that they may share your personal information but only when necessary or for referral services. If a client hires me to represent them it should be addressed in the representation forms and part of that sometimes includes referring them to the next professional. If they want us to have a mortgage broker call them then we shouldn't need to have them sign off on that, and if they are moving to another town and need a realtor in another location we should be able to assist them with that process as well without having them sign new forms. Just address it in the initial representation document "other duties as assigned, including referral services" | 3/18/2024 6:42 PM |
| 146 | That will cause too much paper work that clients may complain about. | 3/18/2024 6:14 PM |
| 147 | It can help uphold the confidence and confidentiality of the client | 3/18/2024 6:07 PM |
| 148 | Notice should be provided. Consent is not required; if the client is not satisfied or uncomfortable they can reject the offered referral and/or terminate the service agreement. | 3/18/2024 5:50 PM |
| 149 | I | 3/18/2024 5:49 PM |
| 150 | I think that scope of permitted sharing of personal information should be reasonably well defined and if the information is shared within that scope then no additional disclosure is necessary. If the information is shared outside of that defined scope then advance permission should be required. | 3/18/2024 5:40 PM |
| 151 | This is a trivial non-issue. Honestly why are you wasting time on it? It's redundant. PIPA already covers this. Stop trying to make yourself relevant and meddling in aspects of law which you know nothing about. You're just looking foolish. | 3/18/2024 5:36 PM |
| 152 | I thought this was already the rule. | 3/18/2024 5:19 PM |
| 153 | A client must always know what is happening and it is crucial that a real estate professional has the client's permission to release information to a third party. | 3/18/2024 5:19 PM |
| 154 | Consent will likely reduce the possibility of future conflict. | 3/18/2024 5:14 PM |
| 155 | It is transparent and meaningful for the consumer to know if a recommendation to a service provider is based on money or some other form of compensation. Am I referring you to this plumber because he pays me or because I feel he is competent. The consumer deserves to know this. | 3/18/2024 5:12 PM |
| 156 | The commission is being paid regardless. Sharing of the commission to the referring realtor is part of having a good network to help clients in different areas get the service they need. Having to disclose this to the person doesn't change anything it just muddies the waters. | 3/18/2024 5:02 PM |
| 157 | Yes, all fees obtained should be disclosed. Referrals should be made in the interest of the client, not the Realtor...tough one to enforce these days due to the everyman for himself mindset that seems to permeate all industries.... | 3/18/2024 5:02 PM |
| 158 | The answer is yes if a referral fee is being paid to the licensee by the third party and no if after a verbal consultation I'm sending their information to a mortgage broker, contractor, inspector or lawyer. | 3/18/2024 4:52 PM |
| 159 | Gives transparency to the buyer all to build professional reputation of the industry. | 3/18/2024 4:49 PM |
| 160 | it should be required at the time of collection. | 3/18/2024 4:45 PM |
| 161 | ONLY if that can be added as an added point to be initialed by both parties to the Buyer's or Seller's Exclusive agreements. NOT as some new form. | 3/18/2024 4:45 PM |
| 162 | You need permission to share personal information. | 3/18/2024 4:44 PM |
| 163 | Should be part of the privacy and client consent agreement | 3/18/2024 4:43 PM |
| 164 | not sure about this one | 3/18/2024 4:41 PM |
| 165 | I think the current rule is sufficient. | 3/18/2024 4:38 PM |
| 166 | Implied consent is enough | 3/18/2024 4:33 PM |

RECA Rules Review - Standards of Practice

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| 167 | Transparency. | 3/18/2024 4:33 PM |
| 168 | Get consent or give the client the referral info for them to reach out when they want. Contact info should not be shared | 3/18/2024 4:31 PM |
| 169 | I get the whole pipa thing but come on. Where is the line? | 3/18/2024 4:31 PM |
| 170 | it shouldn't be a problem | 3/18/2024 4:30 PM |
| 171 | I believe this was the case when i took the course a decade ago. This should not change. To send someones information anywhere should require consent. | 3/18/2024 4:28 PM |
| 172 | All clients shall be informed of all details in the real estate transaction | 3/18/2024 4:27 PM |
| 173 | Clients always need to know about a referral with a benefit so disclosing in writting need to be mandatory | 3/18/2024 4:27 PM |
| 174 | That sounds reasonable, Lawyers, realtors, appraisers, home inspectors, insurers, etc. | 3/18/2024 4:26 PM |
| 175 | Clarity is key, this helps protect the licensee and the public. | 3/18/2024 4:23 PM |
| 176 | Self explanatory | 3/18/2024 4:22 PM |
| 177 | My belief is that my information belongs to me and should not be peddled without my knowledge and consent. | 3/18/2024 4:22 PM |
| 178 | Yes if the licensee is been pay a commission. | 3/18/2024 4:21 PM |
| 179 | It gives the client knowledge of specifically who is getting the info | 3/18/2024 4:20 PM |
| 180 | A requirement already exists to provide written notice to the client. Isn't it assumed the industry member has the client's consent? Is that the issue you're trying to address and how formal is the consent. If the added requirement is a formal document the client is required to fill out prior to a referral, I would say no. If it's just documenting their consent by way of a text or email....maybe. Again, it seems to be adding layers of complexity to a relatively simple process and offering more opportunities for breaches of the Act. | 3/18/2024 4:20 PM |
| 181 | The consumer would surely be asking for the referral for the associate to be making one, which implies permission to send information. | 3/18/2024 4:18 PM |
| 182 | I have always thought it should be signed by the client showing that they agreed to the referral as well. Lots of times a buyer starts working with me and i get a call from their agent from a city far away and say they want a referral. If i didnt get a heads up from the buyer prior and after i have asked if they are working with anyone and they reply no, why do I have to give the referral? I think a form that a buyer could sign and then pass on to the referring agent would be great. The agent who says to their client here sign this for me and when you go to this city or town and you find a realtor you want to work with please show them this and have them reach out to me. I think that could be useful. | 3/18/2024 4:18 PM |
| 183 | unless the licensee is getting a referral fee for the referral. If simply involving say a contractor or handy person to help with getting a property ready for sale then no. Verbal consent should of course be received before involving anyone and this information documented. | 3/18/2024 4:16 PM |
| 184 | should be given that option in the service agreement up front | 3/18/2024 4:15 PM |
| 185 | The client has the ability to either accept or decline the services from the thirs party provider - as such when they choose to use the third party provider, they can provide said information at that time. | 3/18/2024 4:15 PM |
| 186 | I believe you should always get consent from the person. | 3/18/2024 4:13 PM |
| 187 | Too many notices required for simple referrals ie. Mortgage broker, bank, inspector, lawyer, etc. Unless the agent is benefitting from referral. | 3/18/2024 4:13 PM |
| 188 | Don't we already do this?? | 3/18/2024 4:12 PM |
| 189 | I don't share clients information unless they verbally agree or provide written confirmation. | 3/18/2024 4:11 PM |
| 190 | A big part of a licensee's function is to protect the client's confidential information. It makes sense that they could not share said information without the client's consent. | 3/18/2024 4:11 PM |
| 191 | Respect and courtesy to our clients. | 3/18/2024 4:11 PM |

RECA Rules Review - Standards of Practice

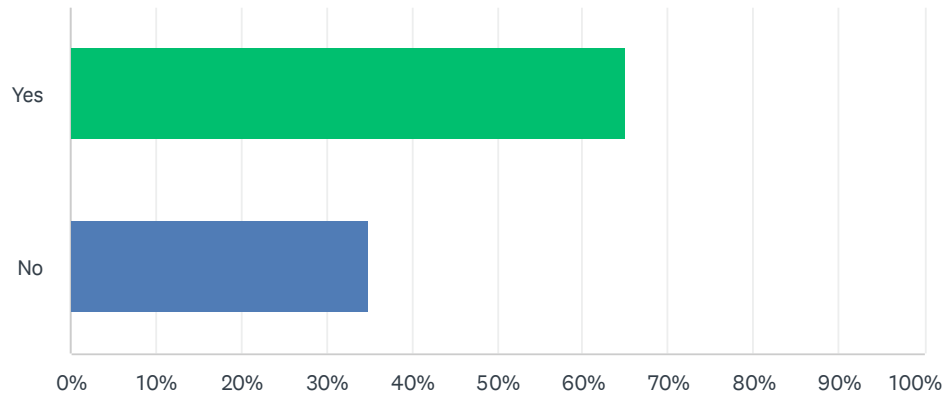
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| 192 | Again, there is so much paperwork that it is getting lost in the shuffle. The client should be made aware, realtors should be made aware, if we are providing their info we should be seeking their permission before it is provided. | 3/18/2024 4:11 PM |
| 193 | As noted throughout many industries and notably the online industry, so long as the client is made aware there may be a referral paid, that should be the extent of the required notice. No written client consent should be required. | 3/18/2024 4:10 PM |
| 194 | If the client chose the licensee to represent them, they should also trust the licensee's opinion of a referral to third-party service providers. There is nothing that says the client must use the third-party service provider. | 3/18/2024 4:10 PM |
| 195 | I say yes however there should be no forms. There is already too much paperwork. As long as the agent has an email or text message from client that should be sufficient. | 3/18/2024 4:06 PM |
| 196 | Same as others. | 3/18/2024 4:05 PM |
| 197 | Clients understand that the lender requires their information in order to get a mortgage. It is best not to over complicate things. | 3/18/2024 4:05 PM |
| 198 | A proper management agreement or representation agreement should include terms towards this allowance to provide info to 3rd parties like mortgage, home inspector, trades, etc. | 3/18/2024 4:05 PM |
| 199 | Disclose, Disclose and Disclose! We must tell the public what we are paying for their information. I also feel we must always comply with all acts. | 3/18/2024 4:05 PM |
| 200 | better with client's initial | 3/18/2024 4:04 PM |
| 201 | It's tricky with condos because in an emergency situation, such as a water leak, we aren't going to be able to get permission to provide the plumber with the resident's phone number. Also, what about apps that a condo corporation uses - will the user have to consent to have their information on the app? Getting active consent seems tricky and probably will not be received well. Is active consent actually required by PIPA? | 3/18/2024 4:04 PM |
| 202 | Not if the referral is to a Home inspector, lawyer or other contracted service provider. If the referral is to another Real Estate Agent however then it should be, | 3/18/2024 4:03 PM |
| 203 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:03 PM |
| 204 | It is in the consumer's best interest. Also to know when the licensee receives a referral fee or not. | 3/18/2024 4:03 PM |
| 205 | In my opinion, that is mandatory prior to sharing the "confidential" information. | 3/18/2024 4:02 PM |
| 206 | I have never passed on client information without permission. I didn't think we were allowed to... | 3/18/2024 4:02 PM |
| 207 | Should have the referral signed by the client before sending the information to the other agent | 3/18/2024 4:01 PM |
| 208 | no i think if a client asks or informs an agent in an email or text that they want an introduction to a third then no paperwork is necessary until a relationship is established with the 3rd party | 3/18/2024 3:59 PM |
| 209 | Personally, I think this is excessive, but I understand in terms of 'professionalism' it is better to err on the side of caution. I believe if you tell your client "I'll get my mortgage broker to reach out to you" and they say "ok!" then it's consent. If there are agents who are NOT having that conversation with their clients and just handing out their contact information willy nilly then that is an issue and against fiduciary responsibility to the client. | 3/18/2024 3:59 PM |
| 210 | create a paper trail but also include the stipulation that the client may or may not use the person they were referred to or at least have the opportunity to seek independent services. | 3/18/2024 3:58 PM |
| 211 | I despise this new age where you data is sold to companies for marketing without consent or as a requirement to use a service. The client should consent to having their information passed around, full stop, no questions asked. | 3/18/2024 3:58 PM |
| 212 | Are clients asking for this? If this has been identified as a problematic issue then I guess yes. | 3/18/2024 3:52 PM |
| 213 | Should be part of the over all consent. | 3/18/2024 3:52 PM |

RECA Rules Review - Standards of Practice

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| 214 | No | 3/18/2024 3:50 PM |
| 215 | We should not be providing personal information to anyone outside of our association without consent | 3/18/2024 3:48 PM |

Q14 Should Rule 46(3)&(4) be removed in the interest of red tape reduction, as unlicensed activity by support personnel is sufficiently addressed in Rule 46(1)&(2)?

Answered: 659 Skipped: 18



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 64.95% | 428 |
| No | 35.05% | 231 |
| TOTAL | | 659 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|----|---|--------------------|
| 1 | No, Rule 46(3) & (4) should not be removed, even in the interest of red tape reduction, as these subsections play crucial roles that are not entirely covered by subsections 46(1) & (2). | 4/19/2024 5:32 PM |
| 2 | Reduce the red tape, when given the opportunity. | 4/19/2024 11:45 AM |
| 3 | Rule 46(1)&(2) says it all. | 4/19/2024 10:28 AM |
| 4 | Requiring this to be clear on marketing keeps everyone honest and ensures that realtors' roles are better understood by the public | 4/18/2024 11:55 PM |
| 5 | If you're not fully licensed as a realtor, you can NOT perform any duties of same. Otherwise ? Why get licensed at all ?! This may save many teams lots of fees and money with governing bodies, but it creates an imbalance with single entity realtors, and therefore is partial. | 4/18/2024 11:19 PM |
| 6 | A list of what an unlicensed and licensed individual can do must be provided and signed by the broker and the individual and complete clarity on duties established. | 4/18/2024 7:06 PM |
| 7 | Rules 46 (3) & (4) are there for the benefit of the public and removal makes it easier for Brokerages participating with graduated licensing staff to skirt the issue and minimize compliance. The subsections should be left in. | 4/18/2024 6:49 PM |
| 8 | I am in favour of reducing red tape if it doesn't harm our industry or the consumer | 4/18/2024 5:21 PM |
| 9 | Properly trained and supervised can be subjective. The clarity provided by Subsections 3 and 4 are helpful. | 4/18/2024 3:55 PM |
| 10 | Overkill | 4/18/2024 3:01 PM |
| 11 | I feel the statement should stand firm as it is not red tape rather a solid guide that if taken | 4/18/2024 2:24 PM |

RECA Rules Review - Standards of Practice

away could cause abuse of this requirement.

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| 12 | Any opportunity to remove red tape where necessary is positive. | 4/18/2024 11:44 AM |
| 13 | too many people pretend they aren't aware. It should be stated anywhere it needs to be. | 4/18/2024 11:13 AM |
| 14 | I feel our industry already has low Red Tape, and not many requirements. Allowing more lenience with this could create a lot more issues that we already deal with due to lack of knowledge and misguidance. | 4/18/2024 10:50 AM |
| 15 | These can be removed. | 4/15/2024 10:55 AM |
| 16 | again doubling up on red tape | 4/12/2024 9:37 AM |
| 17 | Unlicensed assistants should not be assigned licensee tasks. | 4/11/2024 12:23 PM |
| 18 | Certainly 46(3) should be removed. I would keep 46(4). In my opinion 46(3) ends up being a little demeaning for support staff because they end up with things like Unlicensed Assistant on their email signatures or business cards. You don't see this in other industries. The office admin at an accounting firm or law firm does not have to write Unlicensed Admin in their title. As long as they're not explicitly holding themselves out as an accountant or a lawyer, nobody would make the assumption they are one. I think it should be the same in real estate. 46(4) is more acceptable because it is the other side of the coin. We should not be implying or suggesting someone is licensed who in actual fact is not. Typically a licensee is going to have their own name on advertising and marketing materials. I have not personally seen any licensee trying to promote the individual profile of their admin staff, etc. in advertisements. | 4/10/2024 2:32 PM |
| 19 | Makes it more clear. | 4/9/2024 8:49 PM |
| 20 | To address the graduated licensing model - just make sure it's advertised that they are of the title of whatever stage of the graduated licensing that applies. Ex. Joe Smith - stage 2 licence (or whatever they are calling it) | 4/9/2024 11:42 AM |
| 21 | Unlicensed individuals must be so noted in all advertising. To change this creates a potential liability issue for our insurer. I hope that many of these questions have been discussed with our insurer and that we clearly understand their position. Not identifying an unlicensed individual could be detrimental if the public relies on the information provided. | 4/7/2024 10:36 AM |
| 22 | Redundant. | 4/6/2024 12:59 PM |
| 23 | It can be, but the information bulletin on what an unlicensed assistant can and can't do must remain accessible. | 4/4/2024 4:47 PM |
| 24 | I think 3&4 add a little more clarity | 4/4/2024 10:49 AM |
| 25 | No, don't remove them. I think it helps to stress the importance to the brokerage and all licensees and all unlicensed staff at the brokerage as a reminder to protect all parties from misunderstanding and potentially disciplinary action. | 4/2/2024 9:03 PM |
| 26 | Realtors have a hard time following rules so need things elaborately explained. | 4/2/2024 7:09 PM |
| 27 | The more explanatory section is better. It re-iterates the importance of the section. | 4/2/2024 4:09 PM |
| 28 | Removing subsection 3 and 4 may cause confusion if there is no rule to dictate that unlicensed assistant must be disclosed. Often unlicensed assistants show up in team photos and without clarity of the role it can be mistaken that the assistant is licensed. It should also be clearly indicated in any communication sent from the unlicensed assistant to clients so that the clients and the public know who he/she is communicating with. | 4/1/2024 1:58 PM |
| 29 | I read it clearly currently. | 4/1/2024 1:52 PM |
| 30 | Removing any Red Tape is a good thing | 3/30/2024 9:01 AM |
| 31 | Here is the problem: you have to be licensed to practice real estate - PERIOD. When people hire my services, they get me, the licensed industry professional - not a person who is unlicensed. For those REALTORS® who hire unlicensed professionals to do their work, there should be strict limits as to what the unlicensed professionals can do otherwise it devalues the value of the license. Looking 5-10 years in the future, if RECA went ahead with proposal 11, there would be no reason for anyone to obtain a real estate license, broker license, or maintain a license which is argued to not be in the best interest of consumers or for the real estate industry. Proposal 11 should be prohibited. | 3/29/2024 6:57 AM |

RECA Rules Review - Standards of Practice

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| 32 | na | 3/28/2024 3:03 PM |
| 33 | I think if the idea is to remove redundancy then further clarity should be added in, specifically on the line of making it clear that an unlicensed person is not licensed, as it is the public affected by any confusion caused. Yes the person will be supervised and only receive tasks they are competent to perform, but in those tasks they should still be ensuring they are identifying themselves as an unlicensed support role for the public to understand this, and subsections 1 & 2 do not currently speak to this identifier. | 3/28/2024 11:55 AM |
| 34 | Simplify! | 3/27/2024 11:47 AM |
| 35 | I am not understanding this. If this would allow licensed property managers to assign rental of units to a leasing agent who is not licensed then I am in favor of this. I think the 2 should be more clear on what those tasks are that cannot be delegated as well. | 3/27/2024 8:48 AM |
| 36 | Removal of this is unnecessary. All this does is allow a "candidate's" pride to remain intact so that their email doesn't say "unlicensed". If it's such an abhorrent title, get licensed. | 3/26/2024 1:13 PM |
| 37 | All about streamlining the process. | 3/26/2024 8:31 AM |
| 38 | I believe that unlicensed person should not be doing the work of a licensed person. This is the entire credibility of the education and licensing. I think we can loosen some of the rules of duties that an unlicensed can do and determine what an unlicensed vs. licensed person can do in detail. Ultimately the licensed member and broker are responsible for their staff and ensuring compliance. | 3/26/2024 7:59 AM |
| 39 | REMOVE THE RED TAPE | 3/22/2024 4:45 PM |
| 40 | This needs to be checked on "mystrey shopping " pattern, defaulters be dealt with exemplary punishment. | 3/22/2024 2:23 PM |
| 41 | leaving the rule there will reduce the number of incidents of unlicensed individuals acting as agents, hopefully | 3/21/2024 2:06 PM |
| 42 | Unsure as I have never used an assistant. | 3/21/2024 10:55 AM |
| 43 | Reducing red tape and redundancy is better. | 3/21/2024 10:37 AM |
| 44 | The rule eliminates misunderstandings and misinterpretations. | 3/21/2024 10:20 AM |
| 45 | I think removing these may have some issues as they focus more on the client/public view of the unlicensed employee. I would like to see them changed to be supportive of the graduated license model though. | 3/21/2024 10:15 AM |
| 46 | That rule was added for a reason. To many assts do work they're not capable of. To many team leads ask assts to perform tasks that they're not capable of. Both situations could harm the public | 3/21/2024 10:01 AM |
| 47 | The rules should be clear and easy to understand and not repeated. | 3/20/2024 7:54 PM |
| 48 | in part, I agree subsection (3) could be removed but subsection (4) should be retained. | 3/20/2024 4:16 PM |
| 49 | Having this in both spots is redundant. | 3/20/2024 4:01 PM |
| 50 | The responsibility of the licensee should be to ensure the unlicensed assistant/person understands the limits of their duties. Rule 46(3)&(4), can come across as transferring that risk to the public and putting the responsibility on them to understand the difference, where in practice I do not expect my clients, customers, etc. to have an understanding of the limits, it is my job to ensure the unlicensed person is properly trained and follows industry mandated standards. | 3/20/2024 3:36 PM |
| 51 | reduction of red tape is good. | 3/20/2024 1:41 PM |
| 52 | although "red tape" clarification of what can/cannot be completed is important | 3/20/2024 10:51 AM |
| 53 | It is essential that parties to a transaction contract know their interests in all key aspects are represented by licensed persons, properly qualified in the area of real estate being negotiated. Graduated licensing is not workable and will not reduce red tape as the apprentice licensee would require even more supervising as he or she takes on more legal responsibilities. | 3/20/2024 10:25 AM |
| 54 | Keep it simple.. | 3/20/2024 9:17 AM |

RECA Rules Review - Standards of Practice

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| 55 | KISS | 3/20/2024 5:47 AM |
| 56 | The clarification seems ok to me. | 3/19/2024 9:26 PM |
| 57 | Unlicensed assistants should not perform the duties of a licenced agent - Realtors should be accountable and responsible to do the work and provide the services to their client. Some tasks as admin and organization would be ok...But unlicensed assistants creating listings, providing services etc...Should not be allowed. | 3/19/2024 6:41 PM |
| 58 | red tape shouldn't be reduced, to make sure that all personnel provides valuable, competent and knowledgeable service. | 3/19/2024 6:23 PM |
| 59 | These two sections could be removed, but the remaining two sections should be reviewed and amended to ensure that no intent is lost with the simplification. For instance, rules 36 (1) and (2) refer assigning and delegating but DO NOT currently cover the representation of status of the assistants to the public. Simplify and consolidate, but ensure that intent and purpose remain. | 3/19/2024 5:08 PM |
| 60 | the onus should and is on the Ilcensee and they should be fully aware of the capacity the assistant is allowed to work with and it be very clear to Assistant what their duties and responsibilities are, and if they do not work within the boundaries then they deal with harsher consequences. | 3/19/2024 4:50 PM |
| 61 | It is simply impractical to constantly remind the general public that unlicensed assistants are "unlicensed" and cannot perform the services requiring the license. Totally agree. | 3/19/2024 4:49 PM |
| 62 | This question as written is an example of confusing run-on sentences. Less is more so tighten up the wording and make it clear what the responsibilities of an Assistant are just like in any other industry. | 3/19/2024 4:31 PM |
| 63 | i agree. if it already appears then duplication is just that | 3/19/2024 3:58 PM |
| 64 | No real comment as I am not part of a team. Have an unlicensed assistant part time. | 3/19/2024 3:26 PM |
| 65 | Adequate | 3/19/2024 2:38 PM |
| 66 | Rule 46(1)&(2) provide enough information. | 3/19/2024 2:25 PM |
| 67 | It is my understanding that many noncompliant Management companies are getting support personnel to carry out Management services, if this is the case why did the compliant Managers go through the licensing process? | 3/19/2024 1:59 PM |
| 68 | less red tape | 3/19/2024 1:55 PM |
| 69 | Redundancy of the issue at hand | 3/19/2024 1:23 PM |
| 70 | Less repetition in rules is better. | 3/19/2024 12:35 PM |
| 71 | Reducing administrative burden should be top of mind in all decisions. | 3/19/2024 12:24 PM |
| 72 | REDUCE RED TAPE | 3/19/2024 11:25 AM |
| 73 | Especially in multi residential property management | 3/19/2024 11:00 AM |
| 74 | In favor of red tape reduction everywhere possible | 3/19/2024 11:00 AM |
| 75 | yes...but the licensed person must still be held accountable for the unlicensed persons actions under their care. | 3/19/2024 10:45 AM |
| 76 | The rules should be clear and concise. However, it is impossible to control or monitor/police if every assistant to a team leader is qualified to do the task. | 3/19/2024 10:41 AM |
| 77 | I think it provides clarity | 3/19/2024 10:36 AM |
| 78 | Will help teams work more efficiently. | 3/19/2024 9:58 AM |
| 79 | This is a good rule. | 3/19/2024 9:51 AM |
| 80 | It is important for the integrity of the Real Estate industry to disclose unlicensed individuals whenever possible. | 3/19/2024 9:50 AM |
| 81 | Rule 46(1)&(2) seems clear. | 3/19/2024 9:47 AM |

RECA Rules Review - Standards of Practice

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| 82 | Why would this even be suggested? So the big teams can look even bigger in the billboard ads? Put the pretty receptionist in the front centre? No, this one should stay as is. | 3/19/2024 9:37 AM |
| 83 | Realtors should be trusted (and should be trustworthy) to only allocate duties that are appropriate for assistants. They should be able to judge for themselves, and take responsibility for the actions of their employees. | 3/19/2024 9:00 AM |
| 84 | This is very important and should be emphasized, as it is. | 3/19/2024 8:59 AM |
| 85 | I often rely on subsections 3 and 4 to validate 1 and 2, and to practice disclosure. I don't recommend removing them, given there are many junior associates that are (in my personal opinion only) not trained properly in the industry. | 3/19/2024 8:29 AM |
| 86 | K.I.S.S | 3/19/2024 7:59 AM |
| 87 | Inclusion of these subsections clarifies to the public and clients, the role that unlicensed members of the team are allowed to perform. | 3/19/2024 7:04 AM |
| 88 | This rule should stay, and unlicensed assistants need to know this rule. | 3/18/2024 11:30 PM |
| 89 | I agree, a good assistant is diligent is helping ensure we remain compliant. They have a vested interest in making sure a file is complete from step one to the end. | 3/18/2024 11:30 PM |
| 90 | Assistants are trained for the tasks they are hired for. Usually it's social media marketing. For transaction coordinators, they require more skills and knowledge, more training. They assist. Assisting means generally helping in some capacity. I don't think the general public would ever assume an assistant is licensed. That is why they hold the title of assistant and not agent. Does anyone assume an executive assistant has the same level of skill pr knowledge as the C-suite they are employed by? Does a medical office assistant have the same skills and knowledge as a doctor? An accession tech the same as a lab tech? Would anyone ever assume or require that from an assistant? No. Also, I highly doubt any transaction coordinator would hold themselves out as an agent if they wanted to keep their job. There are some bad actors in every industry but they're not the norm. And who are these people who would assume this? They're not the norm either. | 3/18/2024 11:06 PM |
| 91 | From my experience, unlicensed need to be strictly supervised. | 3/18/2024 10:22 PM |
| 92 | Simplify | 3/18/2024 9:18 PM |
| 93 | Too many associates/agents give far too much responsibility to unlicensed assistants. Most do not have the training & skills. | 3/18/2024 8:26 PM |
| 94 | No, this should remain as is. We already have too many "assistants" doing Licensed agents work, when they shouldn't be. | 3/18/2024 7:54 PM |
| 95 | No rule 3 and 4 should be retained as they provide additional clarity. | 3/18/2024 7:22 PM |
| 96 | Teams often include unlicensed personnel in "team" pictures for advertising purposes. This is very misleading to the public. | 3/18/2024 7:04 PM |
| 97 | As long as the support staff is not trading or dealing in mortgages but only help with administrative work, you can remove this. | 3/18/2024 6:54 PM |
| 98 | I have come across mortgage brokers who have advertised and allowed assistants to do far more than rules allow for as is, and I think removing those sections blur the lines even more which will increase unauthorized and unlicensed activity. If anything, clients being informed they are working with someone who is unlicensed, should be the first point. | 3/18/2024 6:52 PM |
| 99 | None at this time. | 3/18/2024 6:20 PM |
| 100 | It will be abused by some. More rules around this the better. | 3/18/2024 6:15 PM |
| 101 | It is explained we in the rule 46(1)&(2) | 3/18/2024 6:10 PM |
| 102 | Simplicity is better in this case. | 3/18/2024 5:50 PM |
| 103 | The less redundant beurocracy the better. I'm shocked to hear this one good idea from the windbag stuffed shirts at RECA who have no real industry knowledge or experience, but like to pretend they do. | 3/18/2024 5:39 PM |
| 104 | i HAVE BEEN IN NUMEROUS CIRCUMSTANCES WHERE SENIOR AGENTS OF MAJOR | 3/18/2024 5:30 PM |

RECA Rules Review - Standards of Practice

COMMERCIAL BROKERAGE HOUSES HAVE USED THEIR UNLICENSED ASSISTANTS TO HANDLES ALL ASPECTS OF NEGOTIATIONS AND DOCUMENT REVIEW - IN ONE CASE IN A +\$100 MILLION TRANSACTION WHERE THE TWO TENANT AGENTS EARNED IN EXCESS OF \$2 MILLION. THE LICENSED TENANT AGENTS WERE ONLY THERE TO NEGOTIATE IN DETAIL THE SELLING FEE AND RELATED DOCUMENTATION. APPALLING BEHAVIOR WHCIH SHOULD BE SANCTIONABLE WITH THE MOST SEVERE OF PENALTIES.

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| 105 | Any red tape reduction should be considered. | 3/18/2024 5:24 PM |
| 106 | An unlicensed support personnel should NEVER be assigned tasks that are to be performed by a licensed real estate professional. | 3/18/2024 5:21 PM |
| 107 | the rule is already pretty clear. | 3/18/2024 5:20 PM |
| 108 | Subsections 1 and 2 provide all the information required. | 3/18/2024 5:17 PM |
| 109 | As long as someone takes responsibility for the inevitable problems that arise... | 3/18/2024 5:03 PM |
| 110 | The intention of these sections are very different. One is about performing the work and another is about public perception amd understanding. We need both. | 3/18/2024 4:53 PM |
| 111 | I think that a new assistant license program could be developed that is not full licence but aid licensing. Like a nurse to a doctor. A registered administrator education diploma. They can review the paperwork with the client for signing other than give advice for any changes to the contract. | 3/18/2024 4:52 PM |
| 112 | To remove these would open the door to potential abuse. "But my Aunt Jane taught math in grade school and sold her own home...30 years ago. She said she could do this to help me out." | 3/18/2024 4:45 PM |
| 113 | This would leave too much of an opportunity for unlicensed professionals to operate in a grey-area. If the consumer does not know that they are dealing with an unlicensed associate, there is a risk of improper advice and guidance, as well as an increase reliance and expectation of the licensed agent on their assistant to get the job done. Many brokers use foreign agencies to hire assistants at a heavy discount. If someone in India being paid \$5/hr does not need to disclose they are not licensed, it gives opportunity for malpractice. | 3/18/2024 4:45 PM |
| 114 | Rule 46(1)&(2) clearly/sufficiently explains an unlicensed activity by support personnel | 3/18/2024 4:36 PM |
| 115 | Doesn't seem to be an issue with day to day work. | 3/18/2024 4:35 PM |
| 116 | It's fine the way it is and necessary given the lack of adherence to the rules | 3/18/2024 4:33 PM |
| 117 | Maybe more specific standards of unlicensed contractors/employees of the industry. Some unlicensed are just as knowledgeable, if not more so than some agents they may be working with at the time. but unfortunately, the responsibilities falls on the licensed agents. What happens if the unlicensed individual, makes a major mistake on their services? The agent gets punished for negligence? | 3/18/2024 4:33 PM |
| 118 | Graduated licensing should be allowed based on industry experience and support of the broker but should still have the unlicensed member under full supervision and shared responsibility on all deals. | 3/18/2024 4:33 PM |
| 119 | makes no sense to have it in there | 3/18/2024 4:33 PM |
| 120 | unlicenced should always be indented. | 3/18/2024 4:32 PM |
| 121 | Be a realtor or don't. | 3/18/2024 4:32 PM |
| 122 | It should just be amended. | 3/18/2024 4:30 PM |
| 123 | This is here to protect the industry and can't be overstated. | 3/18/2024 4:30 PM |
| 124 | It would reduce consumer protection | 3/18/2024 4:30 PM |
| 125 | sounds logical | 3/18/2024 4:30 PM |
| 126 | Personally speaking certain task that are regulated to licensed agents could very well be completed by an unlicensed assistant. Perhaps the solution would be a certification as a | 3/18/2024 4:28 PM |

RECA Rules Review - Standards of Practice

Property Administration, who could do things like collections, etc. The requirements of education and membership would be less intense and costly as a Property Manager.

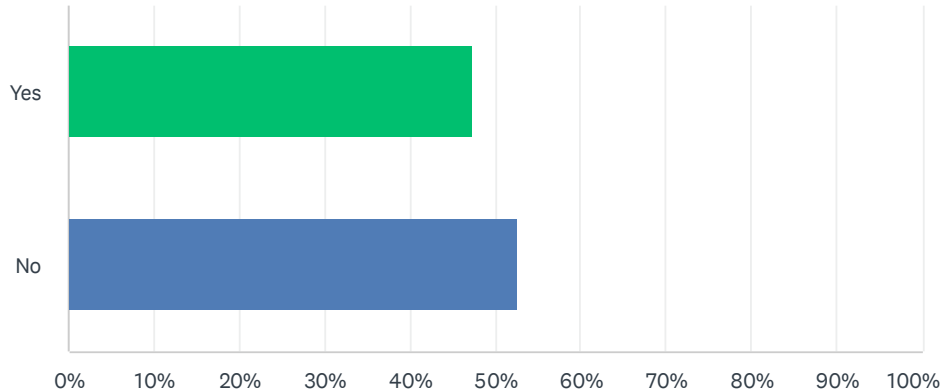
| | | |
|-----|---|-------------------|
| 127 | This whole section needs an overhaul there is many agents that can't get licensed as the broker does not have the experience | 3/18/2024 4:27 PM |
| 128 | The clarification offered in 46(3)&(4) is unnecessary, but doesn't hold any practical consequences. If properly trained, I don't see how the public might be confused about whether an assistant is unlicensed or unregistered. | 3/18/2024 4:25 PM |
| 129 | Any time we can reduce or eliminate redundancy is a win | 3/18/2024 4:24 PM |
| 130 | but expand their latitude to do more to assist licensed person. | 3/18/2024 4:23 PM |
| 131 | I agree - less is more here | 3/18/2024 4:20 PM |
| 132 | #3 and #4 deal in disclosure and representation publically and should remain in place | 3/18/2024 4:20 PM |
| 133 | I believe sections 3 and 4 bring clarity. While "red tape" might be inconvenient consumers need to know who they are dealing with so that they are not inadvertently compromising their own confidential information. | 3/18/2024 4:17 PM |
| 134 | I believe that only license agents should be allowed to be Residential Property Managers as there is so much informed information and unlicensed agents out there. | 3/18/2024 4:17 PM |
| 135 | This is incredibly confusing as it obviously was written by legal counsel and not put into plain, easy to understand English. | 3/18/2024 4:17 PM |
| 136 | Why would you remove something that adds clarity and supports a previous rule | 3/18/2024 4:16 PM |
| 137 | Obviously, too much red tape and unlicensed operations and decisions should be directed and monitored by team agent. | 3/18/2024 4:15 PM |
| 138 | There should be a place (and their likely is) where realtors can look up what unlicensed assistants can and cannot do. From there it is up to whoever is accountable for supervising them to ensure they are complying. This unlicensed assistant should also be very aware of what they can/cannot do. | 3/18/2024 4:14 PM |
| 139 | It should be further expanded or what it the point of having a licence. | 3/18/2024 4:13 PM |
| 140 | As demonstrated in so many instances, the team leaders, managers or brokers are not supervising the unlicensed team members. It would be foolhardy to think otherwise | 3/18/2024 4:12 PM |
| 141 | not sure | 3/18/2024 4:08 PM |
| 142 | I have had several situations where assistants are negotiating deals and disclosing information they shouldn't have since they are in the process of getting licensed. | 3/18/2024 4:07 PM |
| 143 | Keep in fairness for those already enacting it. | 3/18/2024 4:06 PM |
| 144 | If it's redundant then take it out. :) | 3/18/2024 4:05 PM |
| 145 | simplify things | 3/18/2024 4:05 PM |
| 146 | by default licensed people MUST say they are agents/associates/brokers etc. If an unlicensed person does not make this same claim the general public should not assume they are licensed. Until the board establishes an unlicensed designation/title then there is no need to mention anything | 3/18/2024 4:05 PM |
| 147 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:03 PM |
| 148 | It's already covered if somebody's unlicensed they should know what they can and can't do by their broker | 3/18/2024 4:02 PM |
| 149 | I disagree that sections 1 & 2 cover what is said in sections 3 & 4. I believe they should remain. | 3/18/2024 4:01 PM |
| 150 | Transparency and accountability is critical. | 3/18/2024 3:54 PM |

RECA Rules Review - Standards of Practice

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| 151 | It's the agents/ brokers responsibility to supervise all aspects of the assistants position and as such, be held liable for their actions | 3/18/2024 3:54 PM |
| 152 | No | 3/18/2024 3:52 PM |
| 153 | We should be responsible for our unlicensed assistance actions in regards to our business. unless they have a license they're not supposed to know or to deal in the details of real estate transactions | 3/18/2024 3:49 PM |

Q15 While RECA believes it is important for the consumer to understand the brokerage the licensee is registered with, should Rules and Guidelines related to the requirement for clearly advertising the brokerage name be amended to allow more brokerage flexibility?

Answered: 670 Skipped: 7



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 47.31% | 317 |
| No | 52.69% | 353 |
| TOTAL | | 670 |

| # | IF YES, PLEASE ELABORATE ON HOW THE RULES AND GUIDELINES SHOULD BE AMENDED. IN NO, PLEASE EXPLAIN YOUR REASONING. | DATE |
|---|--|--------------------|
| 1 | Many try to circumvent the system already with small brokerage details. | 4/19/2024 12:23 PM |
| 2 | "Teams" are already taking way to much liberty right now. They come across as brokerages. I haven't met one member of the public in the last four years who doesn't think Justin Havre is a broker. Like I said last year in your survey... if it quacks like a duck and walks like a duck, its a duck. I haven't been able to figure out yet why RECA is protecting these people except a lawyer out of Toronto mentioned that RECA may be afraid of the Competition Bureau? OK, that one makes sense. But aside from that, I don't understand how agency is taken so deadly seriously by RECA and then suddenly vanishes when it comes to teams. You literally have agents running around and doing business on behalf of one big agent. Are there referral forms being filled out? Likely not. And yet that's exactly what it is. If those team "leaders" want to have more than 3 team associates then they need to take the proper education and be a broker. | 4/19/2024 12:08 PM |
| 3 | To avoid confusion for consumer about the Brokerage they are registered with. | 4/19/2024 10:32 AM |
| 4 | Leave it alone | 4/19/2024 6:47 AM |
| 5 | As long realtors use the brokerage model, that should be front and centre. Otherwise it would be easier to double end deals etc. | 4/18/2024 11:56 PM |
| 6 | Contractual agreements between realtors and requirements of brokerages exist for a reason. Period. Why reinvent the wheel ? | 4/18/2024 11:20 PM |
| 7 | The average consumer does not care who the brokerage is, .as long as the messaging is accurate and transparent. | 4/18/2024 7:08 PM |

RECA Rules Review - Standards of Practice

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| 8 | Quit frankly, I believe this is a particular issue which both RECA and Brokerages have been complacent to the point of negligent. The rules exist for reasons that have been involved since my first exposure to real estate and the training four (yes 4) decades ago. | 4/18/2024 6:49 PM |
| 9 | Often a group of originators will work together as a team and wish to identify themselves as such. The one stipulation is that they must clearly indicate they are a team under their brokerage, and the brokerage manner must be clearly displayed. | 4/18/2024 6:19 PM |
| 10 | Sure, this is reasonable as some associates are recognized by their name and company not name and company affiliate | 4/18/2024 5:22 PM |
| 11 | It may be helpful to allow a Brokerage to provide acceptable AKAs or Nicknames for the brokerage to RECA as part of their License to allow for the various ways to advertise (ie. social media). Only previously registered names can be used. There would need to be an extension to the search engine at RECA so that someone could find a brokerage using the registered name or one of the accepted alternatives. | 4/18/2024 3:59 PM |
| 12 | As long as the advertisement is not misleading or untruthful you should allow a broad discretion to licencees to conduct their business | 4/18/2024 3:51 PM |
| 13 | Again I feel if you require us to be part of a brokerage to sell and as it is many teams advertise like they are not part of a brokerage and that should not be happening.. | 4/18/2024 2:26 PM |
| 14 | Absolutly NOT! This rule needs to remain the same or be even more strict. If the brokerage name is not clearly advertised, it would go against protecting consumers. Consumers must clearly see what brokerage an agent is with and who to contact if there are behaviour concerns. The existing rule needed to remain to protect industry professionalism and consumers | 4/18/2024 1:49 PM |
| 15 | There already is a problem figuring out which Licensee is out of which Brokerage. | 4/18/2024 12:02 PM |
| 16 | I believe it should be clear that the brokerage name is prevelant and not stuck in small print. | 4/18/2024 11:49 AM |
| 17 | At the end of the day, it is the licensee who is representing themselves. As long as there is brokerage represenation on the advertising, regardless of the size, licensees should be allowed to promote themselves and their services as top priority. | 4/18/2024 11:29 AM |
| 18 | How does this protect the public? | 4/18/2024 11:21 AM |
| 19 | Clients don't care about which brokerage, they just want to buy or sell a property!! | 4/18/2024 11:20 AM |
| 20 | It is a waste of everyones time to have complaints brought (generally always by competing brokerages) about the brokerage name not being in an ad. The public will know when they decide to work with the agent. | 4/18/2024 11:14 AM |
| 21 | Clients don't really care which brokerage an agent comes from as long as they're able to find the information easily. Ensuring that the brokerage information is available for all registered agents, through RECA's website, should be sufficient. | 4/18/2024 10:58 AM |
| 22 | We already have tons of misguided and misleading through advertising that I believe is not addressed on a consumer end. I believe this will greatly increase that disconnect. | 4/18/2024 10:51 AM |
| 23 | I'm not sure of the impact here and what more flexibility the brokerage needs (?) | 4/16/2024 1:49 PM |
| 24 | This should not be removed, the goal is to elevate the profession and if there is no understanding of who/brokerage the licensee is working with then it's like the "wild west" with advertising - setting standards raises the bar of the profession for the public. | 4/15/2024 10:56 AM |
| 25 | licensees should be dealing with one brokearge and one brokerage only so therefore no need for flexibility | 4/12/2024 9:38 AM |
| 26 | Sometimes the size of the brokerage logo requirement is cumbersome. ie: pens or smaller ads. | 4/11/2024 12:25 PM |
| 27 | I could speak at length regarding my thoughts on the common practice of licensees being a brand within a brand, and which limitations should be placed on that. I believe there are good arguments for and against this, but ultimately, I agree with RECA that the brokerage name must appear on all advertising. Among other things, the brokerage is ultimately responsible for the service agreements, holding deposit money, and ensuring successful transactions. I believe it is important for the public to understand which business they are in fact dealing with, | 4/10/2024 2:51 PM |

RECA Rules Review - Standards of Practice

and to understand the brand within a brand concept that licensees are working under. For each licensee to hold themselves out as an individual company would be misleading in my opinion. If licensees want to detach from their parent brand for marketing purposes, they should complete their broker training and open an independent brokerage. If they would like the services and benefits of their parent brand, then they should also be happy to put forward their association with the brand to the public.

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| 28 | There are all these teams that do not clearly say what brokerage they work with and this should be clear with the fraud out there. | 4/9/2024 8:50 PM |
| 29 | THE IDEA THAT FONT SIZE ON SIGNS (PREVIOUSLY REQUIRED) TO SHOW THE BROKERAGE NAME BE BIGGER THAN/EQUAL TO THE AGENT'S NAME IS RIDICULOUS. I AGREE THAT FAR TOO MANY TEAMS TODAY APPEAR TO BE BROKEAGES. A RULE THAT TEAMS MUST HIGHLIGHT THEIR BROKERAGE ON ALL ADVERTISING SHOULD BE A RULE. | 4/9/2024 5:34 PM |
| 30 | Too many agents already look like their team is the actual brokerage to the general public. | 4/9/2024 11:42 AM |
| 31 | As an industry, we have not educated the public on this issue. It is essential for consumers to understand the entity they have an agency relationship with. Who is the "parent" and who is the "child". The consumer needs to be able to contact the Brokerage for any problems. If agents want more advertising flexibility, they can start their own Brokerage. | 4/7/2024 10:44 AM |
| 32 | Each Brokerage varies in size, teams, structures, satellite offices, creative advertising, and now AI coming into the mixture. Advertising needs to fall upon the Broker and Brokerage. Generic standard Advertising Rule and Guidelines are acceptable for RECA. But it has been my experience that the excessive OVERREACH by RECA is too subjective based on any one of the individuals you speak with at RECA. I was told by a RECA staff member that my real estate signs are not big enough in size and the cost to get them all re-done was astronomical. Advertising is up to each Brokerage. It is an over reach for RECA. | 4/6/2024 1:04 PM |
| 33 | The brokerage is critical the way current legislation is written. Any change will invite non compliance. | 4/4/2024 4:49 PM |
| 34 | The rule needs to be kept in the interest of public confidence in our industry. The public needs to know CLEARLY who they are dealing with. There is no need for brokerage flexibility when it comes to public perception & trust, which we are all hugely dependent on as a service based industry. | 4/4/2024 11:05 AM |
| 35 | I don't think including the name of the brokerage is asking for too much. | 4/4/2024 10:50 AM |
| 36 | The existing rule is self explanatory and complete in it's form further ammendment is not needed in my opinion | 4/3/2024 4:51 PM |
| 37 | I believe the Rule where an associate licensee may only work for one brokerage in the same industry as they are licensed is not right. Many licensees would like to work on a contract basis for several brokerages in the same industry. Let's take condominium manager associates. Why can't a condo manager associate work for multiple brokerages on a contract basis? You don't have to be an employee of the brokerage to perform condominium management scope of work for one or more condominiums under multiple brokerages. This would provide more flexible work opportunities. | 4/2/2024 9:11 PM |
| 38 | Ultimately the brokerage has the responsibility and accountability to the public, this should not be hidden. | 4/2/2024 7:12 PM |
| 39 | As long as it is possible to find the associate's name listed under a brokerage in a google search they shouldn't have to add the brokerage to all their advertising. It should however be on the signs and business cards. | 4/2/2024 7:12 PM |
| 40 | It is fine the way it is prescribed. | 4/2/2024 4:09 PM |
| 41 | Personal branding should be taken into consideration | 4/2/2024 3:50 PM |
| 42 | Its already so out of hand. You have sub teams of teams where you cant even find the brokerage. Then you have these subteams opening physical spaces and running like a brokerage, taking deposits, and so on. EXP and Real Broker are out of control. The public has no clue who they are dealing with, let alone get a hold of a broker. | 4/1/2024 5:31 PM |
| 43 | I regularly see consumer confusion in this area. There is no need for licensees to advertise | 4/1/2024 4:23 PM |

RECA Rules Review - Standards of Practice

their "business" to the confusion of the brokerage. They can just advertise their personal names. A group is not bad. But when it appears to be a completely different brand it does confuse the consumer.

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| 44 | I already see public believing a team lead to be their own Brokerage at times. The license requirement is to show what Brokerage. Without it I believe the public perception would be clear as mud at times. | 4/1/2024 1:54 PM |
| 45 | Just my opinion, but I have always felt that RECA has always felt this is more important than how the general public feels, RECA has enforced it with fines etc. Just my opinion, but I do not believe the public cares about who our brokerage is. | 3/30/2024 9:05 AM |
| 46 | Flexibility for what? It is easy to place one's brokerage name, contact name, etc. in advertising. If licensed professionals do not want to do this, maybe they are in the wrong profession and should do something else? The public needs to know simply by looking at an ad or by opening links who the person is; the fact they are licensed; and what company they are representing. In my opinion any related changes to advertising should be prohibited - things should be left as they are right now. | 3/29/2024 7:00 AM |
| 47 | na | 3/28/2024 3:03 PM |
| 48 | I would like further information on what exactly it is you are looking to change to make an informed decision. | 3/28/2024 11:57 AM |
| 49 | I can't think of an example where a brokerage would want more flexibility???? | 3/27/2024 11:48 AM |
| 50 | We need the brokerage in order to hang our license and there for it should remain in clear view in all advertising. This way, the public is very much aware that we belong to an actual brokerage. The public is more inclined to trust an agent if they are working with a brokerage. | 3/27/2024 11:27 AM |
| 51 | The present wording protects the consumer. If a brokerage allows associates to advertise without the name of the brokerage and an associate offers an incentive and then doesn't honour it, how does the consumer know who to redeem it from? | 3/26/2024 1:15 PM |
| 52 | Self regulated industry we need / require all brokerages to follow a set of standards for our integrity of the self regulated industry. Not all brokers are advertising experts. We see lots of violations today but they go un reported and un changed as RECA does not reprimand as strong as they should. | 3/26/2024 11:33 AM |
| 53 | Absolutely. | 3/26/2024 10:42 AM |
| 54 | I feel it is adequate the way it is now. | 3/26/2024 8:32 AM |
| 55 | This holds everyone accountable, brokerage is responsible for their licensee's | 3/26/2024 8:04 AM |
| 56 | No, it's confusing enough with all these "Teams" advertising themselves in BOLD and minimizing their Brokerage name. If we eliminate or further minimize the Brokerage name, consumers might start making deposits payable to "teams" instead of the Brokerage. Slippery slope!! | 3/25/2024 3:15 PM |
| 57 | Licensee is represents the brokerage. The brokerage name should listed on AD, so the client/customer know who they are deal with if they have issues with the licensee | 3/25/2024 12:40 PM |
| 58 | It may get very confusing to the public if relaxed as even now sometimes its hard to distiguish who " Teams "are actually brokered with. | 3/25/2024 12:02 PM |
| 59 | A licensee must trade in the name of the brokerage of which they are registered. It keeps this clear for the public. I see so many licensees advertising like they are their own brokerage. They try to distance themselves from their brokerage by creating their own "brand" and they aren't clearly stating to the public which brokerage they work for. It is confusing to the public. If there is an issue, what brokerage does the public contact to rectify this issue? The brokerage the licensee must be CLEARLY stated in all advertising. It's confusing to the public. | 3/25/2024 10:07 AM |
| 60 | It is good the way it is. | 3/24/2024 2:27 AM |
| 61 | It's fine | 3/23/2024 6:57 PM |
| 62 | As long as consumer can see the legal name of whoever is advertising in a manner which can be easily searched and found with RECA in case of an issue. | 3/23/2024 11:39 AM |
| 63 | IT SHOULD REMAIN AS IS, OTHERWISE WE GO BACK TO OLD WAY OF ADVERTISING | 3/22/2024 4:47 PM |

RECA Rules Review - Standards of Practice

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| 64 | The name of the Brokerage should be written with the bold letters on top of the advertisement by teams, this will again has to be set standard pattern in entire Alberta (SOP be issued) | 3/22/2024 2:25 PM |
| 65 | In my opinion, it is imperative that consumers to know which brokerage the licensee is licensed under. Amongst other things, this clarity guards against the unlicensed representing themselves as licensed and lets the consumer know which brokerage / broker to approach should they need further support. RECA requires that an licensee is licensed under a brokerage and, as such, this needs to be clearly indicated in all print and written materials, including advertising - and the consumer is a client of the brokerage, not the licensee. | 3/22/2024 10:47 AM |
| 66 | It's already confusing with a lot of advertising out there. We have come this far for the bigger brands to be more transparent. Why roll it back now? Is RECA getting pressured from these bigger brands? | 3/21/2024 9:29 PM |
| 67 | i dont see why you would need to change anything about the companies Logo as that is what the company is known by | 3/21/2024 4:13 PM |
| 68 | As an agent, I'm confused by what company some of these "teams" work for. The brokerage should be MORE prominent if you ask me. We are allowing agents too much leeway on this topic. | 3/21/2024 3:06 PM |
| 69 | no one cares who your brokerage is, but the agent. | 3/21/2024 2:06 PM |
| 70 | The brokerage name should appear but not bigger than the name of the advertiser otherwise it is mis leading to look like it is an ad for the brokerage | 3/21/2024 1:53 PM |
| 71 | The Brokerage name must still be stated, but it should be left up to the brokerage as to how the brokerage name is to appear. Size, font, etc | 3/21/2024 1:24 PM |
| 72 | Brokerage name should ALWAYS be included. There are too many groups/teams that are trying to brand themselves and making themselves look like a brokerage. | 3/21/2024 12:47 PM |
| 73 | The ultimate responsibility lies with the brokerage an as such the brokerage must be clearly advertised | 3/21/2024 10:57 AM |
| 74 | The public should know which brokerage the agent works for when they see their advertising. | 3/21/2024 10:39 AM |
| 75 | The public should have a clear understanding of where the agent is working from and associated with | 3/21/2024 10:30 AM |
| 76 | I believe in having more flexibility and it is important for a consumer to understand the role of the brokerage, but in all reality how often does that happen? Before I got into the industry I couldn't tell you the brokerage of the real estate agents I had used. I went by name recognition. So many real estate agents are out there making their own brand and then remax is getting the benefit of them putting in the hard work. | 3/21/2024 10:17 AM |
| 77 | God knows what realtors would do if they're not supervised | 3/21/2024 10:02 AM |
| 78 | We should be able to advertise ourselves and still claim the brokerage that we work for. Not 50/50 split on advertising. | 3/20/2024 7:56 PM |
| 79 | Yes as many brokerages have multiple names - their franchise name and then individual company names. | 3/20/2024 4:06 PM |
| 80 | The identity of the brokerage is critical. It provides clear information to potential clients that the licensee has support and is not alone should complicated situations arise that are outside of their knowledge base. | 3/20/2024 4:02 PM |
| 81 | While it's important that the brokerage is represented, the role of a brokerage has largely changed over the years. The integral role in an agents business is rarely the case nowadays (most brokerages don't supply leads or marketing that directly results in agents gaining business), so an agent should be able to promote their brand and their business above all else. | 3/20/2024 3:42 PM |
| 82 | Every licensee should clearly disclose the brokerage they are licensed with, further more I believe it is prudent to disclose license#. | 3/20/2024 3:38 PM |
| 83 | Agents should have the ability to self brand with the caveat that the brokerage name is clear if the consumer is looking for brokerage information, but personal branding/logos etc should be allowed. | 3/20/2024 2:38 PM |

RECA Rules Review - Standards of Practice

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| 84 | The licensee is still held to the same principals of conduct regardless of their company name. However, there should be a way to check whether the company is licensed and in good standing with RECA. | 3/20/2024 1:43 PM |
| 85 | Yes only if the rules and guidelines give the Brokerage the flexibility and not the licensee. There are some licensee's who continually try to push this envelope. | 3/20/2024 11:24 AM |
| 86 | People need to easily know who a licensee works under. In addition, licensee's would take advantage of the relaxation to promote their own brand even more so than now and thus diminish the awareness of the brokerage. The brokerage has all the associated costs of compliance and operating a difficult business model. It needs scale and consistency in marketing to ensure financial feasibility. | 3/20/2024 10:29 AM |
| 87 | I don't know what you mean by more brokerage flexibility. What would change? | 3/20/2024 10:26 AM |
| 88 | The importance should be placed on being licensed. With whom - really doesn't matter. Whether you are an individual agent or part of a team - the public cares less and less about who we pays our fees to. | 3/20/2024 9:19 AM |
| 89 | the buck stops with the brokerage | 3/20/2024 5:48 AM |
| 90 | How do you control this if they don't put the brokerage on their advertising?? Mainly on vehicles and such | 3/19/2024 10:44 PM |
| 91 | It needs to be clear which brokerage a professional belongs to. | 3/19/2024 9:27 PM |
| 92 | 48% of Canadians have a comprehension level below a high school level. Keeping the brokerage and agent clear should be paramount. | 3/19/2024 8:39 PM |
| 93 | The Broker must know what is going as they can be liable. | 3/19/2024 8:16 PM |
| 94 | Brokerages should be accountable and responsible for the flexibility of what advertising they allow their agents to do. It is their business, but having clear guidelines to clearly keep the integrity of the services...Otherwise...Why do we have brokerages? | 3/19/2024 6:44 PM |
| 95 | The current legislation works fine, and it is important to show which brokerage an associate is associated with to make it easier for consumers to cross reference and check if they choose to. It protects the consumer and is a good rule. | 3/19/2024 6:26 PM |
| 96 | For some advertising you don't know the brokerage unless you hunt around for the "fine print" | 3/19/2024 5:22 PM |
| 97 | This question is ambiguous at best. I do not think brokerages are looking for more flexibility, but I would not be surprised to learn that some associates and/or teams are. Clear identification of brokerage association is paramount to clarity with the public and brokerage responsibility. | 3/19/2024 5:10 PM |
| 98 | My honest understanding (and I hope I am wrong) is that this requirement is a direct consequence of lobbying by brokerage owners who use this rule as a pretence for free advertisement of their brokerages at the expense of the agents. When it comes to advertisement and marketing we, the agents, bear all the expenses, and yet we can't even promote ourselves without being forced to advertise our brokerages. In fact, the latest rule says that the brokerage name must be of the same size or bigger than the agent's logo, and it should be placed at the top above all other information. How does it benefit the consumer? I am not convinced it does. Every single form that we provide to consumers mentions that we, agents, are only licensed to trade in the name of the broker we are registered with. Why do we need to be so redundant and advertise brokerage logos? | 3/19/2024 4:59 PM |
| 99 | Take a look at the average billboard and bus bench. Agents are very adept at essentially hiding the name of their brokerage - what is currently being done about that? Get some teeth and accountability happening for offenders. | 3/19/2024 4:33 PM |
| 100 | if we are required to represent our brokerage then why should this be relaxed? | 3/19/2024 3:58 PM |
| 101 | I'm dealing with this currently. People need to know where the money is going when dealing with brokerages. Online brokerages don't spend money locally or support local causes. A former locally owned brokerage now uses an online broker so much of the commission money goes out of town and this is relevant in a small town! | 3/19/2024 3:27 PM |
| 102 | It needs to be more clear what company the licensee is working for so the public can identify who to bring up any concerns if any arise. | 3/19/2024 3:00 PM |

RECA Rules Review - Standards of Practice

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| 103 | as long as a client can understand the trail to the actual brokerage, i think it is fine. | 3/19/2024 2:55 PM |
| 104 | I believe it is important to advertise under the Brokerage, as it gives clarity to people, and also adds a professional structure. | 3/19/2024 2:46 PM |
| 105 | Transparency and clarity is key | 3/19/2024 2:39 PM |
| 106 | Potential clients must know the firm(brokerage) that they intend to deal with. | 3/19/2024 2:29 PM |
| 107 | The brokerage name should be prominent, the same size as the licensees name. | 3/19/2024 2:06 PM |
| 108 | Consumers should know who they are dealing with. | 3/19/2024 2:00 PM |
| 109 | Don't lose control of the Broker and Brokerage, you're putting too much control in the agents hands. Chaos | 3/19/2024 1:56 PM |
| 110 | No, I believe that we must always promote and advertise using our brokerage name and/or team name that we pay to be a part of. That forms the knowledge to all customers/clients who we work for and who they may speak to if there are any issues that arise. | 3/19/2024 1:29 PM |
| 111 | From what I can see on public advertisements Licensees already struggle with ensuring the Brokerage Information is on their marketing and advertising. There needs to be more policing of existing policy in my opinion. | 3/19/2024 1:25 PM |
| 112 | The entire point is to reduce consumer confusion and protect the consumer if they don't know who the brokerage is the agent represents they would not know who to contact in case of issues. | 3/19/2024 1:03 PM |
| 113 | There are many signs and marketing today that do not show the brokerage clear or large enough, I think that should be a big part of the marketing to ensure that it is clearly visible | 3/19/2024 12:46 PM |
| 114 | Yes, branding is important....So to be able to market under our own branding has value as opposed to always pushing the brokerage. | 3/19/2024 12:36 PM |
| 115 | I think there should be options for nicknames of the brokerage in the same way we have preferred names for licensees. I think RECA should still have to approve these nicknames and they should be noted on the Brokerage's file so that individuals can search for the nickname and confirm that brokerage details. | 3/19/2024 12:25 PM |
| 116 | Sometimes the advertising becomes ridiculously overlong due to having to include the brokerage name on the advertising - this makes no sense!!! | 3/19/2024 12:04 PM |
| 117 | There are too many infractions by agents already ! | 3/19/2024 11:26 AM |
| 118 | It's already confusing for consumers as is. Asking agents to list their brokerage is the bare minimum, and should be a continued practice. They are representing the brokerage after all. | 3/19/2024 11:16 AM |
| 119 | All advertisements should clearly state the brokerage you are registered with. | 3/19/2024 11:11 AM |
| 120 | With two major cities like Edmonton and Calgary, while a brokerage address should likely be included, a resident / operating out of address should be more easily allowed, i.e. visible | 3/19/2024 11:01 AM |
| 121 | The brokerage is where the buck stops and starts. | 3/19/2024 10:46 AM |
| 122 | Define "Clearly"? You can only dumb it down so far. Have the name of the brokerage on the advertising but don't micro-manage the font size etc | 3/19/2024 10:43 AM |
| 123 | This information can be provided after - when you direct them to a web page, or lead form | 3/19/2024 10:38 AM |
| 124 | Is RECA paying for the advertising or is the brokerage? | 3/19/2024 10:23 AM |
| 125 | There is no need to be registered with more than one brokerage. The brokerage and the realtor both need to be on all advertisements. There is no good reason to change this. There are more benefits to have it than not to. | 3/19/2024 10:10 AM |
| 126 | I'd generally lean towards yes, but I feel that giving Licensees full reign of advertising could confuse the industry. | 3/19/2024 10:00 AM |
| 127 | There are too many team names and team advertising, and the consumer is confused as to who they are in contract with. | 3/19/2024 9:54 AM |
| 128 | If brokerage identification is not prominent the public often assumes the "Team" is the actual | 3/19/2024 9:52 AM |

RECA Rules Review - Standards of Practice

brokerage. I, as an owner/broker have been asked if I work for a "TEAM" in my office that actually work for me.

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| 129 | As far as I'm concerned, realtors shouldn't be forced to advertise their brokerage ever (unless the broker is splitting the cost). In many cases, someone will call the brokerage on your ad thinking they have your number and bam it's scooped up by the broker(s). Why should this be when I've paid for the ads? Time and time again this happens, I'm quite tired of it honestly. | 3/19/2024 9:48 AM |
| 130 | It's important from a customer standpoint to clearly identify the nature of relationships of all parties involved. | 3/19/2024 9:47 AM |
| 131 | Provided that there is no obvious intent to mislead a consumer or client, advertising should be left up to the Brokerage to monitor. | 3/19/2024 9:32 AM |
| 132 | It's sufficient as is | 3/19/2024 9:25 AM |
| 133 | It is important. | 3/19/2024 9:19 AM |
| 134 | Please stop micro managing brokerage and team marketing efforts. This is such a petty issue. That being said, misleading advertising should be dealt with rapidly and with substantial penalty. | 3/19/2024 9:02 AM |
| 135 | It's already too flexible. | 3/19/2024 9:00 AM |
| 136 | I do not understand why that should be changed. Currently there are brokerages out there that I am not sure the exact name that they are operating under. I am in the industry and I find it hard to understand. | 3/19/2024 8:55 AM |
| 137 | where a licensee works for 2 brokerages, one in condos and the other is residential sales, these differing roles must be very clear to the Public. | 3/19/2024 8:51 AM |
| 138 | Not only should the brokerage be clear, if an industry member is transferring brokerages it should be clear. | 3/19/2024 8:30 AM |
| 139 | Associate is representing the brokerage, the brokerage is ultimately responsible therefore should be made known. | 3/19/2024 8:29 AM |
| 140 | This would decrease level of service. Current advertising regulations are not even being adhered to. | 3/19/2024 8:00 AM |
| 141 | Rather than advertise, the brokerage, The Agent should be able to advertise themselves | 3/19/2024 7:44 AM |
| 142 | Things seem fine to me. Not sure what allowing more brokerage flexibility means. | 3/19/2024 7:26 AM |
| 143 | I still think it is important for the public to know what brokerage a licensee is registered with, perhaps some flexibility could be added, but not indicating the brokerage could impact the public's ability to look someone up or know who to follow up with if they do not receive the service they expect. | 3/19/2024 7:07 AM |
| 144 | consumers do NOT understand our rules with regards to advertising, & displaying brokerage info, etc. they believe RE/MAX is RE/MAX, Royal LePage is Royal LePage, but they don't care that you work for RE/MAX ABC vs RE/MAX XYZ. Similar to going to McDonald's - you're going to McDonald's - you don't pay attention to which McDonald's is owned by a certain person. Further to that, I would argue that most consumers pick an agent, they don't pick a brokerage, or rather they pick an agent in the brokerage/brand they want. And further to that, if they pick a brokerage, they're picking RE/MAX because RE/MAX as a franchise is one they've seen in advertising, etc, or they're picking a brokerage because brokerage XYZ is down the street from where they live, they're not picking the brokerage because they're called brokerage XYZ vs brokerage ABC. If you want to establish rules with regards to advertising etc, you should place it on the brokerage end, not on the agent end. | 3/19/2024 6:32 AM |
| 145 | No it must be clear to the borrower who and with which firm they are dealing with, and if there is a co-brokerage agreement, the borrower should be advised and recognize this | 3/19/2024 5:42 AM |
| 146 | Even though the advertising rules are complicated and difficult at times, I think it is important that the consumer understand what brokerage the agent is representing . | 3/18/2024 11:34 PM |
| 147 | I think we should keep current standards. | 3/18/2024 11:31 PM |
| 148 | Nobody cares. The general public, I assure you, does not care about this. They will google your reviews and ask you eventually where you work when they go to sign papers but there are | 3/18/2024 11:08 PM |

RECA Rules Review - Standards of Practice

so many brokerages. Trust me, no one cares.

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| 149 | I think RECA needs to run through the hierarchy of priorities and who they are serving here. The reality for a consumer is that the brokerage doesn't matter 99% of the time -- their relationship is with the individual agent. RECA makes an assumption that if the agent does a poor job, the brokerage will be there to resolve things (which I don't think is always the case, and frankly I don't think most consumers connect the dots on that being an option). I think it would be interesting to explore a model where the advertising guidelines are relaxed to allow more individual flexibility (remove brokerage approval and name from advertising) BUT introduce a new disclosure/acknowledgement form where the agent lays out who they are licensed with, what the brokerage is responsible for, and the path for escalation if things go wrong. Disclosing team structure on this would also be helpful - co-listing arrangements, if the client should go to an assistant for questions, if the agent is under a broader team, or if you're signing with a big-name but it will actually be a team member doing the day-to-day. All of that should be disclosed. | 3/18/2024 10:34 PM |
| 150 | This is often overlooked and consistency in expectation would be a welcome change. | 3/18/2024 10:15 PM |
| 151 | It is already not straightforward to discern a brokerage due to personal agent branding | 3/18/2024 10:07 PM |
| 152 | What is meant by more brokerage flexibility? | 3/18/2024 9:41 PM |
| 153 | I agree that the brokerage should be listed. | 3/18/2024 9:21 PM |
| 154 | Again...a very vague question. If there were examples of this proposed flexibility, it would be easier to answer this question. | 3/18/2024 8:37 PM |
| 155 | Agents must include brokerage information, current rules are not being followed and no one seems to care. This is a serious threat to brokerage models. I think that large & small teams take advantage of the lack of enforcement. They don't follow or understand proper agency guidelines and advertising rules | 3/18/2024 8:29 PM |
| 156 | 100% - no, once again. We have numerous "teams" coming up with their own "Real Estate Group" names, and they have in very, very small writing the Brokerage they are with. The Brokerage name should be the boldest part, with the Team name falling second. If rules were opened up to allow Teams to advertise more with their names, what is the point of even having a Brokerage name? | 3/18/2024 7:56 PM |
| 157 | In many cases the brokerage is a clearing house and nothing more. Emphasizing the brokerage confuses many consumers | 3/18/2024 7:40 PM |
| 158 | Being an associate, I hate that my advertising etc really is advertising my brokerage instead of me personally. When advertising, I should be able to advertise me and my skills. | 3/18/2024 7:35 PM |
| 159 | Yes most consumers do not pay attention to the brokerage their relationship practically is with the agent. There should be better disclosures on where and when they should get help Brokerage, Board, Regulator. | 3/18/2024 7:23 PM |
| 160 | Licensees should be able to print their advertising under their own name, and the option to add their brokerage. This way if they choose to switch brokerages, and they only have their own name then they don't have to redo all of their advertising and thus minimizes unnecessary expenditure. The brokerage affiliation will be made out to a consumer once they complete the necessary agreements/paperwork with the agent. Or consumer's have access to RECA's website and google to confirm. RECA can have the brokerage have to advertise their agents on a website so that google is able to pull data if RECA feels that its necessary for the consumer to know. | 3/18/2024 7:03 PM |
| 161 | This rule helps with mitigating fraud. | 3/18/2024 6:59 PM |
| 162 | In the case of a team, the brokerage name should be allowed to be supplemental to the team name | 3/18/2024 6:30 PM |
| 163 | An agent needs flexibility to brand themselves outside of the brokerage. Brokerages come and go. | 3/18/2024 6:27 PM |
| 164 | Whatever makes most sense for both parties. | 3/18/2024 6:20 PM |
| 165 | Very antiquated rule. | 3/18/2024 6:16 PM |
| 166 | Prevention of confusion | 3/18/2024 6:11 PM |

RECA Rules Review - Standards of Practice

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| 167 | Yes, should we have a promotion for our clients, we should be able to advertise them to our clients, and not have to advertise them to the brokerage as a whole. | 3/18/2024 5:51 PM |
| 168 | Reduce the size requirement that the brokerage by the same size as the agent/team designation. | 3/18/2024 5:51 PM |
| 169 | i dont understand the term "brokerage flexibility". | 3/18/2024 5:44 PM |
| 170 | No, the rule is already broken and unpunished by 50% of the ads online. Is this literally just so RECA doesn't have to feel embarassed for the failure to actually properly enforce the existing rule for the past few years? How about RECA actually enforces the existing rule before we decide if it's effective. | 3/18/2024 5:43 PM |
| 171 | KEEP THE RULES TIGHT TO AVOID RULE BENDING. | 3/18/2024 5:31 PM |
| 172 | It's in the public's best interest to know we are licensed through a brokerage | 3/18/2024 5:30 PM |
| 173 | I feel as though Licensees must clearly indicate the name of their brokerage as it appears on the brokerage's license in all advertising, regardless of a Brokerage requiring more flexibility. | 3/18/2024 5:24 PM |
| 174 | We need clear and concise guidelines pertaining to advertising our services. I am satisfied with the current requirements. | 3/18/2024 5:23 PM |
| 175 | Yes but only to a limited extent ie. full name has to appear on every flyer or advert or contract but maybe not on every page etc. For firms with long legal names this is onerous. | 3/18/2024 5:22 PM |
| 176 | We are forced to be under this structure. As such, it should be clearly identified as such | 3/18/2024 5:21 PM |
| 177 | Actually the rules should either be more restrictive and enforced or scrap it altogether. Teams and associates break advertising rules constantly with little or no accountability. Brokerages and RECA simply do not have the resources to monitor every tweet, facebook ad etc. | 3/18/2024 5:20 PM |
| 178 | We should strictly be advertising under the brokerage we are registered with. It should not be amended. | 3/18/2024 5:11 PM |
| 179 | Brokerages should have a lot more flexibility to advertise and promote the Realtor and Brokerage. If you ask consumers who the brokerage was in their last transaction, they will not know the name of the brokerage but do remember the Realtors name. From there if the consumer wants to get hold of the Broker the consumer can look up the Realtor on the RECA website or google the Realtors name. | 3/18/2024 5:06 PM |
| 180 | I don't understand this question.... | 3/18/2024 5:04 PM |
| 181 | Teams and individual agents should be able to market as they see fit provided there is an easy search tool to identify their brokerage in the event a client wishes to complain. This does exist already. | 3/18/2024 5:01 PM |
| 182 | Often clients don't even know or care which brokerage their agent is registered with. They've chosen (in practice) to work with a person, not a brokerage. Displaying the brokerage name in advertising is an easy requirement to adhere to. But dictating the size of the print, location of the brokerage information etc is unnecessary and unhelpful to most consumers. | 3/18/2024 4:58 PM |
| 183 | It is a brokerage decision. They can display as big or small as agreed by the brokerage. I think more so like the Realtor logo or one of that sort to show they are a legally entity to trade in real estate is fine. **I think that all realtors should have their ASSOCIATE BROKER Designation within 5 years of licensing so more responsibility of behavior falls on them and not the broker. You wanna be pro then get that designation and you deal with Reca direct if any issues and more falls Way from the broker responsibility of professionalism. | 3/18/2024 4:58 PM |
| 184 | All advertising should clearly , somewhere in the advertising, state the brokerage name, as it appears on their brokerage license. The O/A should be sufficient | 3/18/2024 4:56 PM |
| 185 | There are already for too many ads out there that are confusing yo the public where agents appear to be brokerages. | 3/18/2024 4:55 PM |
| 186 | Currently there are many industry members that advertise their services or product that misleads the public into thinking the industry member is representing their own brand rather than the brokerage. ie: ads showing the industry member's name, team name or even a non registered company name as the predominant focus and a very tiny (if any) reference to the brokerage name. This is very common especially on social media. | 3/18/2024 4:55 PM |

RECA Rules Review - Standards of Practice

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|-----|--|-------------------|
| 187 | Teams and brokerages are already confusing the public. | 3/18/2024 4:50 PM |
| 188 | I'm with Re/Max so am tightly controlled anyway. A little more flexibility would be welcome. However it is important for the consumer to understand who "stands with you". And as an aside...EXP and Real etc...should be forced to identify themselves as part of a network marketing style Brokerage. | 3/18/2024 4:49 PM |
| 189 | As long as the brokerage advertising matches the business license | 3/18/2024 4:48 PM |
| 190 | clients care about their agent NOT the brokerage they are licensed with | 3/18/2024 4:45 PM |
| 191 | Clients in my experience select a person not a brokerage | 3/18/2024 4:42 PM |
| 192 | Clear indication of the name of the brokerage as it appears on the brokerage's license is good enough for all advertising | 3/18/2024 4:42 PM |
| 193 | The cost associated with re-advertising if change in brokerage adds up. A licensee should be given flexibility as there is no true benefit in over advertising the brokerage. | 3/18/2024 4:41 PM |
| 194 | Marketing costs are very high, realtors should get more of the focus when investing their money. | 3/18/2024 4:37 PM |
| 195 | what more do they need? | 3/18/2024 4:37 PM |
| 196 | No the agents all have names or teams that can not be found any other way. How would I find Vivid RE, Simply homes, Central RE team.and so on. there are hundreds | 3/18/2024 4:36 PM |
| 197 | Current rules are too strict | 3/18/2024 4:35 PM |
| 198 | As a consumer I would want to know who the Realtor is connected and what particular office, as a Realtor, I agree with that | 3/18/2024 4:35 PM |
| 199 | I think this is still confusing for the public and needs to be enforced | 3/18/2024 4:34 PM |
| 200 | Few people care what brokerage you're at. | 3/18/2024 4:34 PM |
| 201 | The current advertising standards make it clear to the public. | 3/18/2024 4:31 PM |
| 202 | Broker and brokerage have the obligation of supervision And responsibility | 3/18/2024 4:29 PM |
| 203 | This does not offer the public much. The more important thing is licensing for non. | 3/18/2024 4:28 PM |
| 204 | Changes to the rules regarding advertising may benefit new entrants in the industry, but for the vast majority of advertising that exists in the current marketplace, this will only add confusion and expense. | 3/18/2024 4:27 PM |
| 205 | Here's a question. Why does the brokerage name need to be part of the advertising and why does it matter. | 3/18/2024 4:25 PM |
| 206 | Again common sense. | 3/18/2024 4:24 PM |
| 207 | If a consumer sees a piece of marketing material and wishes to engage the licensed professional then the service agreements will clearly show the brokerage. So we can lighten up on the rules for marketing. | 3/18/2024 4:21 PM |
| 208 | I believe brokerage information should be in all real estate-related advertising so consumers have an idea of where responsibility and obligations lie as far as the licensee(s) they are dealing with. I would, however, like brokerages to have the flexibility to decide ratios between the size of the licensee's information and the size of the brokerage information. | 3/18/2024 4:21 PM |
| 209 | too many teams try to make themselves look exclusive, which is deceiving to the public. If an individual agent has to have the brokerage and all the requirements, the teams should to, and it's the teams that want the flexibility, | 3/18/2024 4:21 PM |
| 210 | The brokerage names should always be the main focus not the agent's or team name. | 3/18/2024 4:19 PM |
| 211 | No examples of any change is provided and the current rule is simple and easy to follow and does not require change. In some instances space is limited, tough luck, the world is not made for everyone to be able to do anything and everything that they want. | 3/18/2024 4:19 PM |
| 212 | It is already confusing enough with sub-brokerages and everyone wanting to hold out as "XYZ team". | 3/18/2024 4:18 PM |

RECA Rules Review - Standards of Practice

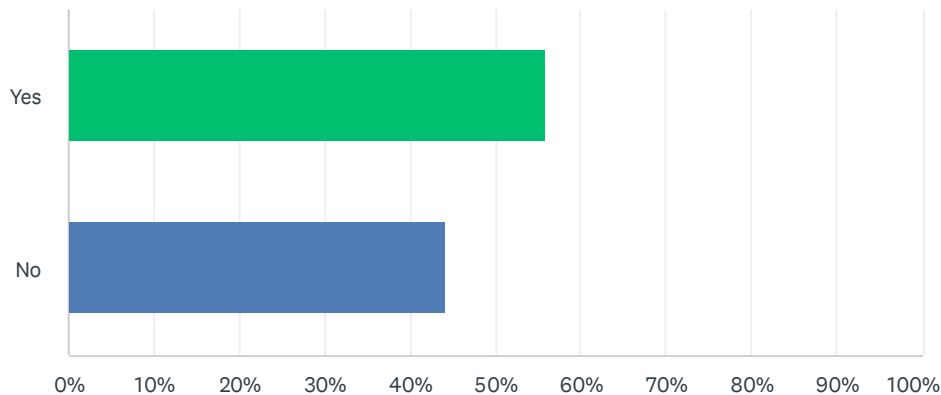
| | | |
|-----|---|-------------------|
| 213 | This is contradictory | 3/18/2024 4:15 PM |
| 214 | anyone can look you up and see what broker you are using | 3/18/2024 4:14 PM |
| 215 | There is a balance. We do need some standards as there are licensed individuals who market where it's very difficult to tell who the brokerage is. Some standardization is necessary but too many rules makes the process very cumbersome and frustrating for agents. | 3/18/2024 4:14 PM |
| 216 | Most consumers have no idea that agents (associates) are legally working for a brokerage and that it is actually the brokerage who is responsible for all transactions. RECA may want to spend more time educating consumers about this. | 3/18/2024 4:14 PM |
| 217 | it is already muddy where teams and individual agents are minimizing the brokerage name. | 3/18/2024 4:13 PM |
| 218 | Clients don't care about the brokerage. They care about the agent. | 3/18/2024 4:12 PM |
| 219 | Too many times it's shown some team name and brokerage name is not visible leaving clients confused who the realtor works for. | 3/18/2024 4:10 PM |
| 220 | Being a Designated Realtor my advertising should be about myself and my clients firstly. I have paid for brokerage advertising for 25 years and received very little in return. My clients want their houses advertised and don't understand the Brokerage being advertised. | 3/18/2024 4:10 PM |
| 221 | some data entry of advertising methods are not cut and dry to the parameters exactly | 3/18/2024 4:09 PM |
| 222 | It's fine as is | 3/18/2024 4:09 PM |
| 223 | maybe. its hard to put all the details on every piece of marketing (like a key chain) | 3/18/2024 4:08 PM |
| 224 | If you want to not advertise the brokerage you are with, start your own brokerage. Consumers sometimes don't even know who the agent is licensed with all the "team" names | 3/18/2024 4:07 PM |
| 225 | For profit fairness and work equality. | 3/18/2024 4:07 PM |
| 226 | It's in the public's best interest to know who the broker is. | 3/18/2024 4:07 PM |
| 227 | Most people don't understand the brokerage model and rarely ask what brokerage we work with. It would be nice to put forward more team-based branding | 3/18/2024 4:07 PM |
| 228 | now is extreme flexibility, all street sign with the realtor name larger than the brokerage name | 3/18/2024 4:06 PM |
| 229 | I don't have a preference either way. | 3/18/2024 4:05 PM |
| 230 | If anything the rules should be stricter when it comes to this. the general public has little to no information how important the brokerage is to the entire process | 3/18/2024 4:04 PM |
| 231 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:03 PM |
| 232 | I think it is necessary to display yourself (or your team) as an entity under a trusted licensed brokerage. That brokerage must be displayed. No agent should be advertising themselves that could be misconstrued as their own brokerage and 'bigger' then they actually are - I think that is confusing to the consumer. If it isn't clear, then truly anyone (unlicensed people trading in real estate) could have similar marketing, then what differentiates us? | 3/18/2024 4:03 PM |
| 233 | You should know if you're dealing with remax CRI or any other brokerage clearly, a lot of people do not have designated agencies and some do | 3/18/2024 4:02 PM |
| 234 | More flexibility for what? There shouldn't be any grey areas for whom you represent. I work at "X" Company - what flexibility is needed. | 3/18/2024 4:02 PM |
| 235 | Definitely relax the rules. I remember RECA's rules from a few years ago when you wanted to choose the font size and you have fined people for many simple infractions that make very little sense, when it comes to advertising. Let's be honest, you are not protecting the public in this regard and the public cares about the individual and not the brokerage. Sure, satisfy RECA but remember that you serve the public. | 3/18/2024 4:01 PM |
| 236 | While I think the brokerage is important, consumers are ultimately hiring the individual who is an independent contractor of the brokerage. | 3/18/2024 3:59 PM |

RECA Rules Review - Standards of Practice

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|-----|---|-------------------|
| 237 | Allowing the licensees name to be noticed provides better recognition for the licensee than the brokerage. I feel most clients want a specific licensee not a specific brokerage | 3/18/2024 3:58 PM |
| 238 | As we are involved in Condominium Management at this time, I do not feel I'm qualified to answer. | 3/18/2024 3:57 PM |
| 239 | The current model is good and forces the realtors to adhere to brokerage and RECA guidelines | 3/18/2024 3:57 PM |
| 240 | Individuality is becoming increasingly important to remain competitive in the industry. The fact that real estate agents must be a member of a brokerage is important, which brokerage does not seem to matter as much | 3/18/2024 3:56 PM |
| 241 | No elaboration needed. pretty clear. | 3/18/2024 3:55 PM |
| 242 | If they start to use their own "business name" then how will the public ever know they are dealing with?? | 3/18/2024 3:55 PM |
| 243 | Yes | 3/18/2024 3:53 PM |
| 244 | clearly indicated is important. not to the extent of what was proposed a few years ago (ridiculous), but clearly indicated must be a requirements and policed. | 3/18/2024 3:52 PM |
| 245 | A lot of people seem to think that the brokerage matters to them whilst I believe my work matters to me and The brokerage is there to enable. I suppose some organizations would feel disgruntled as they have put a lot of money into brand recognition. I advertise my brokerage but to be honest I could care less. I like my broker. He's there for me when I need it and never bothers me when I don't | 3/18/2024 3:52 PM |
| 246 | Yes, with today's different advertising mediums, there needs to be more flexibility in terms of how the brokerage is advertised with agents and their marketing. | 3/18/2024 3:51 PM |

Q16 Should the payment of commission or other remuneration under Rules 50(c)(i), 66(c)(i), 80.3(c)(i) and 80.83(c)(i), to not more than one corporation of which a broker, associate broker or associate owns not less than fifty percent (50%) of the shares issued by the corporation, be removed to allow more flexibility for the payout of brokerage commissions for licensed activity?

Answered: 621 Skipped: 56



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 55.88% | 347 |
| No | 44.12% | 274 |
| TOTAL | | 621 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|---|---|--------------------|
| 1 | Not sure what you are asking | 4/19/2024 11:26 PM |
| 2 | Brokerage should be paid, expecting us to search out percentage ownership is ridiculous. | 4/19/2024 12:52 PM |
| 3 | Its not broken, leave it. | 4/19/2024 12:09 PM |
| 4 | Not sure about this yet since I just started my own Brokerage last December 2023. I own 100% shares. | 4/19/2024 10:41 AM |
| 5 | Broker gets commission, commission is paid out as with residential sales. This is an over complicated system. Forms should be created for all entities, stating that commissions will be paid out this way. Details of who owes what can be outlined in this Payout form. | 4/18/2024 11:23 PM |
| 6 | I am fine with the existing rules. | 4/18/2024 9:00 PM |
| 7 | Brokerage payments should be more flexible and allowable. | 4/18/2024 7:10 PM |
| 8 | No, and possibly yes **. This is a complicated issue with the rise of teams and individuals working on projects together. There must be extreme oversight and discretion by both the Brokerage and RECA on this issue. ** To use a broad brush approach on this issue would most certainly allow for the possibility of unlicensed persons to be involve to a significant extent. | 4/18/2024 6:50 PM |

RECA Rules Review - Standards of Practice

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| 9 | Payment structures/options already exist. An assistant can get a salary or a fix fee per transaction. No need to complicate | 4/18/2024 6:21 PM |
| 10 | It is fine the way it is. I can imagine things will get very chaotic if this is changed | 4/18/2024 5:23 PM |
| 11 | As long as the commission is legally earned, how a brokerage and its associates manage it should be at their discretion. As long as there is a mechanism for complaints from an Associate about the conduct of the Brokerage in the case of commissions, they should be able to deal with the matter within their own four walls. | 4/18/2024 4:14 PM |
| 12 | Not Sure and there was not an answer for that. | 4/18/2024 2:28 PM |
| 13 | The reasoning behind this was to allow for families to share income through the corporation. I believe there are other ways to accomplish this. The corporation should be for the realtor or family member that are engaged in the operation of the business only but the main realtor have at least 50% of the shares. It should stay as is. | 4/18/2024 11:53 AM |
| 14 | I feel the current model is satisfactory | 4/18/2024 11:22 AM |
| 15 | people find ways around it anyway. This would level the playing field for ethical agents | 4/18/2024 11:15 AM |
| 16 | Other industries offer compensation to us for referral, we should be able to offer the same. At the end of the day, how everyone conducts their business is up to them. | 4/18/2024 10:59 AM |
| 17 | So long as they are properly accounted for in the brokerages year end filings. | 4/16/2024 2:04 PM |
| 18 | This allows for more flexibility for tax planning and removes the red tape. RECA/hearing panel can still hold standards to maintain all activity conducted by licensees. | 4/15/2024 10:56 AM |
| 19 | This one is pretty confusing for me. Would more flexibility mean brokerages could pay commissions to unlicensed entities? I don't think that is something that should happen. I'm not entirely sure where the issue lies in this question and why 50% of ownership matters... | 4/11/2024 1:04 PM |
| 20 | If a team of say 4 licensees decided to own a single corporation under which they worked for the brokerage, and where they would receive all commissions, to later be split by the partners as they see fit, I don't see any issue with this. If two agents decided to partner but had their own corporations which worked under the brokerage, I don't see any issue with paying the commission out as a split between the two corporations. Speaking strictly to commission payments for licensed activity, and not referrals etc, I believe the important part is that they are paid out only to licensed individuals. How those licensed individuals decide to structure their business/legal entities/partnerships, etc, is not relevant. | 4/10/2024 3:00 PM |
| 21 | If someone can get commission, then everyone should be able to get commissions. As long as it is made transparent to clients whose interest may be impacted. | 4/9/2024 8:51 PM |
| 22 | OFTEN BROKERS OR ASSOCIATES MAY HAVE A CORPORATION IN ORDER TO REDUCE TAXES. THAT SHOULDN'T HURT ANYONE ELSE SO I SEE NO PROBLEM ALLOWING SUCH PAYMENT. | 4/9/2024 5:37 PM |
| 23 | This has the potential to create all kinds of shareholder disputes. This is something that RECA should not get involved in because if you approve it, do you have any liability for the problems it creates? | 4/7/2024 10:49 AM |
| 24 | We are in different times. Most real estate offices do NOT have physical office space. Many real estate brokerages are virtual. It is time to get with the times. | 4/6/2024 1:07 PM |
| 25 | It can be, and is probably appropriate in some circumstances. But there should be a mandatory form signed by the Licensee and the Broker acknowledging assignment of commissions to the corporation. | 4/4/2024 4:50 PM |
| 26 | I think this is a good clause | 4/4/2024 10:51 AM |
| 27 | I read this over several times and I'm still fuzzy on what the implications are. Hopefully it will be made clearer at the town hall. | 4/2/2024 9:12 PM |
| 28 | Keep it simple. | 4/2/2024 7:15 PM |
| 29 | As long as the practitioner is licensed | 4/2/2024 7:14 PM |
| 30 | No specific comment. | 4/2/2024 4:11 PM |

RECA Rules Review - Standards of Practice

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| 31 | I personally am unsure of this requirement but it would help with succession plans for associates and brokers alike. | 4/1/2024 4:24 PM |
| 32 | There are situations where 3 or more licensed individuals are shareholders of a corp. This would be 33.33% each falling under the current 50% rule. A non-licensed individual should not be able to own ore than 50% of a corporation in which commissions are paid to. | 4/1/2024 2:04 PM |
| 33 | I know this rule has changed a couple times since I have been licensed and I don't want to see unlicensed people trending towards activity that requires a license. | 4/1/2024 1:56 PM |
| 34 | Bottom line: a person or corporation should have to be licensed in real estate to receive a referral that forms part of a real estate commission earned according to the Real Estate Act. Without this requirement, there is no reason to be licensed; no reason for RECA to exist; etc. It is paramount that RECA preserve the value of the license by making it clear that if you want to be paid a referral fee, you must be licensed. The change a few years ago that allowed non-licensed people to receive referral fees in my view was outrageous and I filed a complaint with the RECA Executive Director against this industry decision. Our industry should be encouraging quality of services, not encouraging under the counter kickbacks where family members of consumers are receiving money in exchange for pushing an industry professionals who may not be the best choice for the consumer. I would like a system where referral fees have strict limits (i.e. 10%, not 25% or higher) and that they must only be issued to someone who holds a valid license, not to unlicensed members of the public. | 3/29/2024 7:04 AM |
| 35 | na | 3/28/2024 3:04 PM |
| 36 | I defer to the real estate licensees in this matter, but this does sound like a fair concept to propose | 3/28/2024 11:58 AM |
| 37 | I'm sorry, I don't understand the situation. | 3/27/2024 11:50 AM |
| 38 | unsure on this one. | 3/27/2024 8:50 AM |
| 39 | I consider a corporation, which is owned 50%+ by a licensee, as an extension of the latter. If brokerages are allowed to pay commissions to a corporation that is owned <50% by a licensee, then in my mind it is essentially paying it to an unlicensed party. | 3/26/2024 1:19 PM |
| 40 | How often does this happen why change this rule for the minority vs. the majority of members. | 3/26/2024 11:33 AM |
| 41 | I'm not sure I understand the question | 3/26/2024 10:52 AM |
| 42 | Again, Streamlining the process is always better in my opinion | 3/26/2024 8:35 AM |
| 43 | I think 50% is a good threshold. I would even consider 25% | 3/26/2024 8:06 AM |
| 44 | The licensee MUST be responsible for the fees that they earn. If it's paid to a corporation for which they do not have a controlling interest, they cannot be accountatble for where that money goes. | 3/25/2024 3:18 PM |
| 45 | Disregard the NO. There should be a third option: N/A to respondent. | 3/25/2024 1:55 PM |
| 46 | I think this is a difficult question due to tax implications for GST reporting. Unlicensed parties often don't have GST numbers. I'm on the fence with this one. | 3/25/2024 1:37 PM |
| 47 | It is not up to brokerages to decide how a licensee runs their own corporations. If they chose to run it different then the 50% minimum required, why is that anyone's business? As long as the commissions are paid to the corporation the licensee has registered with the brokerage, that should be sufficient enough. | 3/25/2024 10:11 AM |
| 48 | If the realtor is part of let's say a building company, the real estate work done within the company is small compared to the core business. The result of this would be the realtor not deserving of 50% of the corporate shares based on sweat equity yet, they still have a minority stake run the company. Payment of commissions should allow for these type of structures. | 3/25/2024 9:46 AM |
| 49 | Red tape - they will do it anyways and a fraudster will take advantage of the loophole. Wasting people's time and money | 3/23/2024 6:59 PM |
| 50 | THINK RULES SHOULD REMAIN AS IS, THE CURRENT RULE IS AN EXCEPTION AS IS | 3/22/2024 4:52 PM |
| 51 | I have no idea of this but I support your proposal | 3/22/2024 2:27 PM |
| 52 | I feel this one needs no real explanation but in allowing this, RECA risks opening a can of | 3/22/2024 10:51 AM |

RECA Rules Review - Standards of Practice

financial worms that will be extremely difficult to remedy. This reasons for this Rule remain, regardless of the ownership structure.

| | | |
|----|---|--------------------|
| 53 | We need to keep things above board with this. | 3/21/2024 9:29 PM |
| 54 | slippery slope | 3/21/2024 2:08 PM |
| 55 | There may be instances where the one to be paid has less than 50% ownership in the corporation due to the structure of that corporation. It is still income. They still report it on their taxes. | 3/21/2024 12:53 PM |
| 56 | If it will allow more flexibility than I will agree, but I have no other input. | 3/21/2024 12:48 PM |
| 57 | Unsure | 3/21/2024 10:58 AM |
| 58 | I don't really understand the issue but feel clear rules are better for clarity. | 3/21/2024 10:42 AM |
| 59 | This will eliminate any sort of miss allocation of funds and payments | 3/21/2024 10:31 AM |
| 60 | Our current payment model has & is worked just fine. The broker needs to be on top of money that realtors generate | 3/21/2024 10:03 AM |
| 61 | Maybe depending on the proposal of the new rule. | 3/20/2024 7:58 PM |
| 62 | The ownership structure of the company is not in RECA's jurisdiction to advise on. | 3/20/2024 4:04 PM |
| 63 | These kind of rules are oppressive and do provide any protection to the borrower. | 3/20/2024 1:45 PM |
| 64 | If it is a licensed associated is doing the work, what difference does it make if they own 50% or more of the corporation they are working under? Many small business corporations are owned by more than two individuals and may offer different services under the same corporation. As long as the individual trading in Real Estate is licensed, I don't see the problem. How the corporation pays their owners is really their business. | 3/20/2024 10:30 AM |
| 65 | there's no need for flexibility - the method of paying commissions plays a big part in the integrity of our business dealings. | 3/20/2024 9:21 AM |
| 66 | if i had the option i would pass on this question | 3/20/2024 5:50 AM |
| 67 | Unsure | 3/19/2024 9:43 PM |
| 68 | More flexibility usually creates more opportunity for fraud. | 3/19/2024 9:29 PM |
| 69 | Let them decide how they run their business. | 3/19/2024 6:45 PM |
| 70 | this red tape is unnecessary and should be removed for easier access. | 3/19/2024 6:27 PM |
| 71 | Cant' answer - Its respectfully submitted that this section is unclear | 3/19/2024 5:25 PM |
| 72 | In the absence of any information as to who this would benefit or why it might be necessary, I would not change the current rule. | 3/19/2024 5:12 PM |
| 73 | I am not sure. We need examples clearly showing how changing this rule should benefit/or be detrimental to the consumers. | 3/19/2024 5:03 PM |
| 74 | as long as the work or sale was completed i believe if licenses wishes to share commissions that should be there prerogative. | 3/19/2024 4:53 PM |
| 75 | I would need to consult with my broker plus a lawyer to understand and address this question. | 3/19/2024 4:33 PM |
| 76 | yes because some corporations are a 50/50 with their spouse for tax purposes | 3/19/2024 4:00 PM |
| 77 | I think it would simplify the process | 3/19/2024 3:28 PM |
| 78 | commissions are income, and an unlicensed person should have to declare the income and be issued a T4 from the broker | 3/19/2024 3:14 PM |
| 79 | Keep structure. | 3/19/2024 3:02 PM |
| 80 | This should still apply | 3/19/2024 2:48 PM |
| 81 | Some owners might own less and likely receiving commissions under the table | 3/19/2024 2:40 PM |
| 82 | These rules were intended to clarify the payment of commissions. | 3/19/2024 2:34 PM |

RECA Rules Review - Standards of Practice

| | | |
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| 83 | I don't understand this | 3/19/2024 2:02 PM |
| 84 | Why is RECA even concerned about the %'s. I would love to see this removed. | 3/19/2024 1:57 PM |
| 85 | Yes, I feel that in some situations there are resoning to pay out commissions to an unlicensed person or something in that regard. I believe that everything should still go through the brokerage and there may be a form that may be signed if a payout is required. | 3/19/2024 1:32 PM |
| 86 | The licensee should own a minimum of 50% of the corporation that is being paid for it's services. This allows for income splitting, if it's less that 50% what would be the threshold? Does this not lead to a mechanism by which a licensee could hide their income thereby negating their responsibilities of spousal support of child support? I don't see what the positive rational reasoning for this change would be. | 3/19/2024 1:30 PM |
| 87 | The wording of this entire rule should be simplified as it is near impossible to decipher. | 3/19/2024 12:46 PM |
| 88 | no license/broker license no commission. If you want the commissions get a license. | 3/19/2024 10:48 AM |
| 89 | Who cares what % they own? We are not CRA, let them figure it out. | 3/19/2024 10:44 AM |
| 90 | This will allow more options | 3/19/2024 10:39 AM |
| 91 | Again, is RECA going to be paying the commission or the brokerage. You need to remember who works for who here. | 3/19/2024 10:25 AM |
| 92 | payments of commissions to unlicensed person or entities should be prohibited. Keeps people honest and protects the public and realtors | 3/19/2024 10:13 AM |
| 93 | I do not pay commissions, so I am indifferent in this scenario. I cannot speak for other industry entities unrelated to condominium management. However, if a broker wants to offer a referral fee or commission to attract more business, I do not see any issues with that. | 3/19/2024 10:05 AM |
| 94 | We do not need more flexibility in the industry. More standards will improve the industry and the clients will be more respectful to the real estate industry. | 3/19/2024 9:56 AM |
| 95 | I don't really care either way about this to be honest, as long as I get paid and am able to pay the odd referral here and there. | 3/19/2024 9:51 AM |
| 96 | This may create a slippery slope of what is permissible. | 3/19/2024 9:49 AM |
| 97 | How commissions are paid and who they are paid too should be clear but I see no need to micro manage this. | 3/19/2024 9:20 AM |
| 98 | only licensed persons should be getting referral fees and commissions. | 3/19/2024 9:13 AM |
| 99 | Why micro manage everything? What is the benefit? Perhaps to create jobs at the expense of the industry? | 3/19/2024 9:07 AM |
| 100 | Any further watering down of this requirement would weaken it further. | 3/19/2024 9:02 AM |
| 101 | only licensed individuals should ever get a commission! | 3/19/2024 8:52 AM |
| 102 | This is a rare occasion at best and is a waste of ink. | 3/19/2024 8:02 AM |
| 103 | It could be amended to allow for different ownership structures, such as a three partner ownership, but I don't think it should be removed. | 3/19/2024 7:10 AM |
| 104 | A licensee receiving remuneration for a job accomplished properly should be able to share his remuneration with other brokers or with referral sources that are important to their business model. The sharing of the remuneration should be declared to the borrower. | 3/19/2024 5:44 AM |
| 105 | I put no because I don't understand how this limits commission pay outs. | 3/18/2024 11:36 PM |
| 106 | I belive as long as it is declared to all parties, referral fees could be paid to more than one firm. | 3/18/2024 11:32 PM |
| 107 | This is one of the dumbest rules that I suspect has to do with filing taxes. Correct me if I'm wrong. Let agents tell their brokerage to pay referrals to whomever they want. | 3/18/2024 11:13 PM |
| 108 | I've read this like 4 times and still don't know what it's saying or prohibiting (or is it allowing?) I'm answering Yes just so it can be re-written in a more coherent way. | 3/18/2024 10:36 PM |
| 109 | Payment of commission's should be made to agents representing their clients. If the brokerage | 3/18/2024 9:42 PM |

RECA Rules Review - Standards of Practice

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| | charges a separate fee for brokerage services that is fine. | |
| 110 | Why not? | 3/18/2024 9:21 PM |
| 111 | as long all parties are licensed | 3/18/2024 8:43 PM |
| 112 | Yes, this rule should be removed. Regardless of where the commission payments are being made, as long as it's disclosed and tracked for tax purposes, it should not matter where the commission payment is going. | 3/18/2024 7:58 PM |
| 113 | Archaic | 3/18/2024 7:41 PM |
| 114 | It seems like there is some ambiguity and confusion here. This section needs to be re-evaluated what is the regulatory goal of these rules how are we protecting the consumer with these rules. I have heard some horror stories of under table deals and bad dealings that resulted in consumer loss. How do we make sure that things are set up in a way that protects consumers but does not limit business models from doing things that may actually benefit consumers or the community. | 3/18/2024 7:26 PM |
| 115 | Because people have to make living to provide for their families | 3/18/2024 7:02 PM |
| 116 | I think this should have some consultation with fintrac for money laundering concerns. | 3/18/2024 6:57 PM |
| 117 | Is it needed? | 3/18/2024 6:21 PM |
| 118 | Not necessary. Doesn't improve the industry. No need to complicate the transaction further. | 3/18/2024 5:52 PM |
| 119 | Ownership and corporate structure is none of your business. Having the poorly trained enforcement staff and investigators at RECA investigate corporate structure is laughable. They hardly know the real estate industry let alone corporate structure and strategic business organization. All RECA staff is completely unqualified to broach this subject competently. | 3/18/2024 5:49 PM |
| 120 | EXCEPT IN THE CASE OF A BROKERAGE WHICH IS EQUALLY CO-OWNED BY TWO SPOUSES AND ONE IS NOT LICENSED IN THE INDUSTRY. | 3/18/2024 5:32 PM |
| 121 | More Flexibility for the payout of Brokerage commissions for licensed activity is a fair expectation, and not unreasonable. | 3/18/2024 5:30 PM |
| 122 | Leave this as is. | 3/18/2024 5:24 PM |
| 123 | Every other professional profession (ie. lawyers, doctors, accountants) figures out how to income split to avoid taxes using holding companies usually owned by other family members. Why not real estate? | 3/18/2024 5:23 PM |
| 124 | I do not see a reason to change this rule. | 3/18/2024 5:22 PM |
| 125 | This is a CRA issue more so than a local RECA issue. In BC, even the corporation name is restricted for payment. We must be able to clearly show where the commission goes to help ensure illegal activity is not taking place. | 3/18/2024 5:09 PM |
| 126 | I have no comment on this | 3/18/2024 5:04 PM |
| 127 | The current standard ensures the brokerage is aware of any payments received and remitted. This could encourage tax fraud if the broker splits income between two corporations. They should be responsible for their own accounting for soliciting unlicensed help that is not sanctioned by the brokerage. | 3/18/2024 5:02 PM |
| 128 | That is brokerage responsibility. | 3/18/2024 5:00 PM |
| 129 | It should not matter to a brokerage how an agent wants to divide up income between personal, or paid to multiple corporations that the agent has a majority stake in, as long as the brokerage has sufficient documentation in their file to verify that the corporation is active / legitimate and the agent has majority ownership of the corporation. | 3/18/2024 4:58 PM |
| 130 | The current rule ensures that only agents are being paid for agent work. Opening this up could lead to creation of shell companies created solely for tax purposes to attempt to shelter commission income. | 3/18/2024 4:57 PM |
| 131 | The payout of brokerage commissions for licensed activity shouldn't have to be conditioned by the percentage of the corporation's shares | 3/18/2024 4:52 PM |
| 132 | This would be abused for unlicensed people to be paid commissions they should not be | 3/18/2024 4:50 PM |

RECA Rules Review - Standards of Practice

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| | receiving. | |
| 133 | If it ain't broke...don't fix it. | 3/18/2024 4:50 PM |
| 134 | I understand the mortgage broker rules regarding payments of commissions. I will say that the reason this Real estate side is discussion this matter is most likely because more flexibility is required in very specific areas. | 3/18/2024 4:46 PM |
| 135 | As long as it follows rules. | 3/18/2024 4:43 PM |
| 136 | The opposite | 3/18/2024 4:40 PM |
| 137 | does it need to change?? | 3/18/2024 4:37 PM |
| 138 | As a Realtor, I do not want to get involved in a paying brokerage saying " you need to see the other one" | 3/18/2024 4:37 PM |
| 139 | no we need to follow the money in Fraud cases | 3/18/2024 4:37 PM |
| 140 | Be a realtor or don't. | 3/18/2024 4:35 PM |
| 141 | An unlicensed individual isn't required to abide by the Act or any rules, and may open the door further for unscrupulous individuals to farm client data to be sold as referrals. Lead generation is already an expensive endeavor for those who pay for it and adding another potential middleman will only increase that cost, put the public's personal information at risk, and cause friction points in a transaction. I can only see this as damaging to the integrity of the industry. | 3/18/2024 4:33 PM |
| 142 | Payments should always be made to the Corporation and shareholders determine how it gets paid out. We don't know all referral sources agreements with their employees. | 3/18/2024 4:32 PM |
| 143 | Why does it matter as long as the person earning the commission is licensed. Who cares how they get paid | 3/18/2024 4:30 PM |
| 144 | I have no opinion on this | 3/18/2024 4:26 PM |
| 145 | I don't understand the need for the 50% threshold in the first place. | 3/18/2024 4:22 PM |
| 146 | Tough one. You would be allowing payments to be made to corps where the broker may be a minority owner of the brokerage, or not an owner at all. While I understand there may be reasons for an unlicensed person or non-broker to have less than 50% ownership or none at all, I suspect it is to hide unlicensed activity. That unlicensed activity could be for a variety of reasons, and makes that broker expendable, the patsy, should something go wrong and easily replaced. | 3/18/2024 4:22 PM |
| 147 | No I believe it should be standard and that it will caused more confusion to the rules. | 3/18/2024 4:21 PM |
| 148 | If the deal was legal, everyone involved complied with the rules and requirements, who cares who gets paid what from a deal. This is an archaic rule that needs modernization into the 21st century. | 3/18/2024 4:21 PM |
| 149 | I am not sure? | 3/18/2024 4:16 PM |
| 150 | No idea | 3/18/2024 4:15 PM |
| 151 | this didnt work when i was married and both my ex and i were agents. at that time the rule was 51% which was impossible. | 3/18/2024 4:11 PM |
| 152 | It doesn't really matter too much because it's easy to move money between corporations if you are set up properly. | 3/18/2024 4:11 PM |
| 153 | Keep as is | 3/18/2024 4:07 PM |
| 154 | I don't think you realise how common kick backs are in the industry. Please do more to stop kickbacks. | 3/18/2024 4:06 PM |
| 155 | I think when there are too many hands in the pot, it creates complications. This rule, in my opinion, serves to limit the number of brokers involved and encourages a cleaner broker/client relationship. | 3/18/2024 4:05 PM |
| 156 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the | 3/18/2024 4:04 PM |

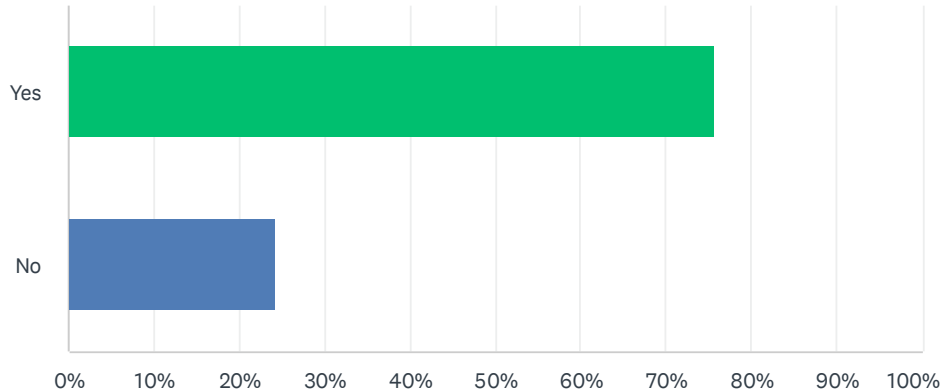
RECA Rules Review - Standards of Practice

actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment.

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| 157 | I believe that this would have a far negative effect on the industry you are going to find all kinds of unlicensed people that own things so they can get commission | 3/18/2024 4:03 PM |
| 158 | I really don't understand what this is asking... | 3/18/2024 3:59 PM |
| 159 | We do not deal in real estate, therefore, I have no comment on this question. | 3/18/2024 3:57 PM |
| 160 | Real estate is the only buisness where you cannot pay "referral fees" to unlicensed individuals. this needs to change | 3/18/2024 3:56 PM |
| 161 | In our case it can't be done as all commissions must be paid to DLC head office. | 3/18/2024 3:56 PM |
| 162 | You should be free to reward anyone non licensed as you would a gift | 3/18/2024 3:54 PM |
| 163 | My broker should be allowed to cut a check to anyone. As long as it doesn't come from me and I'm protected | 3/18/2024 3:53 PM |

Q17 Under the Rules, a broker must be actively engaged in the management of the brokerage. Should examples of the standard of being actively engaged be provided to increase accountability, to enhance public protection, and to improve enforcement mechanisms?

Answered: 665 Skipped: 12



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 75.64% | 503 |
| No | 24.36% | 162 |
| TOTAL | | 665 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|---|---|--------------------|
| 1 | Realtors are the face dealing with the public More education for realtors better option | 4/19/2024 11:29 PM |
| 2 | Yes, examples of the standard of being "actively engaged" in the management of the brokerage should be provided in the Rules to increase accountability, enhance public protection, and improve enforcement mechanisms. Providing specific examples would offer several clear benefits: | 4/19/2024 5:34 PM |
| 3 | Different brokers can manage different numbers of licensees. All brokers are accountable regardless if they are managing 1 or 2500 licensees. RECA should not restrict business models | 4/19/2024 2:27 PM |
| 4 | The number of agents some brokers are "managing" is impossible. | 4/19/2024 12:55 PM |
| 5 | Examples are subject so don't bother with examples. A broker is an idiot if he doesn't know by now that he's inherently responsible for ALL the actions of his agents. What RECA should focus on is the ratio of brokers to agents. This needs to be corrected. No more than 10 agents or you need an associate broker for every 15 after that. | 4/19/2024 12:12 PM |
| 6 | To serve as a guidelines as to what a Broker's responsibility in terms of Managing the Brokerage. | 4/19/2024 10:48 AM |
| 7 | This could suggest RECA does not trust, or support, those they have issued licenses too. I have never met a broker who is not engaged or take their position very seriously. | 4/19/2024 10:21 AM |
| 8 | Brokers have no clue what associates are doing. | 4/19/2024 6:50 AM |
| 9 | Absolutely! Bringers make a lot of money on fees. For what? I have had little involvement or | 4/18/2024 11:31 PM |

RECA Rules Review - Standards of Practice

support from my Broker or when asking for support ? I all largely directed to business practises. It's time Brokers stopped eating from the high big abs were more involved with their Realtors. Mandatory engagement /training should fall upon Brokers. If this is done by way of a social event with a keynote speaker informally, or in a classroom setting where it is more instructional to resolve areas on confusion or where repeated errors are seen within a brokerage ? It is to the benefit of all. Brokers should work harder for what they take in monthly. Be accountable to all realtors in their office, and be fully apprised if the rules - which many are not !

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| 10 | Listing examples creates transparency. Brokers definitely need to be fully engaged in the day to day in order to ensure compliance. This is a non-negotiable. The more examples provided the less likely a broker will stray from the clear expectation of the industry. | 4/18/2024 7:13 PM |
| 11 | (and YES if RECA cannot find individuals to license who can read and competently fulfill their duties and responsibilities.) Broker, Brokerage, these terms are very extensively and definitively defined as well as the activities, responsibilities, and accountability in the course. At what point does RECA license individuals who do not understand either the definition of 1) Broker, 2) Brokerage, 3) responsibility, 4) accountability? This industry is becoming far to relaxed in the practices considered acceptable by Brokerages, Brokers and by RECA in that they are being allowed such as overlapping showings, 15 minute showings. In what industry are valuations considered acceptable with up to and in excess of 30% discrepancies. And for the most part what service are individual Agents/Realtors/Licensees providing advise to clients that offers of significant amounts above market value considered acceptable in the provision of 'competent service' and/or 'appropriate advice'? If the industry, by way of RECA, is unable to define the above terms and hold individuals and corporations accountable then it is time for RECA to revisit its charter and mandate. | 4/18/2024 6:52 PM |
| 12 | This is their responsibility so yes I agree | 4/18/2024 5:25 PM |
| 13 | If the expectation is "actively engaged", there should be a clear definition. It can mean different things to different people and how the engagement is proven should be clear from the beginning. | 4/18/2024 4:16 PM |
| 14 | And please provide examples | 4/18/2024 2:29 PM |
| 15 | The is not an efficient way to comprehensively demonstrate 'the standard of being actively engaged'. | 4/18/2024 1:53 PM |
| 16 | I don't believe it's a problem. | 4/18/2024 12:11 PM |
| 17 | I feel like the example thing is a little out of control and we cannot provide every scenario. But I understand that sometimes guidance is required for interpretation. | 4/18/2024 11:42 AM |
| 18 | I would be curious to hear what enforcement mechanisms the regulator would use? Current model is adequate again | 4/18/2024 11:25 AM |
| 19 | There are many different ways a brokerage can manage its agents. Unless a brokerage is getting into compliance issues or receiving many complaints, it should be left alone. | 4/18/2024 11:17 AM |
| 20 | Probably makes sense to be abundantly clear. | 4/16/2024 2:06 PM |
| 21 | Defining what brokerage involvement is required would assist the hearing panel if the broker didn't provide adequate management. Maybe clarify or provide some examples of what is actively engagement without being dictatorial. ie. - quarterly review of compliance tasks - the broker can delegate that the compliance work is being completed but quarterly the broker is completing an "audit" to ensure that it is being completed and signing off. | 4/15/2024 10:57 AM |
| 22 | I'm sure there are brokers out there doing very little to oversee the transactions in their offices. Yes, have examples of being actively engaged, or also provide examples of what is considered not engaged. | 4/11/2024 1:06 PM |
| 23 | I believe this could lead to rules that do not align with some businesses. I would need to see actual wording before I could even consider supporting this idea. For example, what if a regulator determines a broker must be physically present in the office a minimum number of hours per week or days per year? Many businesses are conducted digitally via software and remote meeting technology etc. that have perfectly adequate supervision. This could also lead to which specific tasks a Broker must complete themselves, when many larger brokerages have Associate Brokers responsible for certain tasks that get escalated to the Broker when there is an issue. Since Associate Brokers have completed the same education and licensing | 4/10/2024 3:18 PM |

RECA Rules Review - Standards of Practice

standards, I don't see an issue with this either. These are just a couple of examples but ultimately the Broker is already responsible for the brokerage, further laying out specifically how they must execute those responsibilities seems like unnecessary red tape. Additionally, who is going to report a Broker that is not sufficiently active in their brokerage, a licensee or employee of the brokerage who then is either out of a job or has a strained relationship with their Broker? It seems unlikely to me; most people would just move on to a new opportunity with a different brokerage. So in all likelihood, a Broker that is not sufficiently engaged is not going to be discovered until there is an issue with a client, at which point the Broker is already responsible for the issue.

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| 24 | Ultimately the broker is responsible for the brokerage in its entirety | 4/10/2024 2:40 PM |
| 25 | Doesn't hurt as long as all the brokers are consulted before this change is made. | 4/9/2024 8:53 PM |
| 26 | ABSOLUTELY IMPORTANT. I BELIEVE THEIR ARE BROKERS RIGHT NOW WHO DO VERY LITTLE MANAGEMENT. I WONDER IF THEY KNOW THE NAMES OF THEIR AGENTS IN BIG BROKERAGES. IT MIGHT BE VERY WISE TO LIMIT THE SIZE OF A BROKERAGE AS IT SEEMS TO ME THAT IT IS IMPOSSIBLE FOR ONE PERSON TO MANAGE HUNDREDS OF AGENTS. | 4/9/2024 5:40 PM |
| 27 | As a former brokerage owner, to the best of my understanding, the position RECA takes is one of " the broker is ultimately responsible and either knew or ought to have known." The education requirement for a Broker spells out their obligations. If they have passed the course, RECA judges them sufficiently qualified to fulfill this obligation. | 4/7/2024 10:56 AM |
| 28 | There are so many 'VIRTUAL' real estate brokerages. Brokers are registering without responsibility. The oversight and licensee engagement is "virtually gone". As a Broker and actively selling agent, I AM TRAINING other Brokerages agents! Many licensees-especially new ones-have no Broker oversight, training, mentorship, or engagement. I suggest OVERSIGHT means: A Broker/Broker of Record for the Brokerage MUST be able to provide upon request: a call log/diary of contact, questions, training, they have for each of their licensees. The Broker/Brokerage must provide industry updates on a monthly basis either in writing/in person/virtually (that will force the Broker to read the updates). The Brokerage must meet with each of their licensees on a quarterly basis. It has been my experience that some Brokers do NOT know the names of their licensees!! When I call to discuss a concern, they do not even know if that licensee is registered in their brokerage???? | 4/6/2024 1:28 PM |
| 29 | Again, examples encourage non compliance for non included scenarios. | 4/4/2024 4:52 PM |
| 30 | I don't have enough exposure to this level to speak to this question | 4/4/2024 10:53 AM |
| 31 | Some of the Brokers are not available most of the time to answer questions in case an associate needs a quick help in order to serve competently and in a timely manner. There should be measures in place to fix responsibility and certain time allocation towards associates | 4/3/2024 5:00 PM |
| 32 | There are too many unique circumstances such as Industry, size of brokerage, rural vs urban. better to define "actively engaged" and/ or "management". | 4/3/2024 11:28 AM |
| 33 | Suggestions to demonstrate 'active engagement': - Conduct monthly/weekly staff meetings with all licensees and unlicensed staff to discuss ways to improve procedures, working relationships, policies, reinforce the meaning of the Rules, etc. - ensure all employees and contractors are given continuing education opportunities - maintain consistent office hours so that people know when they can drop in to discuss a problem with challenging client or ask for help with something - schedule one on one meetings periodically with all staff to help ensure their goals and concerns are heard and to provide feedback on their performance and to reinforce the importance of upholding the Rules | 4/2/2024 9:26 PM |
| 34 | 100%. | 4/2/2024 7:19 PM |
| 35 | The more definition of the terminology of the rule would be a good practice from an industry standpoint. | 4/2/2024 4:12 PM |
| 36 | Examples make reading law take too long. I do think a list of examples is a great idea. Maybe do it in another area of the published law. Addendums or Regulations or an official page of previous examples and conclusions. This would help with consistency/reference much like precedent. | 4/1/2024 4:29 PM |
| 37 | I thought this was defined better. I am in a great Brokerage and we have a policy manual. I | 4/1/2024 2:02 PM |

RECA Rules Review - Standards of Practice

hope all Brokerages have a policy manual.

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| 38 | Again, just not sure if this will help, would information bullitens be sufficent here? | 3/30/2024 9:11 AM |
| 39 | It could be technically possible for a Broker to not be actively engaged in day to day management however hires an associate broker who is actively engaged. I believe the key is for the office to have someone who is actively engaged, either a Broker or an Associate Broker. I think the best feedback for his question should come from Brokers only with minimum 10-20 years Broker experience. | 3/29/2024 7:08 AM |
| 40 | na | 3/28/2024 3:04 PM |
| 41 | Yes, again if something is not clearly stated as to what the expectation is then how can someone be held accountable any expectation level? | 3/28/2024 12:01 PM |
| 42 | Sure, but don't the Brokers already know their responsibilities??? | 3/27/2024 11:53 AM |
| 43 | Again, an ever-growing laundry list of examples strikes me as having no end. Education is the best way to ensure people know what is expected. | 3/26/2024 1:22 PM |
| 44 | Adding exampled seems redundant. ultimately, the broker is responsible for all brokerage activities. enough said..... | 3/26/2024 8:41 AM |
| 45 | Some examples would be nice to ensure the framework expectations are being followed | 3/26/2024 8:10 AM |
| 46 | The Broker should be actively engaged in all aspects of any activity that requires a license , such as conveyancing and managing trust accounts. Office and unlicensed HR duties can be delegated. | 3/25/2024 3:24 PM |
| 47 | Again, once you start listing examples, everything else is fair game. Since the buck stops with the broker, it is in his best interest to be actively involved. If he trusts his assistant brokers and they stab him in the back, it is the broker that is on the hook. | 3/25/2024 2:01 PM |
| 48 | 100%. I feel there is so little active engagement by brokers in the industry. Providing examples helps clarify what it expected of brokers. | 3/25/2024 10:21 AM |
| 49 | various examples should be supplied. | 3/23/2024 1:30 PM |
| 50 | A BROKER HAS A LOT OF MANAGEMENT ISSUES TO DEAL WITH AND THEY HAVE TO ACTIVELY ENGAGE DAY TODAY AND ARE ACCOUNTABLE AS IT IS NOW WITHOUT ADDING MORE RED TAPE WHICH IS NOT NECESSARY. | 3/22/2024 5:01 PM |
| 51 | I am of the opinion that a SOP for such an activity will bring all the Brokers on the same page and it will bring clarity. | 3/22/2024 3:38 PM |
| 52 | While brokers should categorically not require examples of what "actively engaged" pertains to, the oversight of brokers is non existent in some cases and this Rule would undoubtedly benefit from clarity. | 3/22/2024 10:59 AM |
| 53 | Brokers cant over see everything at all times only implemant rules to be enforced and over see financial transactions as obviously the bigger the company the harder it gets to oversee things and the need for seasoned managers, which has gotten hard with the license falling of senior people leaving the industry due to this new licence and already taxing senior managers with trining and over seeing new managers that the courses fail to fully train all aspects in Condominium. | 3/21/2024 4:22 PM |
| 54 | It seems that only a few brokers have direct interaction with their agents. However, these brokers are responsible for supervising their agents, ensuring they receive adequate training, and overseeing their work. Unfortunately, many brokers do not communicate with their agents, which can lead to issues in the quality of work being produced. | 3/21/2024 2:12 PM |
| 55 | a brokerage should be allowed to delegate some of the tasks to another professional and not take responsibility for the work of the professional. For example an accountant or lawyer. the brokerage should not have to take responsibility for the work of a professional that has been delegated a task. | 3/21/2024 1:59 PM |
| 56 | A broker's role is to keep their realtors accountable. It should be stated how this is to be followed. | 3/21/2024 1:28 PM |
| 57 | I feel that there are may brokers who are figure heads and not actively engaged. Need examples should a RECA hearing happen. | 3/21/2024 12:55 PM |

RECA Rules Review - Standards of Practice

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| 58 | Yes, I believe there are many brokers who are not engaged and are having their associates blindly wander the real estate landscape. I believe being engaged means having increased accountability so that those who are not willing to educate their associates or monitor their dealings are punished. Ignorance and laziness cannot be acceptable. | 3/21/2024 12:51 PM |
| 59 | to ensure everyone plays by the same rules | 3/21/2024 11:00 AM |
| 60 | Examples would provide clearer outlines which is better to protect all. | 3/21/2024 10:44 AM |
| 61 | Again, the public should be reassured that there is an active engaging broker | 3/21/2024 10:32 AM |
| 62 | The super large, province wide brokerage models are a danger. There's no way that a broker in Edmonton can be on top of a Calgary realtors transactions and business practises | 3/21/2024 10:11 AM |
| 63 | Brokerages should be accountable | 3/20/2024 8:06 PM |
| 64 | I'm unable to provide insight on this topic | 3/20/2024 5:49 PM |
| 65 | Not necessary - | 3/20/2024 4:10 PM |
| 66 | The broker is accountable for the brokerage. If they're not engaged enough or have not delegated responsibilities appropriately, they are not acting with integrity. Having arbitrary examples of the standards for being "actively engaged" will not help. | 3/20/2024 4:06 PM |
| 67 | Examples would be a good idea... | 3/20/2024 4:04 PM |
| 68 | Brokers are vital to their agents and having it well established as to what the expectations are will help produce better agents in our market | 3/20/2024 3:47 PM |
| 69 | I don't have any specific issues or concerns as our broker is always available and goes above and beyond to ensure any questions are answered in a timely manner. However I don't believe that's consistent across the board in all brokerages, therefore there should be clarity and more support. Broker's involvement is crucial. | 3/20/2024 3:45 PM |
| 70 | Clarity always helps. Checklists provided by the regulator are awesome as well. | 3/20/2024 1:49 PM |
| 71 | there needs to be a clear description of what Actively Engaged in Management means. The Broker should be required to be involved in the daily activity of the brokerage. | 3/20/2024 11:34 AM |
| 72 | RECA would be better served if it defined "standards of actively engaged in management of a brokerage." Again, as all know, this is wide open to interpretation even with examples. There are just too many variations or interpretations to provide enough meaningful explanations. | 3/20/2024 10:39 AM |
| 73 | Further clarity enhances public confidence. | 3/20/2024 9:23 AM |
| 74 | too many brokerages are not providing adequate services / training etc to their associates | 3/20/2024 5:52 AM |
| 75 | No harm done by clarifying. | 3/19/2024 9:31 PM |
| 76 | How active and in what capacity I operate my business is up to me, not up to RECA. | 3/19/2024 8:42 PM |
| 77 | Brokerages should have clear definition of what their responsibilities are - Having a clear definition of what this is would help. Examples would help. What training do brokerages do to keep up with their brokerage? With their responsibility...Shouldn't they have more consistent training over and beyond the regular agent? | 3/19/2024 6:49 PM |
| 78 | Yes, examples are useful to show what model conduct looks like, otherwise it is open to interpretation. | 3/19/2024 6:32 PM |
| 79 | Yes and No - There's plenty of existing mechanisms - licensing, listing/conveyancing, FIntrac, deposit control, annual audit , MLS control by real estate boards etc. Maybe a mission statement - such as brokerages / broker foster a climate of moral, ethical legal care & due diligence through | 3/19/2024 5:42 PM |
| 80 | Yes as long as the addition of examples do not in any way reduce broker responsibility. | 3/19/2024 5:15 PM |
| 81 | Once again, let's keep the rule as a framework without trying to predict every simple pitfall or consequences. | 3/19/2024 5:08 PM |
| 82 | then everyone knows what to expect and accountability is expected with greater outline for all to follow. | 3/19/2024 4:56 PM |

RECA Rules Review - Standards of Practice

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| 83 | Currently in Grande Prairie we have agents with a Calgary based broker. Uninterested and unaware of this market. It seems to be a hush hush topic but is clearly an issue i.e. a full time broker should be within at least a couple hours of their agents. This question is another example of masking existing issues behind paperwork rather than dealing with the issue. | 3/19/2024 4:37 PM |
| 84 | providing examples creates a bench mark | 3/19/2024 4:01 PM |
| 85 | If someone chooses to be a broker they must follow the conduct of responsibility associated with the role to assist associates in brokerage. | 3/19/2024 3:31 PM |
| 86 | Yes online brokers have very few brokers province wide. Guarenteed they have no personal touch with any of the agents. | 3/19/2024 3:30 PM |
| 87 | A broker should be accessable to the office on a local basics. | 3/19/2024 3:04 PM |
| 88 | This " a broker must be actively engaged in the management" is explanation in itself. | 3/19/2024 3:00 PM |
| 89 | Most brokerages have team leads that work with agents to help them on the day to day activities. Mortgage Brokers deal with the overall | 3/19/2024 2:57 PM |
| 90 | Actively engaged is a subjective term and offering some examples would not cover all situations. | 3/19/2024 2:43 PM |
| 91 | Clarity matters | 3/19/2024 2:42 PM |
| 92 | It adds clarity | 3/19/2024 2:03 PM |
| 93 | I really question how the larger brokerages are actively supervised. I'm very confident you could put 20 realtors in a room with their broker from some of the larger brokerages and they wouldn't have a clue who each other are. I have personally been noted as not actively supervising my realtors in the office. I basically live in my office from 9am-9pm, I know everything about all of my 6 realtors in my office, right down to all of their children's names and I've been accused of not actively supervising my realtors so I would love to see what active supervision would really entail. I can't go home with them on the weekends so I'm only limited to seeing them and supervising them during the week but how could one broker manage 50 people effectively if I'm not capable of supervising 5-6 in reca's auditors opinion. | 3/19/2024 1:39 PM |
| 94 | Brokers should be held more accountable for the associates in their brokerages. | 3/19/2024 1:15 PM |
| 95 | Examples should be provided outside of the legal Rules text in a supplementary document. This allows for relevant updates over time outside of a legal update process. | 3/19/2024 12:48 PM |
| 96 | As the broker, they should be responsible for the actions of their agents as well. they should be very engaged in the management and activity of the brokerage as a whole. | 3/19/2024 12:47 PM |
| 97 | Keep it simple people....They're responsible for all activity. Period. | 3/19/2024 12:38 PM |
| 98 | There needs to be a framework as to what "actively engaged" means. | 3/19/2024 12:30 PM |
| 99 | There are examples in the Real Estate industry where so called Brokers are not taking part in actively managing the brokerage - in the case of some "Brokers" they do not even understand many of the mechanisms they are supposed to be supervising??? | 3/19/2024 12:07 PM |
| 100 | They will get themselves in trouble whether it is written out or not. Spend time elsewhere. Lower agent costs. | 3/19/2024 11:39 AM |
| 101 | This is important for large brokerages (50+ agents) | 3/19/2024 11:29 AM |
| 102 | More red tape | 3/19/2024 11:04 AM |
| 103 | Especially in property management. some brokers or associate brokers are being "grandfathered" in - so they don't actually know the information they truly need to. | 3/19/2024 10:50 AM |
| 104 | A properly operated brokerage must have the broker involved. It is for the protection of all realtors in the brokerage and of course the owner as well. | 3/19/2024 10:48 AM |
| 105 | YES!!!! | 3/19/2024 10:43 AM |
| 106 | To provide clarity on responsibility | 3/19/2024 10:41 AM |
| 107 | Stop adding more red tape. | 3/19/2024 10:27 AM |

RECA Rules Review - Standards of Practice

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| 108 | Should have standards of setup. | 3/19/2024 10:03 AM |
| 109 | The broker should be more involves in their business. | 3/19/2024 10:02 AM |
| 110 | Too many absent brokers in my opinion. Spending half the year out of country doesn't constitute being actively engaged. The proper training and supervision is lacking in our industry currently and this reflects poorly on our industry | 3/19/2024 9:55 AM |
| 111 | Less grey area... | 3/19/2024 9:55 AM |
| 112 | Again, clarity is important, as vague descriptions opens the door for mismanagement and, subsequently, public confidence in the industry. | 3/19/2024 9:52 AM |
| 113 | Think this clarification is unnecessary as all professionals are to be licensed and the broker is ultimately responsible. | 3/19/2024 9:34 AM |
| 114 | There should be a baseline of what is considered activity engaged. Minimum requirements. | 3/19/2024 9:21 AM |
| 115 | My brokerage does not provide adequate support. It seems they collect their fees and have very little involvement unless there is a problem. Even then it seems they choose the easiest resolution that doesn't require much work for the. | 3/19/2024 9:10 AM |
| 116 | Some brokers are completely unavailable and they need to be eliminated or disciplined with a heavy hand. Things are getting out of control with "ABSENT BROKERS". | 3/19/2024 9:10 AM |
| 117 | As a past broker of record I in now engagement must be defined more thoroughly. | 3/19/2024 9:05 AM |
| 118 | Examples would be helpful to understand where there may be certain limitations to what a broker can or cannot control. | 3/19/2024 8:32 AM |
| 119 | This will limit brokerage growth and increase overhead | 3/19/2024 8:04 AM |
| 120 | It would provide clarity to new associates, on what that means, especially if the brokerage has more than one office in the same City or two different Cities. | 3/19/2024 7:15 AM |
| 121 | This is already covered in the consumer relationships guide. Once you start giving specific examples, where does the list end? Is the list extensive but not exhaustive? Would it not be negligent of RECA to provide one example over another? To underestimate one example's impacts on the public over another? Who decides which examples are important? What the public needs to know is: who is my agent's manager and who is the manager's manager? Where does the escalation end? RECA. Perfect. | 3/18/2024 11:49 PM |
| 122 | Yes I think to be actively engaged needs clarification. | 3/18/2024 11:42 PM |
| 123 | Yes, if they own the brokerage or are the broker of Record, they need to be involved in the day to day operations | 3/18/2024 11:33 PM |
| 124 | Yes, this would be helpful. I just worry about doing it in such a way to prevent a future scenario where egregious brokerage conduct goes unpunished due to the examples provided. | 3/18/2024 10:42 PM |
| 125 | The rules should be clarified to brokerages. | 3/18/2024 10:27 PM |
| 126 | Brokers are not involved enough in the actions of associates. This is necessary. | 3/18/2024 10:17 PM |
| 127 | They should know what's going on under their names. | 3/18/2024 9:26 PM |
| 128 | Too many agents doug not have any mgmt oversight | 3/18/2024 8:31 PM |
| 129 | I believe Brokers should be fully involved in their Brokerages, or else step down from the role. We are seeing far too many Brokers move to "semi-retirement" mode, and have an office manager do the bulk of the work. This is unacceptable. | 3/18/2024 8:01 PM |
| 130 | Possibly | 3/18/2024 7:41 PM |
| 131 | Yes clear standards are great. | 3/18/2024 7:29 PM |
| 132 | There shouldn't me examples, but a list of the mininum required activites. Brokers can't be held to "examples". They need to be held to clearly defined expectations. | 3/18/2024 7:21 PM |
| 133 | There must be assigned supervision at all times. | 3/18/2024 7:07 PM |
| 134 | Not sure why this has to be amended to identify how the Broker is to engage to be active in a | 3/18/2024 6:31 PM |

RECA Rules Review - Standards of Practice

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| | standard format. | |
| 135 | None at this time. | 3/18/2024 6:22 PM |
| 136 | So many new and old realtors run wild with paperwork and how they conduct themselves. | 3/18/2024 6:18 PM |
| 137 | Exposing the jod being done | 3/18/2024 6:16 PM |
| 138 | Which of your inexperienced in the real estate industry staff is going to tell the Brokers what 'actively engaged' looks like? What are your qualifications and industry experience as a Broker? If it's less than mine then you can stuff your opinion up your ass. Only a council of veteran industry Brokers has any credibility on this matter. You certainly don't. | 3/18/2024 5:58 PM |
| 139 | Active engagement can be accomplished through direct involvement or managerial direction/instruction. The broker is required to know/understand what is happening; what more do we need to say? | 3/18/2024 5:53 PM |
| 140 | I believe examples of the standard of being actively engaged should be provided to increase accountability. | 3/18/2024 5:35 PM |
| 141 | Most brokers don't seem to care. They let their agents run wild with no supervision or training . | 3/18/2024 5:33 PM |
| 142 | This deviates from my previous rants about more rules. However I reverse my course here. I believe brokers must have more stringent guidelines. It seems like the wild west out here at times. Some associates do not even know the brokers names, where they reside etc. | 3/18/2024 5:33 PM |
| 143 | Again, I sure hope all my broker colleagues are doing what they are supposed to in terms of knowing exactly what each associate is doing and to stop them immediately should there be signs of conduct unbecoming of a real estate professional. However, the question, in and of itself, suggests that there are issues in some brokerages when it comes to brokerage oversight. As such, it should be made very clear to those brokers what it is that they must be managing. | 3/18/2024 5:28 PM |
| 144 | Currently this is too open to interpretation and for national firms operating in multiple provinces the lack of consistency makes uniform operations difficult. Spell it out if the Broker has to review every piece of paper, sign off on every offer, etc. | 3/18/2024 5:24 PM |
| 145 | It may have the opposite effect and decrease enforcement mechanisms if all scenarios are not mentioned and discussed. | 3/18/2024 5:11 PM |
| 146 | I believe that the Broker should have more oversight of the activities of the Realtors. One broker cannot over see 1000+ individuals. The rule should state that the Broker must have additional support (Associate Broker) to over see the Realtors. My feeling is a max number of Realtors a Broker can oversee is 150 Realtors. After that the next 150 should be managed by an associate Broker. Even this number set before the public will seem high. | 3/18/2024 5:11 PM |
| 147 | Yes and I believe all agents should be self responsible and have their own Broker licence within 5 years of licensing with less responsibility to the main broker. Reca needs to hold individual agents that become brokers to a higher responsibility. Even now announce that all Alberta agents must have the individual broker licence within 5 years to enhance quality of competency to the public. | 3/18/2024 5:09 PM |
| 148 | Brokers should be actively engaged with the business conducted to ensure lower level associates are operating with competence. This will also help unclog the lenders queue from agents submitting improper applications under their brokers name. | 3/18/2024 5:08 PM |
| 149 | This is more red tape | 3/18/2024 5:05 PM |
| 150 | Many brokers do not adequately oversee the management of the brokerage and should be held more accountable for keeping in step with what is happening in the brokerage and among agents and transactions. | 3/18/2024 5:04 PM |
| 151 | You could likely not complete a list long enough to include all examples of "actively engaged" | 3/18/2024 5:03 PM |
| 152 | Examples would help. | 3/18/2024 5:02 PM |
| 153 | Absolutely! We have some HUGE brokerages in Alberta and there should be standards requiring adequate supervision of all those agents. | 3/18/2024 5:00 PM |
| 154 | It would help everybody to understand more about broker's engagement in the management of a brokerage | 3/18/2024 4:58 PM |

RECA Rules Review - Standards of Practice

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| 155 | Tough to police. All depends on the definition. I can't come up with anything that would be "measurable". A good franchisee is either hands on, or hires good people. Otherwise the business fails. | 3/18/2024 4:54 PM |
| 156 | The Broker needs to be engaged. its not up to you to dictate what that looks like. I was assistant broker for the largest brokerage in the province for 20 years. The model changed as I gained experience. Our brokerage now has about 6 people doing what I did and the broker oversees them. This model will change as well as it involves but what matters is the broker is aware of how the brokerage runs and what problems are happening. They need to be aware. This is an area that needs to be challenged by the regulator. A surprise compliance visit with questions on processes would be a nightmare for bad apples | 3/18/2024 4:53 PM |
| 157 | I am a one person operation, so yes I agree. Brokers who have a highly trained individual, looking after a majority of the oversight, still need to have the broker periodically review brokerage records, much the way an auditor would audit the broker and brokerage. The broker needs to be able to answer any questions asked of a highly trained assistant manager. | 3/18/2024 4:51 PM |
| 158 | This also why E&O coverage is required | 3/18/2024 4:50 PM |
| 159 | They take fees, they should support realtors more. | 3/18/2024 4:45 PM |
| 160 | Examples help with clarity and improve professionalism | 3/18/2024 4:45 PM |
| 161 | Not sure what more is needed, I have always assumed it was clear that, if you wan to be the Broker, your duties were clear | 3/18/2024 4:41 PM |
| 162 | most brokers have NO idea or interest in what their agents are doing lol | 3/18/2024 4:39 PM |
| 163 | A broker should be required to provide ongoing training and guidance to ensure their associates are up to date on best practices and rules. They should know what/how their people are doing. | 3/18/2024 4:39 PM |
| 164 | Not needed | 3/18/2024 4:37 PM |
| 165 | You'd have to write a book of what they are to do. | 3/18/2024 4:37 PM |
| 166 | Over supervision creates no learning curves for realtors When a brokerage is over regulated it will take more staffing Hard enough to make money in this business | 3/18/2024 4:35 PM |
| 167 | I'm not sure. | 3/18/2024 4:35 PM |
| 168 | There should be a standard checklist per file | 3/18/2024 4:33 PM |
| 169 | Absolutely how can one broker effectively manage 200 plus people working across a company hole province. I'd this model is choose they should have to have more associate brokers to over see staff. | 3/18/2024 4:32 PM |
| 170 | Yes as there may be things that the Broker doesn't need to be apart of or things they do. More clarification would possibly help to streamline responsibilities. | 3/18/2024 4:32 PM |
| 171 | There are a lot of realtors located in areas far away from their main brokerage. These realtors often have little to no direction from their Brokers and the deals are messy to say the least. This is not in the realtor, brokers or consumers best interest. I do not feel the proximity to the Brokerage needs to be mandated but I do feel the accountability needs to be increased and realtors working in other areas need to know what services their brokerage is expected to provide as well. | 3/18/2024 4:32 PM |
| 172 | Absolutely! There needs to be more accountability on behalf of the broker. For example if a licensee does something that goes against our rules and regulations per se and receives a fine of X amount of dollars, the broker must also receive the exact same fine amount. Thus, the broker would be more focused on education and training and be more selective of the agents he or she chose to bring into the brokerage to represent the brand. There are far too many absent brokers today that don't care whether or not an agent plays by the rules set forth to protect the public. | 3/18/2024 4:30 PM |
| 173 | Please yes! If a new broker or a broker who is more occupied with selling than being responsible for their brokerage does not understand what they should be doing chaos is going to be the possible result. | 3/18/2024 4:28 PM |
| 174 | a broker in name only is to hide less than desirable activity. I see no reason whatsoever for a Broker to not be actively engaged. If they aren't retire, sell, quit, whatever. I cannot come up | 3/18/2024 4:27 PM |

RECA Rules Review - Standards of Practice

with a viable reason for not being actively engaged if you are in fact the broker of record. Put someone else in charge if you are not engaged.

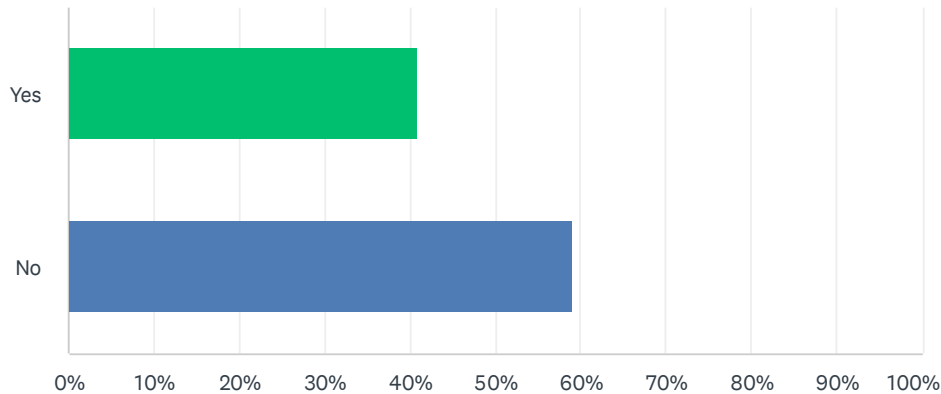
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| 175 | I think there are some complacencies within brokerages and their brokers, I do think "actively engaged" should have examples and some sort of accountability to them. | 3/18/2024 4:25 PM |
| 176 | The recent trend is to hand a licence in effectively a void brokearge where there is no management to contact, no supervision or any other form of oversight. Every brokerage should be mandated to provide a certain base minimum of availability to management, conveyancing etc regardless of their business model. | 3/18/2024 4:25 PM |
| 177 | This is a problem with the discount brokerages - the brokers are not engaged or around and are figureheads only. | 3/18/2024 4:24 PM |
| 178 | I feel that brokers are not taking the time to fully train staff, leading to more issues with transaction. | 3/18/2024 4:21 PM |
| 179 | There can be a lot of interpretation here. Some 'brokers' hire full time people to actually run the brokerage, even though that person is not the 'broker'. That said, a general 'guideline' may not hurt. | 3/18/2024 4:20 PM |
| 180 | I believe our office exemplifies those duties of oversight and have many eyes overseeing every peice if paper submitted to office. | 3/18/2024 4:19 PM |
| 181 | If the rule is fine as is with few complaints, why change it ? | 3/18/2024 4:17 PM |
| 182 | YES! I've always been of the opinion that a broker is responsible for what the agents are putting on the MLS (aka reviewing each listing posted by their agents) -- the amount of GARBAGE descriptions with extreme spelling, punctuation and grammatical errors is laughable. Agents saying 'no' to post-tension when it is clearly post-tension... crappy photos etc etc that reflects poorly on the industry & the brokerage, and I believe the brokers should be actively participating in bettering the information that the direct consumer sees. For example (from an active listing) "This is truly amazing 3 bedroom house build by Morrison homes which was and still the award winner builder , This house comes with 3 bedrooms up stairs plus huge bonus .the upper level laundry is a plus as it has access from the 5 pcs ensuite bath room which will make life so easy . main floor is so open and the back yard is so massive ." and private remarks "pls make sure no shoe is allowed in to this house (out door or indoor shoe is not allowed) home owner got a camera in the house so pls make sure ." The broker needs to be more actively engaged, and unless you outline that, many brokers will do the bare minimum. | 3/18/2024 4:13 PM |
| 183 | Simple reasonable minimum standards should be set. | 3/18/2024 4:12 PM |
| 184 | It feels like our industry is changing so quickly with tech/AI etc that this will be outdated if it becomes specific very quickly. | 3/18/2024 4:09 PM |
| 185 | How does one broker manage 100-500 associates. I was a broker for 14 agents and that is a full time job. | 3/18/2024 4:09 PM |
| 186 | Reca has a problem enforcing the rules as they are. Perhaps if less resources were dedicated to the constant bureaucratic revising of things, more resources could be dedicated to the actual work of investigating and charging those that vicariously flaunt the rules and never see meaningful punishment. | 3/18/2024 4:07 PM |
| 187 | Yes, please. | 3/18/2024 4:07 PM |
| 188 | Of course, brokers should have a sense of what this specifically means so they can more appropriately conduct themselves without worry they are breaking a rule that isn't clearly defined. | 3/18/2024 4:06 PM |
| 189 | Absolutely I can't even tell you how many brokers I know are absentee just because they're not actively engaged there's no set of lists that they have to follow of what engaged means | 3/18/2024 4:04 PM |
| 190 | I think good brokers understand what it means to be engaged, but I think there will be others who bend that interpretation. | 3/18/2024 4:03 PM |
| 191 | RECA does not have the operational competence to provide examples of this for non-traditional brokerages. | 3/18/2024 3:59 PM |
| 192 | Can only help | 3/18/2024 3:59 PM |

RECA Rules Review - Standards of Practice

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| 193 | A brokerage is a private business that's licensed and they should be able to manage their company as they see fit as long as they comply with RECA | 3/18/2024 3:56 PM |
| 194 | it's pathetic right now, particularly with these cloud brokerages, the lack of broker accountability. Frankly, a lot of brokers at traditional brokerages don't know the rules, and turn a blind eye to rules that are consistently broken | 3/18/2024 3:55 PM |
| 195 | As a broker, "actively" engaged is hard to gage. I don't believe many current active brokers are providing the education or supervision to their agents. | 3/18/2024 3:53 PM |

Q18 Should there be a limit on the amount of licensees a broker may supervise/manage, or alternatively, a limit on the number of transactions a broker may supervise/manage to ensure effective oversight?

Answered: 661 Skipped: 16



| ANSWER CHOICES | RESPONSES |
|----------------|------------|
| Yes | 41.00% 271 |
| No | 59.00% 390 |
| TOTAL | 661 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|---|--|--------------------|
| 1 | Realtors are independent self employed professionals. Supervision is not required. Brokers are support when needed, they are not supervisors | 4/19/2024 11:29 PM |
| 2 | See above. RECA should not restrict business models | 4/19/2024 2:27 PM |
| 3 | Yes an eighter or might work. x number of transactions or x number of agents whichever is lesser. | 4/19/2024 12:55 PM |
| 4 | Long overdue. These brokers forget that the agents act on behalf of brokers and that the brokers are responsible for every single thing the agent does. We need a refresher course on this. You should not be able to contract out of monitoring your agents but I suspect some of these agent/brokerage contracts do just that. This is a loop hole that needs to be dealt with. | 4/19/2024 12:12 PM |
| 5 | To make sure that all transaction are supervise/manage to avoid errors/omissions. | 4/19/2024 10:48 AM |
| 6 | This restricts open and fair competition. Again, this could suggest RECA does not trust, or support, those they have issued licenses too. I have never met a broker who is not engaged or take their position very seriously. | 4/19/2024 10:21 AM |
| 7 | Brokers are not training, reviewing marketing materials, checking contracts. Etc. these massive brokerages are one of the biggest problems confronting the public. | 4/19/2024 6:50 AM |
| 8 | This can be resolved in Conveyancing. How many Conveyancing employees should be dictated on a ratio basis ! Walk into any large brokerage Conveyancing office and most are overwhelmed ! The ratio should be dictated based on the number of realtors in the office. This can be decided by RECA. I am not with CIR, but I do feel they have the best transactional system of You are emailed at every step of the transaction as opposed to having to check in with your Conveyancing office to see where they are at on your deal. | 4/18/2024 11:31 PM |

RECA Rules Review - Standards of Practice

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| 9 | An alternative could be unlimited Associate Brokers working directly with the Broker in order to expand their business and maintain quality control. | 4/18/2024 7:13 PM |
| 10 | Yes, to limit on number of licensees for Broker and/or Broker Associate. No to limit on number of transactions. The limit to licensees should adjust the number of transactions to that of effective oversight. | 4/18/2024 6:52 PM |
| 11 | The broker is ultimately responsible for the compliant operation of the brokerage. Therefore must have proper oversight in place and if they employ assistants then they just have to ensure they are trained. | 4/18/2024 6:24 PM |
| 12 | This can be determined by the broker themselves as they can hire someone to help if the workload is excessive | 4/18/2024 5:25 PM |
| 13 | As long as the Brokerage rules are clearly outlined and the records properly maintained, volume is not likely an issue | 4/18/2024 4:16 PM |
| 14 | The brokerage has unilaterally undertaken to add whichever licensees they've chosen to join the brokerage therefore the broker/brokerage should maintain standards and oversight of all licensees | 4/18/2024 3:09 PM |
| 15 | The virtual brokerages are mere pyramid schemes that if not managed could fall | 4/18/2024 2:29 PM |
| 16 | I believe a broker will delegate responsibility to management or associate brokers as necessary. | 4/18/2024 12:11 PM |
| 17 | There are ways of effectively managing licensees if there are appropriate systems in place (both electronic and staffing with assistant brokers etc.). | 4/18/2024 11:33 AM |
| 18 | This is a difficult one to set limits on. How many is too many?? Good example is how many employees can a CEO oversee effectively? Differing brokerage models that are arriving are challenging current models but what the right number are I do not know. More discussion on this in necessary. | 4/18/2024 11:25 AM |
| 19 | Again, if brokerages are running effectively and not being brought up on issues and are passing any inspections, it is unfair and targeted to place restrictions. Its changing the rules after the game is on. | 4/18/2024 11:17 AM |
| 20 | If you have agents that know what they're doing and don't require a lot of help, then they won't require much day to day management, which allows for managers to take on more agents to help. Putting a limit on how many licensees can join a team is too restrictive in nature. | 4/18/2024 11:00 AM |
| 21 | Currently the business model for brokerages does not line up with business model for associates which creates a lack of knowledge and competence, and flows down to the consumer level creating lack of trust/good experiences from consumers for the whole industry | 4/18/2024 10:55 AM |
| 22 | It should be dependant on the brokers ability to manage. Some can do more than others so we should not limit those that are good at what they do. | 4/16/2024 2:06 PM |
| 23 | There shouldn't be a limit if there is adequate management of the brokerage (see comments above). | 4/15/2024 10:57 AM |
| 24 | I don't think so. Are there extreme cases? I think if there are systems in place where issues or lack of paperwork are brought to a brokers attention, I think they can decide for themselves if they need more support in that realm. | 4/11/2024 1:06 PM |
| 25 | The amount of licensees or transactions a Broker can effectively manage/oversee depends on several factors: individual competence and aptitude, number hours worked, deployment of software and technology, efficient office administration systems, the training level and competence of the licensees working for them, and the list goes on and on. To set a limit on one Broker because of the ineffectiveness of others is not only poor policy, but in my opinion anti-competitive from a legal standpoint. If ensuring effective oversight is the goal, then other methods of ensuring proper oversight is happening should be established. A Broker could easily be under the proposed "limit" of licensees/transactions and still be in effective in providing oversight. | 4/10/2024 3:18 PM |
| 26 | I believe associate brokers can assist with this. For graduated licensing, the associate can oversee another staff as they are getting their license. This allows for more supervision, not less. | 4/9/2024 8:53 PM |

RECA Rules Review - Standards of Practice

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| 27 | SEE ABOVE. | 4/9/2024 5:40 PM |
| 28 | The broker has to be responsible for the actions of all those they licence - it's up to them to make sure that they aren't over extended. And there will be penalties if they are and get caught. | 4/9/2024 11:45 AM |
| 29 | Different brokerages can implement numerous systems using technology and checks and balances to monitor the activity of the agents. There is no direct relationship between the number of agents registered with a brokerage and the amount of transactions. | 4/7/2024 10:56 AM |
| 30 | HELL YES!!! YES! YES! The old saying goes, "if you can see your breath on a mirror you can get registered as a real estate agent" As a an Active Sales Agent in todays market, and as a Broker, the HUGE problem is that there is no Broker engagement or oversight. The licensees I am dealing with have no clue what they are doing. When I tell them to ask their Broker, they respond, "I can't its after hours" or "I tried my Broker doesn't answer his phone after 8pm" I suggest: if Brokers want HUGE Brokerages, then they should have a responsible Associate Broker assigned to 20 licensees. Each Associate Broker would be responsible for their licensees. If a Brokerage has 100 licensees, then the Broker must have 10 DESIGNATED ASSOCIATE BROKERS for each licensee. I submit, do not limit the freedom of growth or the goal to increase in size, instead implement a Responsible Broker Program. | 4/6/2024 1:28 PM |
| 31 | Very difficult to enforce, and there are too many business models out there to try to legislate. | 4/4/2024 4:52 PM |
| 32 | I just don't know what that limit should be, but without a limit, we could potentially have 'virtual brokerages' with thousands of agents with no effective broker oversight | 4/4/2024 10:53 AM |
| 33 | Large Brokerages can't possibly oversee hundreds of agents properly. A Brokerage should be mandated to have 1 Broker or Assoc Broker to a max of 30-40 Agents. It's not possible to oversee more than that effectively, especially if they also sell. Perhaps mandating a Broker who does not sell with every Brokerage would be considered as well. | 4/3/2024 10:43 PM |
| 34 | There should be cap and certain number of Associates Brokers needed to be in place if that limit is crossed | 4/3/2024 5:00 PM |
| 35 | Again, as far as I can see, the rules are for everyone, not just a certain part of one Industry. Residential home sellers might need additional rules but these should not be applied to all. | 4/3/2024 11:28 AM |
| 36 | Regardless of brokerage size, it is impossible for a broker to know what every associate is doing at any given time. A broker should be required to review all transaction files within a reasonable period of time to ensure effective oversight. It may also be worth considering not allowing brokers to actively trade in real estate to ensure they are actually spending time managing the brokerage, rather than dealing with clients. | 4/3/2024 8:21 AM |
| 37 | I feel like setting arbitrary limits might hinder the ability to grow the business and we all know that some brokers are more effective at managing and mentoring their licensees than other brokers irrespective of how many licensees they have. | 4/2/2024 9:26 PM |
| 38 | A broker can not run a brokerage effectively with too many licensees. Especially if they are trading in real estate themselves as well. Too make sure clients are being looked after better the amount should be limited. | 4/2/2024 7:19 PM |
| 39 | given that it's very different to manage 5 new people versus 5 experienced people, how would the numbers be enforced? | 4/2/2024 7:15 PM |
| 40 | No comment on this topic. | 4/2/2024 4:12 PM |
| 41 | Yes - some Brokerages have one head office/Broker of Record for the entire Province. It is highly unlikely a Broker for the entire Province has a handle on all the Boards and how business is conducted in each jurisdiction. | 4/2/2024 12:51 PM |
| 42 | Brokers ultimately take responsibility for the actions of everyone in their office. It is up to them to set up efficient systems and associate brokers to help with their duties. | 4/1/2024 6:16 PM |
| 43 | There should be limits and geographical boundaries. How does 1 broker in Edmonton have any clue what's happening in a team office in Lethbridge or vice versa. These teams should not be allowed to have storefronts either. If they want all this, they can open a brokerage. | 4/1/2024 5:35 PM |
| 44 | This makes no sense in business. And I am very small. Don't limit growth or efficiency. And you will completely sabotage big brokerages. They may have large staff or offices that suddenly they can't afford. And transactions - this would be impossible to regulate. You don't | 4/1/2024 4:29 PM |

RECA Rules Review - Standards of Practice

even know how many there are until it happens. What do we do: tell associates they can't complete the next transaction? Oh - Jimmy got a dozen this month so there is none left for you - tell your client they need to find a new associate. Or close up half way through a month and let the admin staff go because we hit the limit? Nonsense.

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| 45 | A competent broker who provides training and have systems in place can manage 100+ well trained associates. An incompetent broker who is not involved, and hires only new industry members without training, may only have capacity to manage a handful of associates. a limit will only be arbitrary | 4/1/2024 2:11 PM |
| 46 | I see Brokers having Associate Brokers and Managers aiding in the roll as they grow. I would think if they can't keep up to the volume they would naturally have to cut back the workload one way or another, limiting their growth or bringing in Associate Brokers etc. | 4/1/2024 2:02 PM |
| 47 | A broker should supervise/manage every single transaction done within their brokerage. | 4/1/2024 1:58 PM |
| 48 | Perhaps there should be a ratio of licensees to brokers in a brokerage to ensure everyone is receiving the appropriate amount of support. | 4/1/2024 12:33 PM |
| 49 | The question should be are the brokerages providing effective oversight. One Broker can have systems and processes in place to provide effective oversight to hundreds of agents while another broker may be not be able to properly oversee 10 Realtors. | 3/30/2024 9:11 AM |
| 50 | This proposal must be rejected in its entirety. Brokers should be seeking and handling as many transactions as possible to pay the outrageous taxes and overcome outrageous regulations imposed onto businesses by the various levels of Governments and Regulators. | 3/29/2024 7:08 AM |
| 51 | na | 3/28/2024 3:04 PM |
| 52 | I want to answer both yes and no to this question. A broker's span of control is limiting, they can only do so much, however large teams typically have built up either associate brokers or senior team members to help in that supervision. So while the broker is ultimately responsible they now only need to monitor their senior team members, who oversee their own span of control. If you then limit a broker specifically you need to open up the opportunity for them to delegate responsibility as you will limit their potential livelihood otherwise. | 3/28/2024 12:01 PM |
| 53 | I'm assuming each broker knows their capability (how many licensees they can handle) | 3/27/2024 11:53 AM |
| 54 | I don't think it should be up to RECA to determine how many licensees are registered to a brokerage. If that said broker feels capable of handling them all than so be it, but, I think that RECA needs to monitor that brokerage. | 3/27/2024 11:46 AM |
| 55 | Some groups manage a large portfolio and this would be seen as a deterrent to bring in new business or more business. You are limiting what the broker can do in his business | 3/27/2024 8:51 AM |
| 56 | If a broker finds an effective way of managing many transactions, let them. | 3/26/2024 1:22 PM |
| 57 | There are a lot of great brokerages and brokers in our industry. RECA audit process and tools should be used more to observe/check for compliance to rules policies etc. As well when associates show up in the case summaries RECA should as well view the brokerage and broker practices. RECA is oversight be that use the tools membership granted and use them. | 3/26/2024 11:36 AM |
| 58 | This seems a little "Big Brotherish" who gives you the right to regulate or limit how much one brokerage can oversee. there are many variables that can change the ability to supervise and oversee. I feel this would be overstepping your authority. | 3/26/2024 8:41 AM |
| 59 | Once you have reached the brokerage level, ability to manage volume should be determined by broker. Perhaps the expectations of service need to be determined, if you are taking on more volume basic service levels are expected. | 3/26/2024 8:10 AM |
| 60 | Broker Delegates should be required to hold an Associate Broker's licence. Associates should not be delegated to supervise/manage branches and licensees. | 3/25/2024 3:24 PM |
| 61 | How a broker manages his brokerage should not be hobbled because a bureaucrat picked an arbitrary number to use to impose restrictions. | 3/25/2024 2:01 PM |
| 62 | A broker may have very qualified staff or systems that help manage. There are different brokerage models (virtual) that could mean the broker has more capacity than traditional brokerage models. The broker should be empowered to run the brokerage as they see fit. | 3/25/2024 1:42 PM |

RECA Rules Review - Standards of Practice

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| 63 | No if it is managed well, there should absolutely be no limit | 3/25/2024 10:38 AM |
| 64 | 1000000%. I am a broker of an office with 25 licensees. It is very time consuming for me to monitor my agents social media, advertising, review ALL contracts coming into the office, train all agents, keep them all informed with the changes in the industry, etc. Never mind being able to answer all their questions/concerns in a timely manner. This is a HUGE problem in the industry. There is no possible way a broker looking after more than 50-75 licensees can do this effectively. For example, when I have a concern with another licensee, and I contact their broker and I have a hard time getting ahold of their broker, that's a problem. They have too many agents to manage effectively. The more licensees a broker can manage, the more money they make. But it's not about the money, it's about doing the job effectively and professionally, while protecting the public. This is currently being done about the money, not about protecting the public, and the licensees for that matter. This NEEDS to change. | 3/25/2024 10:21 AM |
| 65 | Might slow down super brokers who pump through many poor mortgages and then the person leaves the industry and another chump comes in and then another. | 3/23/2024 7:00 PM |
| 66 | More consultation on this is needed. Can a single broker effectively supervise 100 licensees? Likely not unless there is sufficient in house supports and training. Transactions - this is vague and requires more review. | 3/23/2024 1:30 PM |
| 67 | THERE SHOULD NOT BE LIMITS PUT ON SOMEONES BUSINESS | 3/22/2024 5:01 PM |
| 68 | Buying a house is the single biggest financial transaction in one's life therefore, you need agents who have the ability of understanding the clients situation and give proper advice and options. In order to do this you need Agents who can give value for money. Thus there is a need to review the present system of examination , licensing and its renewal. It is believed that licensing is easy and renewal is super easy. In order to maintain quality agents i would recommend you that consider tipping all the fess and so how many agents will stay back. Today all expenses by an agent can be recovered in one sale. This will make sure that Brokerage have quality agents who can be managed with little efforts from the brokerages. | 3/22/2024 3:38 PM |
| 69 | It is impossible for any one person to oversee the number of licensees / transactions that are running through some brokerages at the moment and this is becoming blatantly obvious to other licensees and brokers. The standard of contracts and the lack of knowledge that is evident sometimes is astonishing and I question how the consumers can be receiving competent service however, with the sheer number of licensees under the broker, you can understand how raising these concerns with the broker is unlikely to net any change. | 3/22/2024 10:59 AM |
| 70 | If the brokerage has enough of a support team, they can be as big as they like. I would suggest that if a brokerage gets audited and the findings report that a lot of things are slipping through the cracks, then there should be a warning / fine / loss of license or some sort of graduated punishment. | 3/21/2024 9:31 PM |
| 71 | this will restrict business growth and should be handled by the Broker in a proper way and held responsible to make sure adequate staff, training and licensing is adhered to make sure the client get the service they require based on contracted stipulations. | 3/21/2024 4:22 PM |
| 72 | It should depend on the experience level of the associates. To supervise someone who has been in the business 30 years is much different than someone who has just graduated. Perhaps a rule about how many with less than 2 years of experience | 3/21/2024 1:59 PM |
| 73 | When there are many licensees or transactions, it is difficult for one broker to be effective in checking and maintaining licensees activities and accuracy of transactions. Where there are 100's of licensees or transactions, there should be a max amount that one broker would be responsible for. | 3/21/2024 1:28 PM |
| 74 | A broker can hire competent associate brokers to help supervise/manage. | 3/21/2024 12:55 PM |
| 75 | YES, this is desperately needed. How can you be an engaged and supportive broker if you have too many associates to manage? | 3/21/2024 12:51 PM |
| 76 | a "number" will vary by broker | 3/21/2024 11:00 AM |
| 77 | Sufficient coverage is important to ensure brokers can oversee the volume properly. | 3/21/2024 10:44 AM |
| 78 | I do believe that is in the best interest of the brokerage that the broker knows and understands what they are capable of handling if they are overwhelmed, then hire another associate broker to assist in day-to-day activities and responsibilities | 3/21/2024 10:32 AM |

RECA Rules Review - Standards of Practice

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| 79 | Definetly! In the race to recruit realtors the fees brokers charge get lower, but so does the amount of services a broker supplies. It's impossible for a broker with hundreds of realtors to know who's doing what. 40 yrs ago our boards provided mls services, data sharing, but now these same boards are doing a lot of the brokers jobs. | 3/21/2024 10:11 AM |
| 80 | They should be responsible to have system in place to manage their agents. | 3/20/2024 8:06 PM |
| 81 | relative threshold established to ensure reasonable management/supervision is possible given number of agents to manager ratio. | 3/20/2024 4:20 PM |
| 82 | Like individual agents - brokers can seek assistance if the work load gets to be too much. There is power in numbers - better discounts etc.. Why limit peoples ability to prosper if they are working hard? | 3/20/2024 4:10 PM |
| 83 | Again, it is a business and should be run like a business. RECA has rules in place to deal with this already. | 3/20/2024 4:06 PM |
| 84 | The broker should be able to delegate certain supervisory tasks to assist in the management of a larger brokerage network. | 3/20/2024 4:04 PM |
| 85 | This is circumstantial. If the broker does not actively trade, they can take on as many agents as possible. However, brokers that are more involved in selling - it may be beneficial to have a structure in place to ensure proper guidance and availability is being provided for their agents | 3/20/2024 3:47 PM |
| 86 | I believe that depends on the level of support the broker has, along with how many Associate Brokers. This should be discretionary. | 3/20/2024 3:45 PM |
| 87 | The broker is still responsible and he/she should make the decision of how many he/she can effectively oversight. Everyone has different abilities so putting a limit is a disservice to many brokers. | 3/20/2024 1:49 PM |
| 88 | I don't think there should be a limit on how many agents under a broker, but it might be more beneficial to have a structure of associate brokers to be responsible for the day to day support of the agents, allowing the Broker to focus on the brokerage, and auditing the associate broker and agents. | 3/20/2024 11:19 AM |
| 89 | This seems unnecessary. If the quantity of licensees or transactions exceeds a brokers ability to supervise/manage then their outcomes will suffer and they will lose business. In this regard the industry will regulate itself. | 3/20/2024 10:47 AM |
| 90 | The number of licensees per brokerage needs to be restricted. Especially in residential real estate, some brokerages are no more than the real estate equivalent of "puppy mills." There is simply no way that such brokerages can provide the leadership, engagement, education/mentoring or assistance that a licensee employee deserves. | 3/20/2024 10:39 AM |
| 91 | I don't know. I guess it depends on how you define actively engaged. | 3/20/2024 10:31 AM |
| 92 | Clarity as noted in the previous question is important - but this becomes an over-reach. Particularly if you place a minimum threshold. | 3/20/2024 9:23 AM |
| 93 | it should be based on the amount of complaints registered against any one brokerage, | 3/20/2024 5:52 AM |
| 94 | After a certain number there is no guarantee of oversight. | 3/19/2024 9:31 PM |
| 95 | Skill levels vary depending on the person. If I am capable, who is RECA to halt that? | 3/19/2024 8:42 PM |
| 96 | Absolutely... | 3/19/2024 6:49 PM |
| 97 | it depends. If the broker own their own brokerage and has no employees, then it is a one-person operation and can manage as many deals as possible. If the broker has associates working under them, then it should be limited to a reasonable amount for a competent person to pull off given current technological advancement and augmented based on that every year. Example : a broker who has 100 associates that each bring 20 deals a month will have to oversee 2000 deals in a single month, which is hard to do. In such case, there should be more brokers to assist in the brokerage in supervising the deals, or have specially designated personnel. If there is special software that lifts the load off the broker, then it could be acceptable. It really depends on the situation. | 3/19/2024 6:32 PM |
| 98 | Yes and No - agents vary in experience - e.g. ten new agents may need more support than 10 with 10 years experience. Information overload can indeed produce "brown-outs" and potential | 3/19/2024 5:42 PM |

RECA Rules Review - Standards of Practice

over-sights/errors. To determine limit of transactions would be aided by business process analysis study to get a reasonably workable standard.

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| 99 | No limits should be necessary - the broker is responsible for ensuring that the management structures and processes are in place to meet their responsibilities. | 3/19/2024 5:15 PM |
| 100 | I would rather treat a brokerage as a corporation with a vertical structure of a CEO (broker), and their subordinates (associate brokers) managing various entities (such as teams) of the brokerage. In practice though, I feel this restriction may never be exercised anyway due to natural competition, attrition, and agent turnover within and between brokerages. | 3/19/2024 5:08 PM |
| 101 | hopefully the broker will realize on there own when they require assistance from another broker and increase staff as needed according to the needs of the brokerage. | 3/19/2024 4:56 PM |
| 102 | Look to other industries for examples. | 3/19/2024 4:37 PM |
| 103 | i am honestly not sure why there should be a limit | 3/19/2024 4:01 PM |
| 104 | It needs to be relative to workload and availability and not due to number or agents | 3/19/2024 3:31 PM |
| 105 | it should be based individually and a RECA audit would discover issues. | 3/19/2024 3:28 PM |
| 106 | There is only so much one individual can supervise and actively manage. | 3/19/2024 3:04 PM |
| 107 | I'm not really sure in this area. I believe that if you have a good compliance team for back up this wouldn't apply. On the other hand, one broker can only do so much--so is a number needed? Not sure I believe this would be a question for the brokers | 3/19/2024 3:00 PM |
| 108 | Obviously, a broker is not able to adequately supervise or manage a large number of licensees. | 3/19/2024 2:59 PM |
| 109 | Teams within brokerages help to make the group more professional and assist in training | 3/19/2024 2:57 PM |
| 110 | Situations are all different. A broker is expected to manage all transactions under control and control all transactions under management. | 3/19/2024 2:43 PM |
| 111 | Limiting this could limit the brokerages ability to grow and limit competition in the industry | 3/19/2024 2:42 PM |
| 112 | There should be a criteria of how many management is overseeing a certain amount of agents/transactions | 3/19/2024 2:08 PM |
| 113 | Too many would be detrimental | 3/19/2024 2:03 PM |
| 114 | although this number should be able to be increased with additional Associate Brokers that also act in a management capacity | 3/19/2024 1:51 PM |
| 115 | Transaction limit and realtor limit. If a single realtor is doing 200 sides a year and some brokerages do thousands of sides a year how does a broker have oversight of all the transactions and realtors. My opinion is that you can manage up to 20-25 realtors with a limit of 1000 sides per year. | 3/19/2024 1:39 PM |
| 116 | No, as long as there is ample help to each agent, there should not be a problem. If, however there are alot of complaints by agents that their broker is not providing the service needed, that broker should be held accountable for their lack of help to their agents. I have not encountered this issue, so it is not an issue at my brokerage. | 3/19/2024 1:35 PM |
| 117 | I feel that revising this may have push back but no one person can over see 200+ associates properly. | 3/19/2024 1:15 PM |
| 118 | I think that this is already addressed by the brokers ability to designate some of their duties to someone else, with oversight of course. | 3/19/2024 1:05 PM |
| 119 | I think there should be a maximum licensee to broker ratio imposed on all brokerages. | 3/19/2024 12:48 PM |
| 120 | The broker should be able to delegate tasks, but there should be a limit. Possibly have associate brokers help in a tiered structure. When agents need a broker, they should be able to find one! | 3/19/2024 12:38 PM |
| 121 | I feel a limit of 25 agents for every broker or associate broker in a firm. Also teams of over 3 members should be led by an associate broker | 3/19/2024 12:34 PM |
| 122 | I think there needs to be a breakout of broker/associate brokers vs associates. | 3/19/2024 12:30 PM |

RECA Rules Review - Standards of Practice

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| 123 | What's the point of having a broker if that broker is not able to do their job because they have way too many agents under them? | 3/19/2024 12:25 PM |
| 124 | Yes to the number of licensees, but no to the number of transactions, because tracking the number of transactions would become an onerous and difficult task to manage, and we Brokers already have enough to manage, without adding extra red tape!!! | 3/19/2024 12:07 PM |
| 125 | Everyone has different ability levels and levels of capacity. That needs to be self managed. | 3/19/2024 11:40 AM |
| 126 | This is a great idea ! | 3/19/2024 11:29 AM |
| 127 | That should be up to the broker on what they can handle. Not in favor of handcuffing entrepreneurs | 3/19/2024 11:04 AM |
| 128 | One broker may feel 5 is too many; an other broker may feel 200 is too many. As long as they are engaged and know they ultimately are responsible, it should be left up to them. | 3/19/2024 10:50 AM |
| 129 | Brokerage are trying to survive, don't put more pressure on them. A highly educated/ethical brokerages can do a lot of transactions with out any problems. Poorly educated/ethical brokerages can do only a handful of transactions and cause a massive amount of problems. Let the owner of the brokerage handle this matter. | 3/19/2024 10:48 AM |
| 130 | Depending on level of support - I believe brokers can handle different sizes of teams depending on systems and support in place for the agents | 3/19/2024 10:41 AM |
| 131 | Yes, this makes sense as there is no possible way to effectively manage and maintain quality and service when you have hundreds of associates under one broker just impossible to do | 3/19/2024 10:27 AM |
| 132 | No with the province wide brokerages and large brokerages. One person can not oversee more then 100 people and there transactions. reviewing paperwork and train is impossible. | 3/19/2024 10:15 AM |
| 133 | Good question - I will need to think on this. | 3/19/2024 10:07 AM |
| 134 | The more transactions the less oversight - I think a standardized limit to licensees should be put into place. Can be increased with associate broker licensees. | 3/19/2024 10:03 AM |
| 135 | all agents should be part of a broker and teams should not be allowed. In a team the consumer thinks that they are dealing with one agent and then the team sends a rookie or a team member to deal with the client. It is very deceptive. Yes, the team leader is available but not active. they are more like a broker and the broker is out of the picture. Very deceptive as to who the client is in contact with. The public is fooled.... | 3/19/2024 10:02 AM |
| 136 | I don't believe a Broker can effectively manage/supervise more than 45-50 agents | 3/19/2024 9:55 AM |
| 137 | Some brokers are more efficient than others, so it might not work to put an actual number here... some could handle 25 while another can't handle 2 properly. This is a tough one, sorry I can't help. Maybe start another council to govern brokers only? More audits? | 3/19/2024 9:55 AM |
| 138 | This may restrict some who are competent to manage multiple licensees. The flip-side is if they do, they accept responsibility for everything, so it leaves the decision with them as to the number they want to manage. | 3/19/2024 9:52 AM |
| 139 | We are all suppose to be professionals and the broker is ultimately responsible. | 3/19/2024 9:34 AM |
| 140 | too many variables to determine a reasonable number | 3/19/2024 9:21 AM |
| 141 | At present a broker can have licensees all over the province which mean the broker is probably providing minimal supervision to people 500 km away. | 3/19/2024 9:11 AM |
| 142 | Conflict and mistakes could be avoided by having a hands on broker | 3/19/2024 9:10 AM |
| 143 | Brokers should not be limited by size or volume, but they should be held accountable for the actions of their members. | 3/19/2024 9:10 AM |
| 144 | Why would volume change responsibility? | 3/19/2024 9:05 AM |
| 145 | this would encourage more associate brokers taking a bigger role in the large companies... | 3/19/2024 9:01 AM |
| 146 | Transactions should be limitless to drive production of the brokerage. | 3/19/2024 8:32 AM |
| 147 | 100% yes | 3/19/2024 8:30 AM |

RECA Rules Review - Standards of Practice

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| 148 | This will limit growth | 3/19/2024 8:04 AM |
| 149 | I feel the number a broker can supervise is determined by their ability and will range from one broker to another depending on their own specific capacity and set up. | 3/19/2024 7:29 AM |
| 150 | Should there be a limit, or, at a certain number, have more associate brokers, so that all licensees can receive advice, guidance and support to ensure they are providing good service for the clients as well as the brokerage. There are small companies that probably operate fine with one broker and associate broker, but if you had an organization with 50 licensees, can one broker and associate broker manage and mentor them all? | 3/19/2024 7:15 AM |
| 151 | EMPHATIC YES! I can actively manage 7 people effectively while maintaining great culture. SEVEN. You cannot tell me a broker who is ALSO in production can manage 94 agents effectively, answer his phone, and confirm showings on the foreclosures he lists - and coincidentally double ends the majority of. I'm not stupid, but I know this situation has 100% not given the general public a fighting chance. This should be banned. If you're a broker, you shouldn't be an agent. If you're an agent, you should be required to answer your phone or at the very least check showing requests. Communication should be a requirement of being an agent barring extenuating circumstances. Subject to fines. I left eXp and that was the biggest shitshow I've ever been a part of. 2 brokers for all the agents in ALBERTA. no accountability, no response when I told them about really bad things regarding my team leader that impacts the public, and just a complete inability to manage anything properly - or just a concerted effort to absolve themselves from legal liability by non-response. A broken business model that cannot adhere to RECA rules, and they should not be in business. Grey areas for predators to thrive! Mark my words, more lawsuits to come. | 3/18/2024 11:49 PM |
| 152 | I work for EXP Realty and we have 4 brokers. They oversee huge volumes and they have transaction coordinators who alert them to highly sensitive matters, I have never felt that our brokers could not handle the work load competently. | 3/18/2024 11:42 PM |
| 153 | YEs, there should be some type of limitation or a requirement of a full time manager for associate management and overview | 3/18/2024 11:33 PM |
| 154 | Ooooooh this is a super interesting one. If we're going down this path, I actually think a limit should be placed on individual agents first. Of course, that would never happen. For this question, a requirement for brokers to document/prove their ability to oversee the number of licensees/transactions they have is probably as far as we can go. It doesn't really seem fair in a free-market system for RECA to come in and dictate a number. | 3/18/2024 10:42 PM |
| 155 | Yes, there can be lapses under a single brokerage when numbers of those supervised goes up dramatically. Broker delegates are helpful but not always the most informative or engaged. | 3/18/2024 10:17 PM |
| 156 | Maintain better control and enhancing quality by keeping it all manageable | 3/18/2024 10:12 PM |
| 157 | Obviously the more agents to be managed the more difficult oversight can happen. | 3/18/2024 9:43 PM |
| 158 | I agree that a broker should be actively involved in their brokerages and be able to answer questions and are aware of what's happening in their offices. As long as their brokerage is running smoothly and no public complaints are being filed, they are Obviously running sub successful business. Why limit that? | 3/18/2024 9:26 PM |
| 159 | I believe that a broker should have a certain amount of conveyancers per transactions or a certain amount of associate brokers to assist as the licensee number rises. I'm not sure of what this number is but a broker would be unable to manage hundreds of realtors on his/her own. | 3/18/2024 8:45 PM |
| 160 | Sounds very reasonable that there is a limit to human capacity | 3/18/2024 8:44 PM |
| 161 | This one is a bit tricky to answer, however, I am leaning towards no. A Brokerage like CIR Realty has 700+ agents, but only has one Broker but has Associate Brokers in place. A Brokerage like EXP and REAL Broker, only have one Broker and no Associate Brokers, so it's a pretty "hands off" model that I think needs to be closer examined, and perhaps have some Associate Brokers added to the Brokerage models. | 3/18/2024 8:01 PM |
| 162 | Just because you have 20 realtors, doesn't mean that all of them are actively working at all times. The broker should decide if they are capable to managing the amount of transactions that are occurring at the brokerage and a limit wont be fair. | 3/18/2024 7:30 PM |
| 163 | This is a hard one to regulate. # of transactions or agents is not equal to complexity. A | 3/18/2024 7:29 PM |

RECA Rules Review - Standards of Practice

brokerage with 100 seasoned agents vs 100 new agents is going to operate very differently. I think this is better managed through audits and setting clear expectations for what the broker or their delegate needs to ensure is managed.

| | | |
|-----|---|-------------------|
| 164 | No limiting the opportunity to earn, kills small business. | 3/18/2024 7:07 PM |
| 165 | Some brokers should probably not manage anyone, but other brokers are completely capable of managing hundreds of associates. It is unrealistic to think you can put a specific number on that because it won't be the same for every individual and also doesn't take into consideration and post secondary education or previous employment history they have. | 3/18/2024 7:02 PM |
| 166 | Not sure how putting a limit is beneficial to a Brokerage and how helpful that would be and if this is relevant to helping a Brokerage. | 3/18/2024 6:31 PM |
| 167 | Quality control and supervision makes our industry better always. | 3/18/2024 6:25 PM |
| 168 | Sounds fair. | 3/18/2024 6:22 PM |
| 169 | If they have strong support staff it is fine. | 3/18/2024 6:18 PM |
| 170 | How many have you managed? Relay me your vast experience on this matter that qualifies you to decide how many a real industry member Broker can handle..... You have no credibility to even have an opinion on this unless you have been a Broker for many years. | 3/18/2024 5:58 PM |
| 171 | Over extend your managerial responsibilities at your own peril, and pay the price in full if/when you fail to perform your duties. | 3/18/2024 5:53 PM |
| 172 | It seems this would be arbitrary. | 3/18/2024 5:43 PM |
| 173 | Yes, too many licensee's to supervise and manage, and to many transactions to supervise and manage can and will cause detrimental errors to occur. | 3/18/2024 5:35 PM |
| 174 | One person cannot over see a 100 people . No other industries allow this to happen. | 3/18/2024 5:33 PM |
| 175 | CURRENTLY THE RULES FAVOR LARGE HOUSES WHERE IT IS NOT FEASIBLE TO HAVE ADEQUATE OVERSIGHT OF ALL AGENTS. | 3/18/2024 5:33 PM |
| 176 | I do not know what that magic number is. I have had a small brokerage averaging in the 10-12 associates for 30 years but at one period of time for about 18 months I had 33 associates. Between my wife who is partner/owner/licensed as well plus we added another support staff we managed ok. But it was hairy and honestly maybe too much. I would say 10-15 associates for a selling broker and maybe 30 associates for a broker/manager that does not sell. I have literally and truthfully interviewed associates that did not know what their brokers name was. | 3/18/2024 5:33 PM |
| 177 | Not sure | 3/18/2024 5:28 PM |
| 178 | Each brokerage usually has more than one associate broker and I believe that they should each have a certain number of licensees that each should be managing. | 3/18/2024 5:28 PM |
| 179 | This limits growth and is in contradiction to the laws of free market capitalism that we as Realtors subscribe to. | 3/18/2024 5:26 PM |
| 180 | A broker can't manage 250 REALTORS® properly unless they have help | 3/18/2024 5:12 PM |
| 181 | I don't think it's the number of agents and transactions, but the number of offices a broker manages that is the issue. If a broker is to manage many, than a process of broker-delegates per # of offices, transactions or agents should be implemented. | 3/18/2024 5:11 PM |
| 182 | See above | 3/18/2024 5:11 PM |
| 183 | Each agent should become their own broker within 5 years. Before the 5 years, the corporate Broker is responsible for those and then the rest look after themselves as they have their own broker designation. Your problem is amount of very low producers. If you do no or little operations as a surgeon, your quality diminishes no? I think you need to limit the number of zero and very low production agents and hold all the others to high standards as they have the highest production and the most education thru Broker designation and experience. | 3/18/2024 5:09 PM |
| 184 | If a broker does their job to train their employees, they should not have a limit on the number of agents or transactions under them. There should be a more graduated program to ensure the competency of agents through verification of understanding of sue process and underwriting | 3/18/2024 5:08 PM |

RECA Rules Review - Standards of Practice

practices; or perhaps a limit on agents in a brokerage who produce less than a standard volume of business in a year.

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| 185 | This is more red tape | 3/18/2024 5:05 PM |
| 186 | I need my brokerage to remain viable | 3/18/2024 5:05 PM |
| 187 | No but a broker should primarily be in the business of real estate or brokerage management. There are brokers who have careers outside of trading in real estate who are not (in practice) involved in the day to day "managing" of the brokerage and agents. | 3/18/2024 5:04 PM |
| 188 | We have too many agents who hardly know the name of their broker and do not have any direct contact with the broker. There is no way one broker can effectively oversee, to the degree that RECA requires, hundreds of agents. A good question to ask is.....how accessible is your broker? Too many agents ask questions in chat groups, questions they should be asking their brokers, and when I challenge them to ask their broker, they state that their broker is never available to respond to be able to help them | 3/18/2024 5:03 PM |
| 189 | Yes- should be a max number of agents per broker/manager | 3/18/2024 5:02 PM |
| 190 | Yes, but a number will not work. A brokerage/broker needs to demonstrate that there are enough controls in place to bring situations to their attention when necessary. Some brokerages have systems that can effectively manage hundreds of associates, and others lack systems such that a handful of associates are under-managed. | 3/18/2024 5:02 PM |
| 191 | Broker, no. Managers, yes. A broker should be able to hire Associate Brokers to supervise agents if the numbers exceed what he/she can effectively supervise. This manager to agent ratio is the one I believe needs to be addressed. | 3/18/2024 5:00 PM |
| 192 | This should be an individual's own decision based on what they feel they can handle or not. | 3/18/2024 4:59 PM |
| 193 | Brokers shall be able to effectively supervise/manage a limited number of licensees and transactions | 3/18/2024 4:58 PM |
| 194 | Same as above. The most successful franchisee's are usually quite big because they have a system in place that works well for clients and employees. | 3/18/2024 4:54 PM |
| 195 | No but it's a thought, we have about 25+ plus managers looking after 860 agents how many do the larger companies have. Is it reasonable to get realtors lawyer to give advice, speciality if they don't represent one client. or if they do. | 3/18/2024 4:53 PM |
| 196 | Not everybody produces the same amount of volume. The number of supervisors should be based on actual volume. Some licensees are rarely active and to assign an active supervisor based on number of employees would be a waste of resources | 3/18/2024 4:51 PM |
| 197 | I think there should be a limit to # realtors per broker. It seems like a cash grab sometimes. | 3/18/2024 4:45 PM |
| 198 | Especially if the broker is not from the city or near by city. For example, there is a broker out of southern Alberta with Licensees in Edmonton. Some issues can be locally driven and I think the broker should be locally located | 3/18/2024 4:45 PM |
| 199 | there are large brokerages that receive great supervision because there is generally full time management and small shops where you pay your \$250 deal fee and receive no supervision | 3/18/2024 4:43 PM |
| 200 | no, as it clear, the Broker bears the responsibility by taking that position and MUST know, there are no excuses, such as "I was busy" | 3/18/2024 4:41 PM |
| 201 | With the rule of only allowing 1 broker, and 1 associate broker. For larger offices, that position is extremely hard, if all the associates are expected to contact the brokers for questions and resolutions. My personal reason for not considering a broker licence, is purely due to I would have to leave the brokerage if I wanted to exercise my broker licence. And all the calls and questions that have to go through me if I was a broker, would easily overwhelm. And the life of brokers just seems way too difficult. If more brokers could be allowed in each brokerage, I believe that allows more communication between the managing brokers and associates, to maintain a higher industry standard throughout. | 3/18/2024 4:40 PM |
| 202 | systems should be in place to handle this | 3/18/2024 4:39 PM |
| 203 | Ultimately, they are responsible for the actions of their associates and if the broker chooses to overextend themselves they are choosing to take on that risk. | 3/18/2024 4:39 PM |

RECA Rules Review - Standards of Practice

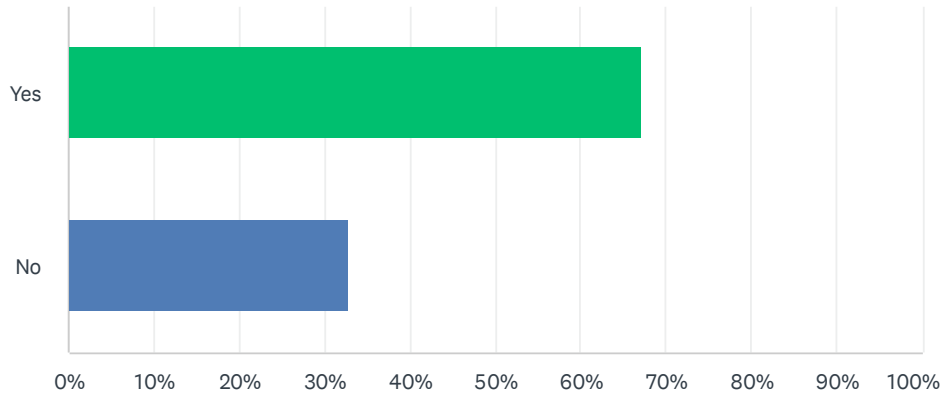
| | | |
|-----|--|-------------------|
| 204 | Handle what can be handled. Some people have a greater capacity than others and should not be limited over an arbitrary number put on a rule. | 3/18/2024 4:37 PM |
| 205 | Similar to teachers at a school, the broker cannot provide adequate training and guidance if they are spread too thin. | 3/18/2024 4:35 PM |
| 206 | EXP hundreds of realtors How does a broker supervise or review files | 3/18/2024 4:35 PM |
| 207 | There should be a limit on number of associates per broker or broker delegate. | 3/18/2024 4:33 PM |
| 208 | All transactions should be handled with the broker closely overseeing until they can complete all the different transactions they are licensed for. Once they can be completed with a high level of accuracy, they should then be allowed to complete these transactions on their own. | 3/18/2024 4:32 PM |
| 209 | For the same reasons I've stated above. Education, coaching, mentorship and continual training are the only way to strengthen our profession and protect the public. | 3/18/2024 4:30 PM |
| 210 | No more than 200 agents per broker | 3/18/2024 4:30 PM |
| 211 | I only answer "no" because each broker and their systems are different. One broker may have the capacity to oversee more or fewer transactions than another broker. It is difficult to see who would be more adversely affected if a limit was imposed. I think it is completely dependent on who the broker in question is. | 3/18/2024 4:28 PM |
| 212 | Transactions maybe not, but to have 100+ agents under 1 broker is virtually impossible to supervise properly without a proper structure. I could support having associate brokers that are responsible for say 10 agents each. I have used this structure myself, though we could not call them associate brokers, they were equal owners in the brokerage. Goes against my previous statement of having less than 50% ownership and is exactly why I am not in that partnership anymore. | 3/18/2024 4:27 PM |
| 213 | you can only competently manage so many files. | 3/18/2024 4:26 PM |
| 214 | I dont think yes or no is the answer here. Some brokerage do a much better job of delegating and can manage more people or more deals than others. Im not sure how you manage this without more details on how each brokerage is operated by the broker. | 3/18/2024 4:25 PM |
| 215 | Effectively yes, but it depends on the number of managers that the broker has - having say 300 Realtors and 3 or 5 managers available is far different than having 500 realtors an one manager on call between 10 and 4pm weekdays only.... | 3/18/2024 4:25 PM |
| 216 | some brokerages have layers of administrative support to help them. Brokers are also hard to find. | 3/18/2024 4:24 PM |
| 217 | Some of these brokerage own to many locations and can't oversea them all at once. They don't seem to be as efficient when required. | 3/18/2024 4:24 PM |
| 218 | Agent numbers are less important than Agent production. There are a lot of part time Agents, so having broker support a # of Agents isn't necessarily an indication of time needed by the broker. | 3/18/2024 4:20 PM |
| 219 | Some brokers at larger brokerages hire full time staff to assist with RECA regulations and concerns, as well as licensee oversight. | 3/18/2024 4:20 PM |
| 220 | The current model allows for a single broker to have hundreds of licensees of licenses and he or she cannot reasonably oversee or supervise this amount. My suggestion would be one broker or active associate broker for every 20 agents. The associate broker would need to have a specific, defined, supervisory role in the brokerage. Frankly, there should be a requirement for a broker or associate broker to sign off on every transaction in some internal manner within the brokerage under a RECA audit system | 3/18/2024 4:19 PM |
| 221 | Some brokers are much more efficient than others, and have better oticessss regardless of how many licensees they manage. This isn't a grade school classroom scenario. | 3/18/2024 4:17 PM |
| 222 | however, a broker should have associate brokers based on the number of agents at the brokerage and the geographic area. | 3/18/2024 4:13 PM |
| 223 | Depends if you are having issues with brokerages having a low amount of brokers | 3/18/2024 4:13 PM |
| 224 | I believe the term being used here is vague -- I believe the amount of associates a Broker or Broker Delegate have should be limited. | 3/18/2024 4:13 PM |

RECA Rules Review - Standards of Practice

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| 225 | If the business is being run without fault or concern, why would this be of any concern to anyone else? | 3/18/2024 4:12 PM |
| 226 | I do not feel this needs to be micromanaged. It is a broker's responsibility to figure out how to manage this and I don't feel it needs to be controlled. | 3/18/2024 4:09 PM |
| 227 | That is why the state of the education of the agents is lacking after they are licensed. | 3/18/2024 4:09 PM |
| 228 | Absolutely. The situation with one broker 'supervising' countless agents has become ridiculous. Brokers must be held accountable with meaningful penalties for the actions of their associates. Perhaps this would encourage more training and professionalism | 3/18/2024 4:07 PM |
| 229 | This isn't really my area as I am a condo manager, but that makes sense. | 3/18/2024 4:07 PM |
| 230 | Should there be a maximum number of children a day-care worker is responsible for? Yes, there should be limits so there is appropriate oversight. | 3/18/2024 4:06 PM |
| 231 | That decision should be up to the broker, if he feels he can manage 300 people he can manage 300 people if he wants to manage 10 people he can manage 10 people. | 3/18/2024 4:04 PM |
| 232 | I think it limiting those items can be dependent on findings in audits or complaints against that office. | 3/18/2024 4:03 PM |
| 233 | But also should have the ability to delegate tasks which could be accounted in the oversight #'s | 3/18/2024 4:00 PM |
| 234 | I feel that a Broker can determine how to effectively manage their Brokerage and assign Associate Brokers as necessary. | 3/18/2024 4:00 PM |
| 235 | There are other systems to manage this, such as associate brokers, broker delegates, there is already a system to address this, why is more red tape being added? | 3/18/2024 3:59 PM |
| 236 | That is subjective, some people Orr brokers have more capacity. Some may struggle with very few deals. Some may be very adept at handling higher volumes, procedures and management in place to handle capacity | 3/18/2024 3:59 PM |
| 237 | Free enterprise is more important. Please do not get in the way of a person's goals. They can hire managers and assistant brokers if they can't handle the level. In fact that seems like a good business sense | 3/18/2024 3:56 PM |
| 238 | brokers can grow to be as big as they want, so long as they have the system, processes and training to support a large organization. This may mean additional manager under the broker | 3/18/2024 3:55 PM |

Q19 Do the payments and receipt of referral fees need to flow through the brokerage?

Answered: 672 Skipped: 5



| ANSWER CHOICES | RESPONSES |
|----------------|------------|
| Yes | 67.11% 451 |
| No | 32.89% 221 |
| TOTAL | 672 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|---|--|--------------------|
| 1 | ALWAYS. | 4/19/2024 12:55 PM |
| 2 | Firstly, referral fees should be disallowed. Period. Never. It makes me think of Mexico where everyone gets paid off. Talk about casting doubt on the professionalism of a realtor? Well that's it right there. | 4/19/2024 12:16 PM |
| 3 | To avoid over collecting the standard referral fees or fees being agreed upon. | 4/19/2024 10:54 AM |
| 4 | The broker needs to know what is going on to have proper oversight. | 4/19/2024 10:23 AM |
| 5 | How else does the broker know? | 4/19/2024 6:51 AM |
| 6 | Making sure it flows through the brokerage makes it more likely to remain above board and follow the rest of the rules | 4/18/2024 11:59 PM |
| 7 | They should be invoiced and taxable, but this is not within the time of a Broker, in my opinion. An individual may seek themselves to another, where others may not even think to do so. This falls within the individuals own business practice and as self employed realtors, it should not be held within the purview of a Broker/Brokerage. | 4/18/2024 11:34 PM |
| 8 | There is to much room for false referrals and poor service. A client must know there is a referral fee being received and it must flow through the brokerage to keep everything transparent. | 4/18/2024 7:15 PM |
| 9 | Unfortunately this cannot be relaxed. If it is not flowed through the brokerage, then oversight is dismissed and conflict of interest barriers are removed. Personally, I do not accept referral fees or stipends from individuals or services other than other industry professionals (such as real estate Realtor referrals) as I believe it has the ability to create the possibility of "conflict of interest". If RECA ceases to have these flow through the brokerage, then the ability to | 4/18/2024 6:53 PM |

RECA Rules Review - Standards of Practice

determine conflicts of interest, standards of practice and consumer protection is non-existent and merely lip service.

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| 10 | Need to keep things the way they are or this will make the industry more challenging and open to all kinds of abuse and bad public sentiment | 4/18/2024 5:26 PM |
| 11 | The only way a Broker can be responsible for the activity of its associates, it must be aware of all sources of revenue as a result of this type of activity. This will reduce the concerns of potential conflicts of interest. | 4/18/2024 4:17 PM |
| 12 | I believe this is a 2 part question: 1)Referral Fee's to and from another licensed agent for referring a client in my opinion must flow through the brokerage. This is still a trade/transaction in real estate. 2) A referral fee from a home inspector, insurance broker, etc... In my opinion does not need to flow through the brokerage as long as it is disclosed. Most brokerages charge their agents a deal fee or cheque fee and if these referral fees are relatively small It makes no sense to add this to the brokerages work load. I also believe that gifts from these sources should be disclosed if they have a value \$100 or more. | 4/18/2024 2:33 PM |
| 13 | There are instances that would not be necessary and this creates more red tape and unnecessary work | 4/18/2024 2:31 PM |
| 14 | For control reasons, this is best policy and practice. | 4/18/2024 12:13 PM |
| 15 | It will prevent the opportunity for disreputable practices (an agent referring their relative of friend to a client). if done through the Broker it will provide for additional oversight. The Broker can then approve the "Brokerage Approved" third-parties. This would mean an agent would introduce their preferred third parties to the Broker. Broker could then have a list of multiple third party providers to let the Client decide. | 4/18/2024 11:38 AM |
| 16 | Keep it clean. There is too much room for error and adding to the negative reputation if referrals are not run through the brokerage | 4/18/2024 11:32 AM |
| 17 | for sure need to flow through brokerage so broker knows what is happening | 4/18/2024 11:26 AM |
| 18 | I refer for free!!! | 4/18/2024 11:22 AM |
| 19 | It is brokerage business and provides further transparency around these transactions. | 4/16/2024 2:14 PM |
| 20 | All referral fees should be flowed through the brokerage to maintain consistency and adequate management. | 4/15/2024 10:57 AM |
| 21 | Agent referrals, yes. referrals fees from a real estate transaction yes. Other unlicensed entities, I don't care. | 4/11/2024 1:09 PM |
| 22 | Although as a Broker it would be nice to have less bookkeeping to do by having licensees paid referrals directly, I believe it is important they flow through the brokerage to allow the Broker to oversee the actions/activity of their licensees. For example, how would a Broker know there should be a signed referral fee disclosure for them to review if the referral is paid directly to the licensee? It is just an extra step that allows Broker's to more closely monitor their business, and which vendors their licensees are working with to provide services to the clients who are ultimately clients of the brokerage. | 4/10/2024 3:24 PM |
| 23 | I don't know. It does force accountability. However, if there is ever a question, then it is on the licensee to show documentation they were transparent with their clients and is one less thing for the brokerage to have to supervise. | 4/9/2024 8:55 PM |
| 24 | AS LONG AS THERE IS A PAPER TRAIL I DON'T SEE THE NEED FOR THE BROKERAGE TO BE HANDLING THESE FEES. | 4/9/2024 5:41 PM |
| 25 | If they are tied to a trade in real estate, then yes. | 4/7/2024 10:58 AM |
| 26 | GET RID OF THIS! Do you know what is really happening in this industry??? As a Broker, I oversee and ensure that ALL referrals flow through the Brokerage. But then the Licensee goes to Home Depot and Buys a \$500 gift card without the Brokerage knowing....this is NOT practical anymore in this digital age. Hold each individual licensee responsible for the Referral Disclosure and appropriate conduct and practice. Ask any Accountant how the Real Estate Referrals are going and they will tell you its being done via the licensee. I suggest: if it is another Brokerage Referral then I suggest that Referral STILL flows through the office. If it is a NON-REGISTERED third party, let the licensee take care of the disclosure. | 4/6/2024 1:34 PM |

RECA Rules Review - Standards of Practice

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|----|---|--------------------|
| 27 | AI payments to licensees, regardless of source, need to flow through the brokerage. | 4/4/2024 4:53 PM |
| 28 | Money needs to flow through the Brokerages. Why open the door to potential financial crimes & further erode the public's trust in our industry? It also adds to the burden of agencies (RECA, for example) that have oversight. | 4/4/2024 11:10 AM |
| 29 | I thought we weren't allowed to collect a referral fee from third parties we recommend. I tell my clients that I am not receiving kickbacks from those. We are supposed to represent our client's best interests, so throwing in hidden kickbacks would potentially interfere with that. | 4/4/2024 10:56 AM |
| 30 | I answered 'Yes' but I'm on the fence with this one, pending a better understanding of the pros and cons of not flowing the referral fees through the brokerage. To me, the most important thing is the disclosure of the referral fee to the client. Does the brokerage take a cut of the referral fee or does the whole referral fee go to the licensee who made the referral? Does the brokerage have a shared pool of third parties which all licensees can use to refer clients to -- maybe in this case it might make sense to flow through the brokerage? If each licensee has their own list of trades and other 3rd party providers who they refer their clients to and the brokerage has not vetted the quality of these 3rd parties, maybe flowing through the brokerage makes the broker aware and they can have a chat with the licensee on their relationship with the service provider to ensure that the third party service provider holds proper credentials or has proven workmanship in the area because, if not, this could damage the reputation of the brokerage if the licensee has not done due diligence in selecting their 3rd party providers who they are recommending to clients. | 4/2/2024 9:38 PM |
| 31 | It is really none of the brokers business. | 4/2/2024 7:21 PM |
| 32 | What is the purpose of disclosing the fee? There is no benefit to the consumer, the practitioner or the industry in doing this. The funds however should always flow through the brokerage to ensure proper accounting and record keeping. | 4/2/2024 7:17 PM |
| 33 | The payment and receipt of referral fees should be through the brokerage. | 4/2/2024 4:13 PM |
| 34 | How a Realtor earns referral fees (and conversely their expenses) so of no consequence to the Brokerage. | 4/2/2024 12:52 PM |
| 35 | Otherwise licensee will do work and call it "referrals" to avoid brokerage fees and supervision. | 4/1/2024 4:31 PM |
| 36 | This should be amended to a certain amount. if less than \$1000 it does not need to flow through the brokerage, amounts over \$1000 should be considered commission payable. | 4/1/2024 2:34 PM |
| 37 | The broker should be fully aware of what referral fees any/all members of their team are receiving in order to avert any collusion between the associate and whomever they refer their clients to. | 4/1/2024 2:00 PM |
| 38 | It adds additional unnecessary paperwork. Perhaps there should be a \$ figure that does not need to flow through the brokerage (For example, \$200). | 4/1/2024 12:37 PM |
| 39 | Oversight is just fine with me. | 3/30/2024 1:15 PM |
| 40 | Yes, if it is done through the brokerage then there is some control. I am of the opinion that receiving fees from a service provider for a referral should not be allowed PERIOD. In the best interest of the consumer any referrals to service providers should be done because we know that our circle of people are the best and not to receive a fee for it. | 3/30/2024 9:15 AM |
| 41 | All payments must go through the brokerage so the Broker knows what is going on and for taxation purposes - the Brokerage provides T4 slips to the Government with all income and otherwise referral payments received could potentially be in cash, etc. and hidden from being reported. | 3/29/2024 7:09 AM |
| 42 | na | 3/28/2024 3:05 PM |
| 43 | I will largely defer to my real estate friends again, however it seems fair for realtors to seek approval from a brokerage on referral arrangements but to still have the ability to develop their own relationships and build on those to best serve their clients. | 3/28/2024 12:02 PM |
| 44 | If the client is made aware - all that is necessary | 3/28/2024 11:43 AM |
| 45 | Simplify! | 3/27/2024 11:54 AM |
| 46 | unsure to what extent this would be necessary. If the client received good service or a | 3/27/2024 8:53 AM |

RECA Rules Review - Standards of Practice

reasonable price on a referral from their agent who is affected if this did not flow through the brokerage. What is the wrong here?

| | | |
|----|---|--------------------|
| 47 | Why not? | 3/26/2024 1:23 PM |
| 48 | Self regulated industry we need to have standards to uphold our integrity of the industry therefore when referrals are transpiring they need/should go through the brokerage rather than many individuals or company names. | 3/26/2024 11:37 AM |
| 49 | Absolutely. | 3/26/2024 10:43 AM |
| 50 | one word, Accountability! | 3/26/2024 8:42 AM |
| 51 | I dont agree with referral fees. This is what we do for a living and what our customer has hired us to do for them. In meeting with clients this is a problem for our clients and they feel it can be biased. If you provide the best service for the best price you get the job. Holds the service providers accountable and keeps licensees honest | 3/26/2024 8:13 AM |
| 52 | To keep things professional and transparent. Direct payment to agents feels too underhanded, even if being disclosed. | 3/25/2024 7:09 PM |
| 53 | YES! "Bird dogging" is a thing of the past! Licensees need to be accountable and allowing them to pay "on the side" will create an underground economy and no way to track payments. Consumers need to know that we are a reputable profession. | 3/25/2024 3:31 PM |
| 54 | If I have a good working relationship with an arms-length third party service provider AND I disclose the referral fee to the client in writing, the referral fee should go directly to me. The third party may have no dealings with the brokerage, and the brokerage may be tempted to take a cut of the referral fee. | 3/25/2024 2:09 PM |
| 55 | I think that referrals coming from sources that do not require a license could be excluded | 3/25/2024 1:44 PM |
| 56 | For a referral fee not coming from another real estate brokerage, I do not believe this needs to go through the brokerage. These referral fees are not fees being paid for a real estate transaction, therefore making it go through the brokerage doesn't make sense to me. | 3/25/2024 10:23 AM |
| 57 | One more hand in the pot. Hurting albertans as now a \$1,000 fee becomes a \$1,500 fee. In theory the charge should be the same but it won't. | 3/23/2024 7:02 PM |
| 58 | THIS IS A BROKERAGE DECISION NOT AN INDIVIDUAL LICENSEE | 3/22/2024 5:04 PM |
| 59 | But the Agent shouldn't have to share the referral with the Brokerage, they should be paid out 100% | 3/22/2024 11:34 AM |
| 60 | No alternatives necessary or warranted. This needs to remain the same for the sake of transparency | 3/22/2024 11:00 AM |
| 61 | Let's keep it above board. | 3/21/2024 9:31 PM |
| 62 | if it doesnt go through the Brokerage it creates the possibility for abuse and a way for an employee to possibly not service the client as they should and the Broker can not make sure it does follow RECA requirements and that full disclosure did happen, which does not protect the client or the Broker from possible lawsuits. | 3/21/2024 4:25 PM |
| 63 | Shouldn't be allowed otherwise | 3/21/2024 2:13 PM |
| 64 | Doesnt change anything and not helpful | 3/21/2024 2:00 PM |
| 65 | This should be at the discretion of the brokerage | 3/21/2024 1:28 PM |
| 66 | There needs to be control over the referral fees being paid out. Currently there are many realtors who are getting names through lead generation....then "reselling" the lead to other realtors without that buyer/seller even knowing about the referral. This non-consent referral needs to stop! We need the clients to sign the referral form so that the referral is earned. And it needs to flow through the brokerages so that the rules are followed. | 3/21/2024 12:58 PM |
| 67 | Yes, referrals and referral commissions are a dangerous game if there is no broker or supervisory oversight. We already have too much corruption and dishonesty in this profession. | 3/21/2024 12:52 PM |
| 68 | unsure as a \$10.00 Tim Horton's gift card is different that a \$1000.00 cash referral | 3/21/2024 11:03 AM |
| 69 | It should stay with the brokerage which can better monitor these referral fees. | 3/21/2024 10:45 AM |

RECA Rules Review - Standards of Practice

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| 70 | If they are not flowing through the brokerage how can they be monitored and if not monitored then how will disclosure to clients be enforced. | 3/21/2024 10:40 AM |
| 71 | There should be another option here for "other". If the referrals are real estate related, I do believe, and I do strongly believe they should run through the brokerage if they are outside of the real estate industry than the brokerage should have no right to have the funds funnelled through the brokerage. What for? | 3/21/2024 10:33 AM |
| 72 | The broker needs to be aware of every realtors business practises, and following the money is one way of doing that | 3/21/2024 10:13 AM |
| 73 | Unknown on this one - I currently dont take payment for referrals and instead we exchange referrals. | 3/20/2024 5:51 PM |
| 74 | Its a conflict of Interest if not disclosed. | 3/20/2024 4:51 PM |
| 75 | Although I do not collect referral fees, it seems collection of third party fees for ancillary services is not inline with the intent/obligation of the brokerages to manage/distribute revenue generated from the undertaking of a mortgage transaction. | 3/20/2024 4:22 PM |
| 76 | This keeps everything above board. | 3/20/2024 4:07 PM |
| 77 | This step over complicates the process. End of the day, the brokerage was not integral to that referral in anyway, so why is it being run through them. It's the agents business. | 3/20/2024 3:49 PM |
| 78 | This should be licensee choice. | 3/20/2024 3:46 PM |
| 79 | This will keep referrals from happening "under the table". The licensee is held accountable to his actions better and the broker is able to regulate what is happening better. | 3/20/2024 1:52 PM |
| 80 | The licensee secured the opportunity through his or her employer brokerage. As such the brokerage deserves something for that participation. However, such referrals should NOT be allowed. It is a direct conflict of interest as the incentive is to refer to a service that pays a referral, NOT to the best service. A good broker would provide a list with at least three good alternatives and NOT expect compensation for doing so, as it really is part of servicing an account. Also, how services are referred is important. Disclosures statements at the top of any list are required around it's the clients or customers sole unfettered decision to use a particular service. Otherwise the brokerage or licensee could be seen as a party to litigation if the service fails to perform. | 3/20/2024 10:47 AM |
| 81 | Ensuring all payment flow through the brokerage reduces the possibility of dealings that would/should be considered offside. | 3/20/2024 9:23 AM |
| 82 | in the interest of full disclosure | 3/20/2024 5:52 AM |
| 83 | transparency | 3/19/2024 10:20 PM |
| 84 | Accountability. | 3/19/2024 9:32 PM |
| 85 | It maintains a easy layer of accountability. | 3/19/2024 8:43 PM |
| 86 | Being Truthful and clear with intentions shows integrity! | 3/19/2024 6:49 PM |
| 87 | Referral fees should be up to the associates discretion and payment / receipt. It will open doors to further communication between professionals and will help the economy and relationship building. It is a more natural flow. | 3/19/2024 6:34 PM |
| 88 | Yes & no - need documentation with client and brokerage. But brokerages shouldn't be taking a cut of the referral fee to administer a cheque to agent | 3/19/2024 5:47 PM |
| 89 | Keep everybody honest. | 3/19/2024 5:34 PM |
| 90 | Flowing these kinds of fees through the brokerage ensures that the broker is aware of them and is able to fulfill their responsibility to managing brokerage activities and reducing the opportunity for 'hidden' transactions. | 3/19/2024 5:18 PM |
| 91 | I am not sure. Brokerages are already under a high load of work to handle transactions, and handling referral fees requires additional load. On the other hand, individual agents can't protect their referral fees unless they are backed up by their brokerages. | 3/19/2024 5:12 PM |
| 92 | I feel that is something the individual licensee has earned and also reciprocates with third | 3/19/2024 4:58 PM |

RECA Rules Review - Standards of Practice

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| | parties, so that should be dealt with privately between the professionals. | |
| 93 | Either we are credible or we are not, period. | 3/19/2024 4:37 PM |
| 94 | not necessary because the broker does not have the relationship with company involved | 3/19/2024 4:02 PM |
| 95 | CRA and banks track 100% of all funds in Canada now, extra paperwork by a brokerage will not help our industry | 3/19/2024 3:17 PM |
| 96 | I believe the referral fees should be paid directly to the associate, but must be agreed upon by the client | 3/19/2024 3:02 PM |
| 97 | to keep the mortgage industry in the best light, it should go through the brokerage as that will assist in finding out if any items are not as positive as they may look | 3/19/2024 2:58 PM |
| 98 | For control purposes. | 3/19/2024 2:44 PM |
| 99 | They cannot be handled individually just like any other transaction | 3/19/2024 2:43 PM |
| 100 | For transparency | 3/19/2024 2:04 PM |
| 101 | If the payments do not need to flow through the brokerage they why bother having brokerage ensure referral fee disclosures are signed by the clients just remove the responsibility from the Brokerage all together in that case. | 3/19/2024 1:45 PM |
| 102 | Yes, for tax and other purposes I think having the legalities of going through the brokerage are a good form of practice. | 3/19/2024 1:36 PM |
| 103 | I feel that monetary referrals should flow through brokerages. | 3/19/2024 1:17 PM |
| 104 | This is a headache for the brokerage and an accounting pain. Agents are sole proprietors or corporations and do their own books they should deal with these directly. | 3/19/2024 1:07 PM |
| 105 | 100% otherwise this practice is ripe for under-reporting and abuse. | 3/19/2024 12:48 PM |
| 106 | Remove the red tape. | 3/19/2024 12:38 PM |
| 107 | It is part of actively managing your agents | 3/19/2024 12:34 PM |
| 108 | The broker should still be overseeing these to ensure the associate is acting appropriately. If they didn't flow through then the broker may not be able to supervise effectively | 3/19/2024 12:31 PM |
| 109 | Transparency is key | 3/19/2024 12:29 PM |
| 110 | This is not that common | 3/19/2024 11:40 AM |
| 111 | REDUCE RED TAPE | 3/19/2024 11:30 AM |
| 112 | make sure everything is legit; but I don't think the brokerage should be taking a cut simply for it flowing through them. | 3/19/2024 10:51 AM |
| 113 | The quality of the referral will do its own policing | 3/19/2024 10:49 AM |
| 114 | I'm not sure about this one? | 3/19/2024 10:44 AM |
| 115 | To provide accountability | 3/19/2024 10:42 AM |
| 116 | Again, this is a service or privilege that should be considered voluntary and is nobody's business but the referral and the referees | 3/19/2024 10:28 AM |
| 117 | This tracks and keeps realtors honest and protects the consumer if they are allowed to receive them with out the brokerage knowledge then they wont have the proper forms signed. | 3/19/2024 10:18 AM |
| 118 | To have a referral improves the relationships in the industry and must be done right. Under the table referrals waters down the standards of the real estate industry. | 3/19/2024 10:09 AM |
| 119 | Brokerage oversight is important. | 3/19/2024 10:04 AM |
| 120 | I don't see why they all have to flow through the brokerage, again, this is MY business at the end of the day and if I want to gift someone a portion of MY commission, I shouldn't have to disclose it to my brokerage all the time, especially if it's a smaller token like a few hundred bucks. | 3/19/2024 10:00 AM |

RECA Rules Review - Standards of Practice

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| 121 | How else can these fees be legitimately tracked. This could open a whole can of worms. | 3/19/2024 9:56 AM |
| 122 | This establishes accountability and transparency. | 3/19/2024 9:52 AM |
| 123 | Impossible to police, if the disclosure is made to the customer, this should not be an issue. | 3/19/2024 9:35 AM |
| 124 | I do not see why the brokers need to collect the money and disperse it to their member. This seems to be a bunch of Red Tape for nothing. | 3/19/2024 9:12 AM |
| 125 | Need a paper trail | 3/19/2024 9:09 AM |
| 126 | To guarantee oversight. | 3/19/2024 9:06 AM |
| 127 | they will then be properly documented and recorded legally, right now this is typically all under the table.... | 3/19/2024 9:03 AM |
| 128 | This may be an administrative hassle for fees that are significantly minor. | 3/19/2024 8:33 AM |
| 129 | Should be a requirement that providing referrals must be done in multiple options to the client with no indication of favour to one service provider. Unless the associate is paying for the service, they should have little to no say in who the client hires. | 3/19/2024 8:32 AM |
| 130 | Yes and no. it will maintain a level of transparency but is a pain for the brokerage to administer | 3/19/2024 8:05 AM |
| 131 | If that's the case what's to say someone won't just send someone. Prepaid mastercard and expense it. | 3/19/2024 7:48 AM |
| 132 | To ensure best practices are being followed and the fee model is not being taken advantage of. | 3/19/2024 7:16 AM |
| 133 | Keeps everything transparent. More action should be taken against the current agents collecting referrals illegally. | 3/19/2024 7:08 AM |
| 134 | This is another dumb one. I can't send a referral to a former realtor who referred me his sister. Because he is no longer licensed. How does that make sense. If my client wants someone to pay out a referral, I pay out the referral. So make it work through the brokerage so I can do as my client wants. | 3/18/2024 11:50 PM |
| 135 | Yes I think this would be a proper way of ensuring that there are no secret profits. | 3/18/2024 11:44 PM |
| 136 | For better tracking, I think all referral fees should be done through the brokerage. | 3/18/2024 11:34 PM |
| 137 | stop micromanaging. | 3/18/2024 11:06 PM |
| 138 | This seems like an effective check-and-balance against undesirable outcomes. I don't see any upside for removing this. | 3/18/2024 10:43 PM |
| 139 | It needs to flow through both parties. | 3/18/2024 10:28 PM |
| 140 | These routinely slip through the cracks. | 3/18/2024 10:18 PM |
| 141 | That said, referral fees can lead to consumers not being represented properly. | 3/18/2024 9:44 PM |
| 142 | Too many agents telling sellers they must use a specific photographer, inspector, etc | 3/18/2024 9:28 PM |
| 143 | There could be a conflict of interest. | 3/18/2024 9:27 PM |
| 144 | I believe that smaller referral fees under a certain amount per transaction, would not need to go through the brokerage. Anything above that certain amount should go through the brokerage. However, ALL referral fees should be transparent with the client. What is that certain amount...maybe \$100 or something similar. | 3/18/2024 9:05 PM |
| 145 | Yes, 100%. Please do not get rid of this rule. There is already enough "back room" handshake deals happening, we do not need more. | 3/18/2024 8:02 PM |
| 146 | Why should they. Unless the brokerage is getting a cut then it's just bogging down the brokerage with Admin / accounting work. | 3/18/2024 7:37 PM |
| 147 | This is too big of a grey area and needs more thought. Think this just adds complexity and ambiguity for the brokerage and unneeded admin. | 3/18/2024 7:31 PM |
| 148 | Yes, because there is a split commission between brokerage and agents that must flow through. | 3/18/2024 7:08 PM |

RECA Rules Review - Standards of Practice

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| 149 | There should be some checks and balances in place and accountability to insure things don't get out of hand. Running it through the brokerage just provides better tracking and monitoring of these things. | 3/18/2024 7:04 PM |
| 150 | If this is paperwork required then yes. | 3/18/2024 6:32 PM |
| 151 | Not enough experience to speak further to this. Whatever seems proper. | 3/18/2024 6:22 PM |
| 152 | Too much paper work for the brokerage. | 3/18/2024 6:18 PM |
| 153 | Easier to track | 3/18/2024 6:16 PM |
| 154 | Of course, but only if the referral is due to a trade in real estate. | 3/18/2024 5:59 PM |
| 155 | This prevents secret deals and payola scams. | 3/18/2024 5:54 PM |
| 156 | i dont think they should be allowed. | 3/18/2024 5:46 PM |
| 157 | MANY CLIENTS HAVE MINIMAL UNDERSTANDING OF THE INDUSTRY AND PLACE BLIND FAITH IN THEIR AGENT. LITTLE DO THEY KNOW THAT MANY AGENTS' #1 PRIORITY IF FEE MAXIMIZATION, TO AN ALMOST SOCIOPATHIC LEVEL. A FUNDAMENTAL ISSUE WITH ALL HIGH-PAYING COMMISSION-GENERATED INCOMES IS THE EASIER THE MONEY, THE GREATER SENSE OF ENTITLEMENT BY THE SALESMAN. AND BOTH ETHICS AND CLIENT SERVICE SUFFER. | 3/18/2024 5:37 PM |
| 158 | This will ensure full disclosure. | 3/18/2024 5:37 PM |
| 159 | good fences makes for good neighbors. If money is received and there is not even a small device in place for accountability then the opportunity arises for problems. | 3/18/2024 5:36 PM |
| 160 | Transparency | 3/18/2024 5:34 PM |
| 161 | The broker must be made aware of these agreements so that she or he can make the appropriate disbursements. | 3/18/2024 5:29 PM |
| 162 | Yes they should go through the brokerage but No the client does not need to know who gets what. We do not need to share how the sausage is made, just the ingredients. | 3/18/2024 5:28 PM |
| 163 | No but only for very nominal amounts. ie. less than say \$50 with a yearly max per referee of say \$200. This currently creates so much paperwork our firm has banned it which is not fair. Any "real money" amounts should still apply. | 3/18/2024 5:26 PM |
| 164 | Strick control of referral fee's is needed to make sure these are legitimate payments. Otherwise these payment could be construed as a payment to make sure a home inspection goes well and the deal closes to the detriment of the buyer. I personally do not believe payment to third parties other than other Realtors should be allowed. It give the public the wrong impression | 3/18/2024 5:15 PM |
| 165 | Brokerage then can ensure the proper disclosures have been made | 3/18/2024 5:13 PM |
| 166 | Many brokers already buy their business in ways such as payment to be noted as a preferred mortgage associate of a realty brokerage, or receiving payment from bank associates for referrals outside of the broker channel. This is overlooked as a cost of advertisement, or a personal favour and may not always be disclosed as a referral fee. If payments are not registered through the brokerage, then it allows for higher competition for back door deals and malpractice. Referrals would be sent to the highest bidder instead of the most qualified. | 3/18/2024 5:13 PM |
| 167 | Full disclosure to prevent misuse of cash transfers and illegal activities. | 3/18/2024 5:10 PM |
| 168 | This is up to the brokerage...and the amount of the fee. under \$50, this might buy you and the client a lunch....not worth the paperwork or the hassle of getting a small fee. I pass these gift card fees onto the client, but I have not received one in years.... | 3/18/2024 5:07 PM |
| 169 | Through the brokerage keeps things tracked properly. | 3/18/2024 5:06 PM |
| 170 | If disclosure is made and the client consents, it is unnecessary, time consuming and tedious to collect referral fees from the brokerage. | 3/18/2024 5:05 PM |
| 171 | That is the only way that the brokerage can ensure that the proper disclosure documentation has taken place. If the brokerage does not see the money, then the brokerage should also not be responsible for any documentation. | 3/18/2024 5:04 PM |

RECA Rules Review - Standards of Practice

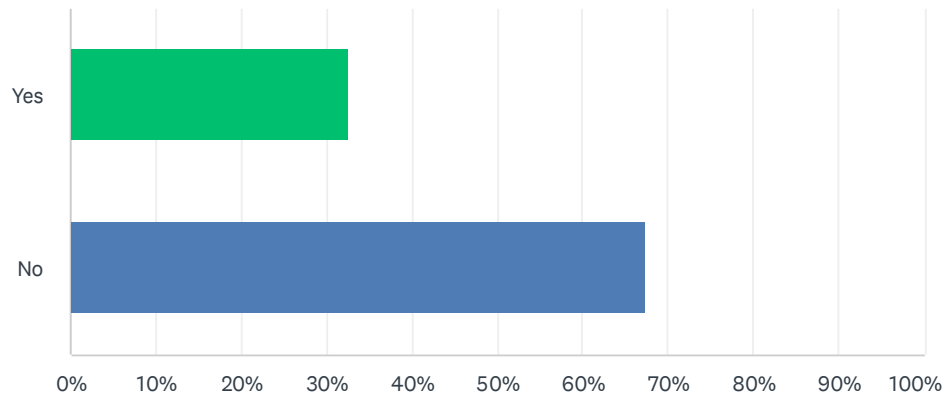
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| 172 | If the referral fees don't run through the brokerage, the system will end up being abused and there will be payments under the table for things that are called referral fees that are not really referral fees. | 3/18/2024 5:04 PM |
| 173 | Too much potential for abuse if not done through the brokerage | 3/18/2024 5:02 PM |
| 174 | Absolutely. If a broker is held ultimately responsible for the business conduct of their associates, through need to know how their business is brjng run and where all revenue originates. | 3/18/2024 5:01 PM |
| 175 | More accurate control | 3/18/2024 5:00 PM |
| 176 | To be "above board and traceable". Kinda like political contributions. But like the aforementioned "contributions", abuse already exists. To remove this rule would open the door to much more abuse. | 3/18/2024 4:56 PM |
| 177 | These are not commissions and brokerages will take % of the referral fee. If referral fees are to go throughborkeage then the act should note that the brokerage cannot charge a fee related to referral payments received | 3/18/2024 4:55 PM |
| 178 | yes The brokerage needs to be aware of the referral Fees | 3/18/2024 4:54 PM |
| 179 | Ultimately the broker needs too be aware of when this is happening in order to ensure it is being appropriately disclosed. Cutting brokers out will cause this important aspect of agency relationships to be mishandled accidentally and intentionally. | 3/18/2024 4:52 PM |
| 180 | Best way for audit to be able to follow the bouncing ball | 3/18/2024 4:52 PM |
| 181 | if the brokerage is on the hook if something goes wrong then they should be fully aware of any referrals being made by their associates | 3/18/2024 4:50 PM |
| 182 | Brokerage shoudl not benefit from Agents third party relationships | 3/18/2024 4:46 PM |
| 183 | Waste of time. | 3/18/2024 4:46 PM |
| 184 | It helps keep things above board | 3/18/2024 4:46 PM |
| 185 | In real estate transactions, the payments of referrals should go through brokerages. For some personal referrals, or contractor referrals that happens long time after the transaction, should be between the agent sending the referral, their clients and the contractors receiving the referral. Presence of all referrals and Dollar amounts should always be disclosed. But having the fees and contracts going through the brokerage, even months or years after, seems like it will just add more unnecessary work for the brokerage, and slow down the work that are more important. | 3/18/2024 4:46 PM |
| 186 | too much paperwork already and with FINTRAC - exponential paperwork - this would be crazy to administer | 3/18/2024 4:44 PM |
| 187 | Transparency keeps all honest | 3/18/2024 4:44 PM |
| 188 | I am firmly against any Realtor taking any reward for a referral, they are not the Buyer, they should insist that who is giving out the referral, give it to the Buyer | 3/18/2024 4:43 PM |
| 189 | why? | 3/18/2024 4:39 PM |
| 190 | Realtors should not handle or hand out money. Running it through the brokerage keeps it honest and fair. | 3/18/2024 4:38 PM |
| 191 | Easy to get ouy of hand | 3/18/2024 4:36 PM |
| 192 | we need to know what our realtors are doing especially if we are responsible for them. i don't agree that they should be getting referrals outside of the brokerage makes us all look bad | 3/18/2024 4:35 PM |
| 193 | They should, otherwise there will be no way to monitor accountability. | 3/18/2024 4:33 PM |
| 194 | I believe this protects the consumer more than anything else could. Having those payments made directly without a brokerage as an overseer could mean unethical activities happen. I would love to get paid for those referrals but not at the expense of my clients. | 3/18/2024 4:31 PM |
| 195 | to ensure it is being disclosed to the consumer that a referral fee is being exchanged. | 3/18/2024 4:28 PM |
| 196 | Causes more hassle then its worth. | 3/18/2024 4:27 PM |

RECA Rules Review - Standards of Practice

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| 197 | Why cant the inspector I work with send me a gift card or a referral fee? why does this need to be such a guided process. I think as long as the referral fee is under \$5000.00 there shouldnt be any reason for it to go through the brokerage. If a referral is over \$5000. then maybe more questions on the amount and why its being referred etc. | 3/18/2024 4:27 PM |
| 198 | The current bird dogging rules are still in effect - should they be? who knows, but if revoked, then who cares how they are processed, hoever CRA would like to know where these funds are arriving from. | 3/18/2024 4:27 PM |
| 199 | it is not a real estate transaction, and especially it the associate is a corporation . | 3/18/2024 4:26 PM |
| 200 | If the referral fees are disclosed then the consumer has their chance to object if they feel there is a conflict of interest. I would say if the referral is to another licensed agent then the payments should go through the brokerage. if it is for another service then it's not required because it's not a licensed activity. | 3/18/2024 4:25 PM |
| 201 | The brokerage is not responsible for the referral, nor the outcome of the referral. | 3/18/2024 4:22 PM |
| 202 | yes, in order to have some supervisory or overseer role by the broker | 3/18/2024 4:20 PM |
| 203 | In order to be transparent and accountable all fees should pass through the office. | 3/18/2024 4:20 PM |
| 204 | The disclosure should be sufficient. Why add extra layer of bureaucracy unless there are specific reasons to. | 3/18/2024 4:19 PM |
| 205 | If I develop strong relationships & I am offered a referral from say, a home inspector, that should be to me and me alone. Not my brokerage & not my brokerage taking their 'cut' from a dollar value that I earned without their assistance and which doesn't form a part of a contract (Buyers Rep or Sellers Rep) that the brokerage is privy to. | 3/18/2024 4:17 PM |
| 206 | because disclosure is mandatory and this helps enforce that. | 3/18/2024 4:14 PM |
| 207 | It helps prevent shady shit | 3/18/2024 4:12 PM |
| 208 | no one to police this, so it contuines to happen | 3/18/2024 4:10 PM |
| 209 | Of course. Everything would become a referral and Wild West would ensue. | 3/18/2024 4:09 PM |
| 210 | How else can you monitor the flow of referral fees? Far too many are flaunting the rules and profiting from sending clients to third parties that benefit the agent not the client without the clients knowledge currently | 3/18/2024 4:08 PM |
| 211 | Yes, but also can we work towards not having kickbacks in the industry? | 3/18/2024 4:08 PM |
| 212 | The brokerage isn't necessarily the one that is offering a referral so they shouldn't be compensated for services not rendered. If I have a personal relationship with a 3rd party, outside of the brokerage, that can benefit a client and provide the referral, it should be me who directly receives any fees. | 3/18/2024 4:08 PM |
| 213 | Transparency | 3/18/2024 4:06 PM |
| 214 | Otherwise you're going to get a hundred different people claiming commissions | 3/18/2024 4:05 PM |
| 215 | not necessary as they are not commissions. | 3/18/2024 4:04 PM |
| 216 | We do not deal in real estate, therefore, cannot comment on this question. | 3/18/2024 4:00 PM |
| 217 | Why does the brokerage really need to handle? | 3/18/2024 4:00 PM |
| 218 | Yes but only if the person receiving that fee is licensed.. ie if i pay a referral fee to an unlicensed person then that does not need to flow through the brokerage. | 3/18/2024 4:00 PM |
| 219 | In administration, many brokers charge fees which is not in interest of associates. | 3/18/2024 3:57 PM |
| 220 | Transparency and professional governance is important. | 3/18/2024 3:57 PM |
| 221 | As long as money comes through my broker I'm protected. If I start receiving checks then it leaves me open to accusations | 3/18/2024 3:56 PM |

Q20 Should the practice of transaction brokerage be discontinued?

Answered: 655 Skipped: 22



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 32.52% | 213 |
| No | 67.48% | 442 |
| TOTAL | | 655 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|---|---|--------------------|
| 1 | Small communities can not trade in Real Estate without transaction brokerage. | 4/19/2024 2:29 PM |
| 2 | We are a smaller market; doing both sides works well. We don't have excessive flipping. | 4/19/2024 1:00 PM |
| 3 | I've owned a brokerage in BC, right at the time that BC made that change. Everyone freaked out. It was hilarious. They implemented that because realtors there can be extraordinarily shady (I can say this having seen it first hand so many times it blew my mind). And where have a lot of these 8,000 Calgary realtors come from? It starts with a "B" and ends with Columbia. They bring their practices here. I personally heard some absolutely jaw-dropping remarks in a CREB refresher class made by some BC realtors migrating over to Calgary. I couldn't believe what I heard and how they scammed Vancouver residents. Unbelievable. And they bring that behavior here. So, I think eventually we HAVE to do what BC has done and the only ones to blame will be the realtors themselves for bringing it on. | 4/19/2024 12:22 PM |
| 4 | As long as the Buyer and Seller understands the situation with the Dual Agency form to represent them both, being executed and explained to both parties and agreed. | 4/19/2024 11:06 AM |
| 5 | Too many rural markets and most sellers prefer someone who intimately knows the home to sell it. This practice would severely disservice the public | 4/19/2024 6:53 AM |
| 6 | It's a conflict | 4/19/2024 12:00 AM |
| 7 | Having been self employed and in sales my entire life, including being the Marketing Director of three different National marketing companies and one International, I keep track of my averages. My percentage of transactional brokerage is 33.7%. All have been successful in my entire career and none have caused any incidents. The key successes with TB lies in maintaining disclosure and integrity coupled with strong communication and transparency. | 4/18/2024 11:41 PM |
| 8 | Better customer service. | 4/18/2024 9:02 PM |
| 9 | This is a valid practice in many situations and a transaction facilitator can make deals happen much quicker. Transparency is the key to the success with transaction brokerage. | 4/18/2024 7:17 PM |

RECA Rules Review - Standards of Practice

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| 10 | Good question. Two months ago my answer would have been YES. Today my answer would be NO. But a qualified no. Without getting to philosophical on the issue Hippocrates said political leaders should be above reproach. Personally, I have had to exercise a bare land transaction where "transaction brokerage" was implemented. And, I am in agreement with those individuals who practice total transparency with both Seller and Buyer in a transaction brokerage sale/purchase transaction. However there are unfortunately more folks (licensees) who will not practice total transparency than there are who will, in the effort to get the transaction through. In retrospect, I believe if RECA is to ensure the integrity of the industry, the practice of 'transaction brokerage' will have to be discontinued. Therefore, YES, final answer. | 4/18/2024 6:56 PM |
| 11 | I believe the role of the originator is finding the best fit for both the lender and the product offered as well as finding the better solution/fit for the client. Hence, it is a single responsibility of the originator to do what is best for both. | 4/18/2024 6:29 PM |
| 12 | This is silly and many BC realtors wish this was not changed. If the buyer wishes to purchase and a seller wishes to sell why make it more challenging? | 4/18/2024 5:29 PM |
| 13 | I personally in 28 years of Real Estate have never had a problem with Transaction Brokerage... AS long as everyone knows. Be honest with everyone. | 4/18/2024 5:13 PM |
| 14 | As long as the engagement is clearly outlined and agreed to by the parties, this should not be an issue. It can be difficult to achieve full impartiality so, it is important that all parties understand. I am basically neutral on this issue but if necessary to choose, would choose to leave it. Adding another party can add to delays and costs. | 4/18/2024 4:21 PM |
| 15 | It should be clearly disclosed and the client should be allowed to choose. If done right the client can get a better deal, the broker/agent can do better business. etc | 4/18/2024 3:54 PM |
| 16 | THIS (TRANSACTION BROKERAGE) SHOULD NOT BE DISCONTINUED. The system of disclosing so all parties understand the situation is not flawed. An example of this is when a client calls me to list a house, many clients expect that I will be the one to sell the home (be the buyers agent as well). I have had clients tell me "they hope I can find the buyer and earn the entire fee". We market & do open houses to find buyers for the properties we list. WE NEED TO CONTINUE TO BE ALLOWED TO DO THE JOB WE ARE HIRED TO DO TO FULLY MARKET A CLIENTS PROPERTY - and not to just be confined to be marketing to other agents on MLS. From the Buyers side; many buyers are also comfortable dealing with the listing agent on a transaction. If they are not they definately have a voice to let the listing agent know and will bring there own agent to the table. I do not believe that the general public would be happy if we killed their ability to choose who there REALTOR can be. And if you kill transaction brokerage that is exactly what you would be doing. | 4/18/2024 3:07 PM |
| 17 | Not sure as I have been with both but it is a bit better for common law in that there is no liability with talking about transactions as opposed to the other . | 4/18/2024 2:36 PM |
| 18 | Let consumers decide | 4/18/2024 1:53 PM |
| 19 | It's fine the way it is. | 4/18/2024 12:17 PM |
| 20 | HOWEVER, certain restrictions should be in place. Both parties agree to transaction brokerage and or the "second client" will be provided an alternate agent either through the Brokerage (who will act as the arbitrator) or they will go to independent representation. | 4/18/2024 11:41 AM |
| 21 | This should be still a client/consumer decision. If the client is ok with it, let it go. If the client isn't, find someone else to represent the 2nd client. | 4/18/2024 11:36 AM |
| 22 | This would effect a huge number of brokerages in small markets. The current model is effective so I would not eliminate this at all. | 4/18/2024 11:29 AM |
| 23 | The removal of transaction brokerage in my opinion will lead to a massive influx of private deals facilitated by agents, in which more unlawful practices may occur. | 4/18/2024 10:59 AM |
| 24 | There just needs to be transparency around the transaction and both parties need to agree to it. | 4/16/2024 2:16 PM |
| 25 | I feel, if adequately explained, an agent can facilitate a transaction & should be able to do so. I definitely feel a different agent within the same brokerage (still transaction brokerage) should definitely be able to do transaction brokerage. | 4/11/2024 1:13 PM |

RECA Rules Review - Standards of Practice

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| 26 | I believe this practice leads to far too many opportunities for conflicts of interest, and ultimately a lack of trust in the industry from the public. Licensees are incentivized to sell their own listings to buyer clients over other listings on the market that may be a better fit for their clients. Oftentimes, the licensee is not a stranger to both customers in the transaction, but knows one side better than the other on a personal level, creating an inherent conflict of interest that can be difficult to prove in a dispute. There are some rare instances, besides remote areas with limited licensees, where I believe transaction brokerage is acceptable, but overall I believe it gets taken advantage of far, far, more often than it's legitimate use. One example that comes to mind is two friends, who want to sell from one to the other. They trust the person on the other side of the transaction but just want help with the contract etc. If we were going to continue to allow transaction brokerage deals, I believe the standard for who they can be offered to should be much higher. I'm not sure exactly how this would look, but I know right now it gets used far to often, in inappropriate circumstances, and can very much leave the public distrusting the industry. | 4/10/2024 3:33 PM |
| 27 | It is common that both come to the same brokerage because they are self represented. Typically the brokerage communicates this with both sides and brings in a third staff member to oversee this transaction to make sure there are no issues. | 4/9/2024 8:58 PM |
| 28 | THE PUBLIC OFTEN FEELS THAT THEY HIRE US TO "SELL" THEIR PROPERTY, NOT TO SIMPLY LIST IT OR REPRESENT A BUYER. A PROFESSIONAL AGENT CAN HANDLE A TRANSACTION BROKERAGE SITUATION AND EXPLAIN THE NUANCES PROPERLY AND THE PUBLIC WILL GENERALLY FEEL THAT THEY RECEIVED GOOD SERVICE. | 4/9/2024 5:46 PM |
| 29 | Absolutely not!! Transaction brokerage, if practiced fairly, can be the most open way to conduct business. And, since RECA also licenses hevlag commecial brokerages, many of thier transactions involve all paties sitting together around a board room table. | 4/8/2024 11:32 AM |
| 30 | It is oftentimes easier to find common ground between a seller and buyer and achieve the results that both desire when you are acting for the transaction instead of in an adversarial position. | 4/7/2024 11:02 AM |
| 31 | There are small communities that many licensees need Transaction Brokerage. It is not about REMOVING transaction brokerage it is about TEACHING HOW to use it. Transaction Brokerage is a wonderful tool and has its benefits. It would be a huge dis-service if transaction brokerage was discontinued. Any actively practicing licensee who is using the privilege of transaction brokerage properly, would tell you it has many advantages. | 4/6/2024 1:39 PM |
| 32 | Depending on the situation. If there are no other agents within the Brokerage then transaction brokerage is the best option. For larger Brokerages there is Zero reason another Agent cannot be assigned to represent the other party. We are supposed to act in the best interest of of our Clients. This is not possible if you are representing two parties, one side will be biased unconsciously. | 4/4/2024 11:19 AM |
| 33 | It has only rarely come up in my practice, but it should be up to the two parties (seller and buyer) if they want to allow this. | 4/4/2024 10:57 AM |
| 34 | Absolutely this practice should be banned everywhere. I hear from friends, family and colleagues that proper disclosure is often an issue and not done in a timely manner. The transaction is well underway before this is raised and the parties feel like they have no recourse but to proceed. | 4/2/2024 9:46 PM |
| 35 | Because the clients have the choice to use another realtor. | 4/2/2024 8:07 PM |
| 36 | No specific comment. | 4/2/2024 4:15 PM |
| 37 | There is already paperwork in place that both parties have to sign that they understand the process. Plus, this can keep commissions lower as only one agent has to be involved, saving both parties money. | 4/1/2024 6:19 PM |
| 38 | However, I struggle to understand how teams that appear to operate like common law brokerages tell buyers they are designated agent brokerages and then represent the buyers. While just hours before, they had a team meeting with intimate knowledge being shared on every file. | 4/1/2024 5:40 PM |
| 39 | I even hear consumers regularly saying double-ending should not be allowed. | 4/1/2024 4:33 PM |
| 40 | It is intrinsically impossible to practice transaction brokerage in a fair manner. | 4/1/2024 2:39 PM |

RECA Rules Review - Standards of Practice

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| 41 | To protect the interest of the consumer and build confidence with buyers and sellers. Transactional Brokerage should be allowed in exceptional cases and brokerage to apply for permission to represent both buyer and seller. | 3/30/2024 1:12 PM |
| 42 | Transaction brokerage is just another option for the consumers to choose from, personally I do not recommend it but I don't see options as a bad thing. | 3/30/2024 9:19 AM |
| 43 | If the transaction is being monitored thru the brokerage, everything should be above board and proper. | 3/29/2024 9:30 AM |
| 44 | Transaction Brokerage is something fairly rare in our industry but occasionally is necessary. The key is to handle these situations properly and have all the required documentation in place. | 3/29/2024 7:11 AM |
| 45 | na | 3/28/2024 3:06 PM |
| 46 | If we are better defining our roles, then this seems to further open the door for public confusion, even with signed documentation parties still expect a realtor to help guide them as the expert in the matter. I agree with the direction BC has taken. | 3/28/2024 12:04 PM |
| 47 | We are in a smaller community and this would damage our business. I think it's best to just teach the client that we will be "professional" through the process and not side with one party over another. | 3/27/2024 12:00 PM |
| 48 | I feel that this is such a tough question to answer as 95% of our business is Dual Agency. I am aware of the BC Law and it really is not a bad thing. in my opinion, I have always felt that 50% of a pie is better than no pie, sharing is good. It controls allot of things like pressured sales, controlling the market and so on. | 3/27/2024 11:56 AM |
| 49 | the licensee should be providing the best advice to both parties if this occurs and if the buyer / seller understand this they can seek further advice from a lawyer. | 3/27/2024 8:55 AM |
| 50 | The is a fundamental conflict when representing both parties, and weakens the position of the brokers initial client. Get representation and eliminate. | 3/26/2024 4:54 PM |
| 51 | I see no need to. In mortgage brokering we have Intermediary status, which I assume is similar. As long as consumers understand what kind of relationship they are entering into, and what their options are. And, the brokerage has certain responsibilities to the consumer, regardless of which type of relationship they choose. | 3/26/2024 1:29 PM |
| 52 | It never ends well. | 3/26/2024 10:44 AM |
| 53 | I feel the industry needs a boost in reputation. I don't see how a transaction arrangement serves anyone to the abilities we should be providing to the public. | 3/26/2024 8:46 AM |
| 54 | In practice it is nearly impossible to truly switch from a client representation to transaction brokerage. There remains some level of duty to the client (even though it isn't supposed to) and it also leads to the question of why do clients need representation at all if we can dump them as soon as the opportunity arises to work for both sides of the deal. I've also heard many agents describe this relationship incorrectly so clients don't clearly understand what services they're losing by agreeing to transaction brokerage. If we want to continue to prove our worth to clients by representing them we must be loyal in our representation and not be allowed to practice transaction brokerage. | 3/25/2024 7:12 PM |
| 55 | Absolutely! The very statement "When a [common law] brokerage or licensee represents a buyer and seller in a transaction, it creates a conflict of interest" says it all! It's a conflict of interest! This will especially be the case when the rulings from the lawsuit against NAR and the Brokerages in the USA comes up to Canada. When the Buyer's Brokerage Fee (commission) cannot be shown in the MLS listing, buyers will have to negotiate their representation fee with their buyer's agent. So some buyers will think that they can save commission by going directly to the Listing Agent and they will lose the benefit of the "undivided loyalty" that a sole agency provides. Every seller and every buyer deserves the "undividedloyalty" that sole agency provides! | 3/25/2024 3:44 PM |
| 56 | In certain situations such as multiple offers this poses a greater challenge. | 3/25/2024 1:45 PM |
| 57 | Maybe, I don't think it is always completed fairly. | 3/25/2024 11:57 AM |
| 58 | I have colleagues in British Columbia who I have discussed this with. They are all getting a "friend" from other brokerages to write deals for them, to skirt this ban. It's not doing the public | 3/25/2024 10:30 AM |

RECA Rules Review - Standards of Practice

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| | any favours. I think it is ridiculous to think this would benefit the clients. | |
| 59 | It is an inherent conflict of interest no matter how it's handled. | 3/25/2024 9:48 AM |
| 60 | I have no issue with dual agency, I've practiced it for years in Manitoba and it can be an advantage to consumers if handled properly. | 3/23/2024 12:42 PM |
| 61 | THE PARTIES INVOLVED ALREADY HAVE A CHOICE IN THIS MATTER | 3/22/2024 5:10 PM |
| 62 | In certain circumstances this practice is a real benefit to the parties concerned and true transaction brokerage often creates no conflict. | 3/22/2024 11:04 AM |
| 63 | It depends on how many cases come up where one of both parties (buyer & seller) are unhappy. | 3/21/2024 9:32 PM |
| 64 | this is a hard one but it does leave a client exposed in the transaction due to no guidance can be given by the licensee from what i have seen where if they act for one side they tend to let you know what they think which leads to possible bargaining room you didn't know about. | 3/21/2024 4:30 PM |
| 65 | BC is run by marxists. Better training on how to handle transaction brokerage is needed. If an agent can't act honestly, they should have their license revoked. It's that simple. | 3/21/2024 3:09 PM |
| 66 | If handled correctly, it can be done properly and still represent the client(s). | 3/21/2024 2:15 PM |
| 67 | In Rural settings, dual agency is practiced and followed all the time. I wouldn't want to ban dual agency. | 3/21/2024 1:33 PM |
| 68 | We are in a rural area. Limited Realtors. Would be impossible to manage this. | 3/21/2024 1:00 PM |
| 69 | I can see the benefit of both answers, but I don't believe transaction brokerage is a big enough problem that we need to open that can of worms. | 3/21/2024 12:55 PM |
| 70 | This happens a lot especially in Commercial. In many cases it is a benefit to both seller & buyer to have this allowed | 3/21/2024 11:05 AM |
| 71 | I don't believe transaction brokerage is in best interest of both parties - it should be banned in Alberta as well. | 3/21/2024 10:48 AM |
| 72 | Not in the best interest of the Public. | 3/21/2024 10:34 AM |
| 73 | In my over 40 yrs of real estate I've "double ended" hundred of properties, and never had even an inkling of a problem. Transoarency is the key! | 3/21/2024 10:17 AM |
| 74 | The consumer has a choice when informed about transaction brokerage. Limiting consumer choice is not a good idea in a capitalist society. | 3/21/2024 8:21 AM |
| 75 | You cannot be impartial, this double-ending hurts the industry reputation | 3/20/2024 8:10 PM |
| 76 | Transaction Brokerage is a conflict of interest and huge liability. For example a Licensee/Member to do Transaction Brokerage they know how low the Seller will go and how high the Buyer will go. At my current Brokerage their policy is to stay away from Transaction Brokerage and their model "is there is enough other Licensee/Member in the area to work with that client and have the Licensee/Member get a referral fee for the referral client and tell their client". Its much more transparent and your still working 100% in your clients best interest at all times. | 3/20/2024 4:58 PM |
| 77 | As long as transaction brokerage is explained fully, and both parties feel comfortable with the same agent (or brokerage in Common Law Agency brokerages) with this agreement, there is no reason to get rid of transaction brokerage. | 3/20/2024 4:36 PM |
| 78 | There could ultimately be a benefit to the clients of such transactions - | 3/20/2024 4:12 PM |
| 79 | Part of providing professional service is the ability to change given evolving situations. In transaction brokerage being a facilitator provides | 3/20/2024 4:11 PM |
| 80 | Absolutely not, in commercial real estate transactions, more often than not the buyer and seller are happy to have a transaction broker and prefer that over involving separate buyer and seller agents. Transaction Brokerage allows us to serve both parties. If the practice is banned we will see more one sided representations, which I don't think is in the best interest of the public. | 3/20/2024 3:58 PM |
| 81 | It just needs to be better implemented. Agents who double end often manipulate the consumer | 3/20/2024 3:55 PM |

RECA Rules Review - Standards of Practice

by promising things, and then often undermine their seller in the process. The ability to represent both sides is terrific for business and can be for the industry if agents were held more accountable for how they did it. Disclosures in writing (the contract is in legal speak most don't understand it and agents likely don't take the time to walk a client through it) and honest communication with both parties is key

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| 82 | As long as there is full disclosure on behalf of the licensee and both parties have agreed to not be represented as a "fiduciary" client, this should be acceptable. Any conflicts of interest should be identified up front to both parties prior to the transaction. | 3/20/2024 1:55 PM |
| 83 | Rural real estate and small town real estate would drastically be affected if transaction brokerage was discontinued. Consumers hire us and trust us to not only list their properties for sale but to also sell them. | 3/20/2024 11:29 AM |
| 84 | I don't think this 'should' be banned, but I also think that in the best interests of the public to remove this practice. Having done it, it is a very difficult road to walk, and stay 100% compliant as the agent. | 3/20/2024 11:24 AM |
| 85 | For residential, fine. The quality of residential realtors and the average comprehension of a home buyer are such that additional conflict protections may be in order. There are fewer of these disreputable brokers in the commercial space. They have reputations and relationships to protect and can represent all parties fairly. Not doing so will cost them future business. | 3/20/2024 10:56 AM |
| 86 | There is no place for dual agency or transaction brokerage in real estate. One can only have one master. The legal community through the courts are prevented from doing so. The real estate industry given its importance should adopt the same practice. It would go a long way to improve public perceptions and reduce litigation. Each party to a transaction contract needs to have its own legal and real estate representatives. | 3/20/2024 10:54 AM |
| 87 | I never use transaction brokerage because it feels like I am letting both sides of the transaction down. If I ever have a buyer client who is interested in a seller client's property, one of them agrees to become a customer. These discussions are always held in advance with both sides to ensure that they understand the difference between the customer and client and that they have the right to engage another agent for representation. | 3/20/2024 10:38 AM |
| 88 | Undecided | 3/20/2024 9:56 AM |
| 89 | The current rules provide sufficient clarity for the public to make educated decisions. They can choose to NOT proceed under transaction brokerage if they are concerned. As long as the agent clearly articulates how the process changes in Transaction Brokerage - and the client clearly chooses/signs for the Agent to continue representing both parties - there should be no reason to prevent the transaction from moving forward. To ban the practice is an overreach and could be a detriment, not only to the Realtor, but to the parties in the transaction that may BOTH have a relationship w/ the Agent. | 3/20/2024 9:29 AM |
| 90 | A realtor can effectively represent both the buyer and the seller without any conflict of interest. I have personally facilitated this arrangement numerous times with success. However, for those who may be uncertain about the guidelines governing what information can be shared and what must remain confidential, additional clarification may be necessary. Nevertheless, it's important to note that dual representation has been executed successfully many times and is often the ideal approach to selling your own listing. | 3/20/2024 8:45 AM |
| 91 | absolutely NOT, Realtors (good Realtors) have successfully represented both sides in a transaction since the beginning of time, | 3/20/2024 5:56 AM |
| 92 | If a buyer and seller want to use the same agent it should their choice. | 3/19/2024 10:49 PM |
| 93 | consenting parties should be able to choose to use the same brokerage or licensee | 3/19/2024 10:22 PM |
| 94 | There are likely situations where such a situation is needed and its removal may impact the buy/sell process negatively. | 3/19/2024 9:34 PM |
| 95 | This should not happen. BC figured that out. | 3/19/2024 6:51 PM |
| 96 | The practice should not be banned as for consumer sometimes it is tough to find another brokerage and many deals could not happen in such a case. This would harm the economy of Alberta and the people of Alberta as a whole. | 3/19/2024 6:38 PM |
| 97 | Double-ending? Can transaction brokerage ever be objective? So open to smoke & mirrors | 3/19/2024 5:58 PM |

RECA Rules Review - Standards of Practice

despite the rhetoric "neither party is represented and the licensee would act as a transaction facilitator". You hear of buyers thinking they got a "great deal" as the dual agent cut some of the buyer commission thus "allowing" the seller to come down on price. However if independently represented and negotiated the buyer might have got a much better price.

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| 98 | Transaction brokerage should be reduced to a minimum. No matter how many rules we have around it, it will always be a grey and contentious area. I believe that most associates practicing it today are NOT truly acting as transaction facilitators, they are likely still providing advice to one or both parties, and all parties continue to pay fees as if they were receiving representation versus facilitation. | 3/19/2024 5:24 PM |
| 99 | Integrity is a big part of this industry and I believe that the accountability is always there for us as licencees to adhere to all our fiduciary responsibilities, rules & regulations. if we so choose and all parties agree to this arrangement then we as licencess should be able to work as a transaction facilitator. Always giving the choice to the customer/client. | 3/19/2024 5:08 PM |
| 100 | Ethics and experience and earned trust win the day for all parties. | 3/19/2024 4:39 PM |
| 101 | it is important that both parties involved are aware of the arrangement | 3/19/2024 4:03 PM |
| 102 | Realtors are required to act honestly | 3/19/2024 3:33 PM |
| 103 | There are some circumstances that it makes a lot of sense to be in transaction brokerage. For example, if you work with a buyer who buys an off-market listing from the same realtor's network. Knowing of a seller who maybe interested in selling and bringing a potential buyer. - This is more likely with off-market transactions. | 3/19/2024 3:30 PM |
| 104 | I do not believe the client is properly represented with dual agency | 3/19/2024 3:30 PM |
| 105 | It facilitates transactions where buyer and seller are in agreement to this arrangement. | 3/19/2024 2:49 PM |
| 106 | Forces the client to work with another agent which they might not want. | 3/19/2024 2:45 PM |
| 107 | BC is a complete mess and the public is even more confused everywhere | 3/19/2024 2:11 PM |
| 108 | Its fine as long as all parties agree | 3/19/2024 2:07 PM |
| 109 | You cannot effectively represent ether party in this transaction | 3/19/2024 1:44 PM |
| 110 | I feel that this practice has worked thus far. | 3/19/2024 1:38 PM |
| 111 | I believe that it can be completed properly and with no harm to the public. We do more "transactional" deals in Commercial and Agri-business than residential real estate associates do. | 3/19/2024 1:19 PM |
| 112 | What would be the point in advertising the property for sale and spending money on advertising if the person who calls you from it you can't sell the property too and reap the rewards for your effort? Transcation brokerage at least gives agents this option. | 3/19/2024 1:09 PM |
| 113 | I often have open house attendees who say they don't want to use a buyer agent because they want to use the ability of the selling agent to double-end the deal to improve the attractiveness of their offer vs other offers. This is a dangerous move for them and unlikely to do anything but reduce their ability to be properly informed and represented while buying. Getting rid of transaction brokerage would reduce this practice in the best interest of consumers. It would also cut down on "exclusive" and "coming soon" actions aimed at agents trying to maximize their chances of double-ending deals to the detriment of their clients. I strongly support following BCs lead and banning transaction brokerage. | 3/19/2024 12:53 PM |
| 114 | If the brokerage is considered to be 'designated agency', then I don't think it matters if the transaction occurs with 2 agents within the same brokerage. However, I do think that 'double ending' a transaction, ie. the same agent represents the seller and the buyer, should be discontinued. This seems unethical - how can they be acting in the best interest of the buyer AND the seller (plus receive double the commission). | 3/19/2024 12:50 PM |
| 115 | When you've worked with a buyer for a long time, and a listing opportunity comes up, but the best thing for the seller is to try it on the open market, the agent should have the ability to represent both sides (As long as there are no other bids). | 3/19/2024 12:40 PM |
| 116 | As long as the clients are properly informed and have signed off on it | 3/19/2024 12:37 PM |
| 117 | As long as there is well documented full disclosure transaction brokerage should continue. | 3/19/2024 12:31 PM |

RECA Rules Review - Standards of Practice

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| 118 | It defeats the whole point of being represented... our value comes from negotiating and evaluating, which can't be done under that situation | 3/19/2024 12:28 PM |
| 119 | I believe it is impossible to be truly impartial and even if it seems that way the optics can always come into question. Transaction Brokerage is a dated process, rarely used, for good reason. | 3/19/2024 12:27 PM |
| 120 | The movement to stop licensees working for both parties is unnecessary and should not progress further - there are times when a licensee needs to handle both sides of a transaction, and as long as written consent is obtained by all parties, then there is no problem. Giving examples of how things have been changed in B.C. is not helpful - just because they have done something in B.C. doesn't mean we should do it in Alberta - hopefully we are above following the often aberrant behaviour of B.C.!!!! | 3/19/2024 12:13 PM |
| 121 | I did dual agency over 25 years without issue. An ethical can represent both sides fairly. Remove the licenses of unethical agents. | 3/19/2024 11:43 AM |
| 122 | Conflict of Interest. This practice should be discontinued. | 3/19/2024 11:31 AM |
| 123 | This should be the clients choice to continues services or not. | 3/19/2024 11:13 AM |
| 124 | Not in favor of regulatory bodies banning business. The transaction brokerage works just fine | 3/19/2024 11:07 AM |
| 125 | Absolutely leave transactional brokerage in place | 3/19/2024 11:04 AM |
| 126 | representing both parties creates a conflict of interest at some point in every case. | 3/19/2024 10:53 AM |
| 127 | People hire to sell their homes, period. If you remove the option of dble ending transactions, why then would a realtor hold an open house, or advertise the property in any shape or form? | 3/19/2024 10:52 AM |
| 128 | Why would you fix it if it's not actually broken. | 3/19/2024 10:30 AM |
| 129 | Transaction brokerage...yes. Customer status...no Transaction brokerage really makes little sense because the realtor generally knows information about each side of the transaction and most likely has a solid relationship with the first party to the transaction. To be assisting your seller client for a given time period and then all of a sudden you have to switch to transaction brokerage and literally stop guiding your seller client, seems like a disservice to the client. However, customer status makes perfect sense for the second party to the transaction. This way, the licensee doesn't have to stop guiding the client that was the original/first party to the transaction. | 3/19/2024 10:30 AM |
| 130 | The rules and responsibilities are good. Nothing should change. | 3/19/2024 10:13 AM |
| 131 | NA | 3/19/2024 10:08 AM |
| 132 | If we actually cared about the best interests of clients, we wouldn't have this rule. This benefits realtors more than anyone else, raises a lot of questions about client loyalty and creates more grey areas. There's no shortage of realtors out there who would give up a referral fee to write up an offer for you. | 3/19/2024 10:08 AM |
| 133 | No Comment. | 3/19/2024 10:06 AM |
| 134 | Again in commercial real estate this happens often. However I do think disclosure is key and if a client is in any way uncomfortable with it, they should have the right to have representation. | 3/19/2024 10:05 AM |
| 135 | Looking at any other industry, quite often sales representatives manage two parties (their company and outside interests) at the same time. The responsibility of the brokerage is to ensure that all interests are represented fairly. | 3/19/2024 9:54 AM |
| 136 | Unethical agents should be eliminated. Please do not let a few unethical individuals ruin this industry, just eliminate the individuals. | 3/19/2024 9:43 AM |
| 137 | Not practicable, full disclosure to the customer is required. | 3/19/2024 9:40 AM |
| 138 | Absolutely not. This is a cornerstone of commercial real estate. Transaction facilitating is a efficient way to manage a transaction and if both clients are knowledgable it is many times all that is needed to have an efficient and smooth transaction. If the client on both sides of the transaction trust there facilitator and make the decision to allow the facilitation it does work extremely well. | 3/19/2024 9:27 AM |

RECA Rules Review - Standards of Practice

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| 139 | We would be doing a disservice to small towns and villages not offering transaction brokerage as not all agents want to come out to these areas. It makes more sense for them to stay in the larger centres and make more money. Who will represent the people in the smaller areas otherwise? How much will the out-of-town agents charge for commission just to come out? | 3/19/2024 9:16 AM |
| 140 | Being able to assist both parties, even without providing advice and becoming a facilitator, is still very valuable to the clients involved. As long as a discussion about this circumstance is had prior to engaging in a contract then the parties involved understand the process and the conflict is still present, but not an issue in most cases. | 3/19/2024 9:13 AM |
| 141 | A broker is either honest or shouldn't be a broker. | 3/19/2024 9:09 AM |
| 142 | I agree, it doesn't serve the best interests of either party in a sale. | 3/19/2024 9:04 AM |
| 143 | It would take away from a licensee's marketing abilities | 3/19/2024 8:07 AM |
| 144 | Horrible idea to mimic this. Creates so many other unintended consequences, and plenty of teams in BC have found workarounds. | 3/19/2024 7:57 AM |
| 145 | If they do, agents won't have any incentive to show their own listings | 3/19/2024 7:50 AM |
| 146 | Based on the number of courses to be taken to understand the limitations of this practice, in the best interests of the public, it may be best to discontinue it. If not, then just keep the refresher courses on it, perhaps as an annual one, especially for those in residential real estate. | 3/19/2024 7:22 AM |
| 147 | Do not follow the communist path that BC has taken. Keep the government out of real estate regulation and allow Realtors to represent 1 or both parties to a transaction. | 3/19/2024 7:14 AM |
| 148 | Absolutely not... Transactional brokerage is fully explained and both parties agree to the terms and conditions. Glad I am licensed in Alberta and not BC. | 3/19/2024 7:14 AM |
| 149 | We are not a socialist over-regulated province like BC. The Transaction brokerage works perfectly fine in this province | 3/19/2024 1:30 AM |
| 150 | If you explained transaction brokerage properly to two parties and they BOTH agreed to relinquish their rights to agency and having a fiduciary I would die of shock. Why is this even an option. Not in anyone's best interest and if I was representing a client, I would tell them it's not in their best interest to move forward with TB and we would seek an alternative. Get rid of it. | 3/18/2024 11:57 PM |
| 151 | I think the ability to double-end a transaction should be banned. It is a huge conflict of interest and there are too many people in public who don't understand what they are doing and then when it doesn't go in their favor they get angry and blame the seller's agent for their own ignorance. Every buyer and seller should have their own realtor representing them. | 3/18/2024 11:50 PM |
| 152 | If properly disclosed and witnessed I think we can continue this practice | 3/18/2024 11:36 PM |
| 153 | The entire idea/concept of transaction brokerage is still an odd one to me. I'd be more interested in creating a path for the Common Law brokerages to easily move to Designated Agency which would gradually phase out the need for this at all. | 3/18/2024 10:49 PM |
| 154 | Ultimately it relies on an agreement between all parties (buyer and seller) so it's still vetted through many eyes. Perhaps stiffer legal responsibility or disclosures would help develop confidence in this setting. | 3/18/2024 10:20 PM |
| 155 | Agents are discouraging other offers when they have a client offering on their listing. They will delay communication or not disclose the presence of other offers. | 3/18/2024 10:03 PM |
| 156 | I think it does the clients a disservice when an agent simply acts as a transaction facilitator. | 3/18/2024 9:47 PM |
| 157 | I find a transparent and thorough explanation to all parties meets their approval | 3/18/2024 9:29 PM |
| 158 | Why? Why should it be banned? | 3/18/2024 9:29 PM |
| 159 | Buyer and seller should have independent representation | 3/18/2024 8:46 PM |
| 160 | 100% - no. This should NOT be banned. I don't "double dip" often, but it does happen. We don't need to make it more of a headache for the consumer if they don't have an agent, and the seller or buyer is okay with the single Brokerage / agent doing the work. We simply have enough rules, and one that could impact commissions (especially when commissions are | 3/18/2024 8:05 PM |

RECA Rules Review - Standards of Practice

already under attack) is not something RECA should be considering at this time. I do, however, believe that there could be more rules around this added to protect the consumer.

| | | |
|-----|---|-------------------|
| 161 | It's a lose lose situation imo | 3/18/2024 7:42 PM |
| 162 | Too many situations where this is being abused by listing agents to double end the deal. If it is allowed we need to add more protection for the consumer. If this is fully explained to a consumer unless in a remote area I do not get how any consumer could see this as above board. I think a lot of our disputes come out of dual agency. | 3/18/2024 7:33 PM |
| 163 | With the recent settlement of the NAR lawsuit in the USA it looks like this might be on the way out anyways once the CREA lawsuit works its way through the system here in Canada. | 3/18/2024 7:27 PM |
| 164 | This happens with lawyers as well but they don't ban it. We have a number of small rural communities in Alberta that wouldn't be allowed to do real estate transactions if this rule came into effect. And bc wasn't doing a good job of cracking down on shady realtors and ended up on a W5 episode. We need to learn from their mistakes yes but learn and change so we don't end up in the same situation as they are in. | 3/18/2024 7:12 PM |
| 165 | With proper disclosure, this should not be an issue | 3/18/2024 7:11 PM |
| 166 | I think there are times when it is not a good practice depending on the situation but i dont think it creates much problem if everyone is honest | 3/18/2024 6:35 PM |
| 167 | If handled appropriately it is a practice that should be allowed to continue. | 3/18/2024 6:34 PM |
| 168 | No single agent should represent both sides of a deal. It opens agents up to conflict of interest... even if it is perception. It's just a bad look for an industry that is supposed to be fair and balanced. | 3/18/2024 6:29 PM |
| 169 | Unsure. | 3/18/2024 6:24 PM |
| 170 | Some towns only gave one brokerage so you would be sending clients or customer out of home town. | 3/18/2024 6:19 PM |
| 171 | People abuse the system. | 3/18/2024 6:19 PM |
| 172 | It serves a necessary purpose. | 3/18/2024 6:01 PM |
| 173 | It doesn't make sense to reduce my responsibilities to a client when the option is available for the unrepresented party to act as a customer or to obtain their own representation. | 3/18/2024 5:55 PM |
| 174 | it makes consumers lives more difficult. And the nefarious will find a way. | 3/18/2024 5:49 PM |
| 175 | It seems to be a practical solution and ultimately the customers need to agree to it. | 3/18/2024 5:44 PM |
| 176 | I believe I have been able to equally, honestly and fairly act for both parties for 30 years. In my humble opinion. There are rules in place. Punish the transgressors and leave the majority of honest, competent licensees carry on. | 3/18/2024 5:43 PM |
| 177 | I do not agree with transaction brokerage being discontinued as long as a transaction facilitator is agreed to by all parties. | 3/18/2024 5:42 PM |
| 178 | ALMOST ALL CLIENTS REALLY DON'T COMPREHEND THE CONFLICT OF INTEREST AND PLACE THEIR FAITH IN THE SALES PITCH OF A SKILLED SMOOTH TALKING SALESMAN WITH WHOM THEY HAVE ALREADY PLACED TRUST (SIMILAR TO PATIENTS RELATIONSHIPS WITH THEIR PHYSICIANS). BASED UPON 46 YEARS IN THE INDUSTRY, I HAVE FOUND THAT THE "CHINESE WALLS" IN BROKERAGE HOUSES ARE ABSOLUTELY A FICTION. TRANSACTION BROKERAGE SHOULD BE BANNED. | 3/18/2024 5:41 PM |
| 179 | If you have properly trained agents it's a non issue | 3/18/2024 5:35 PM |
| 180 | This is a very long term industry practice and works well in Alberta, particularly in commercial real estate where buyers and sellers or tenant and landlords tend to be sophisticated, adding a mandatory second broker to every transaction would add a lot of cost and paperwork that is unnecessary. | 3/18/2024 5:31 PM |
| 181 | One party is the client and the other is a customer just as is done in Designated Agency. Works great. | 3/18/2024 5:30 PM |
| 182 | This is something that we should not do without. | 3/18/2024 5:30 PM |

RECA Rules Review - Standards of Practice

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| 183 | It is impossible to be objective in this | 3/18/2024 5:24 PM |
| 184 | Logical and more professional. Im 42 year veteran and it is needed for sure and the public educated to how this works. This industry needs to become a profession, worked in by professionals. | 3/18/2024 5:24 PM |
| 185 | We are a small brokerage, and over half of our deals are through transaction brokerage | 3/18/2024 5:21 PM |
| 186 | As shown in remote areas of British Columbia Transaction Brokerage can be done in a open and far way. Disclosure and transparency is the key. May be penalties in these type of transactions be looked at if a dispute arises. ie: loss of the commission income if the Realtor fails to act correctly | 3/18/2024 5:19 PM |
| 187 | If all parties agree to be unrepresented, then they acknowledge the risk. These applications should have increased compliance measures to ensure integrity of the agent was maintained through negotiation. | 3/18/2024 5:19 PM |
| 188 | I believe you can't serve two masters | 3/18/2024 5:14 PM |
| 189 | I don't understand how it can remain and it was not banned recently in BC. It has been there for many, many, years already. | 3/18/2024 5:13 PM |
| 190 | If ethical practice was the norm... things would be fine- however all too often - the conflict of interest creates image issues within these transactions that reflect poorly on our industry. | 3/18/2024 5:11 PM |
| 191 | Consumers have the right to be educated on the options available to them and to choose the option that suits them best. | 3/18/2024 5:10 PM |
| 192 | If you can best facilitate the outcome of the transaction for both sides you should be able to do so given both sides understand the duties owed to them. | 3/18/2024 5:08 PM |
| 193 | Many times its the only way to get a deal together... | 3/18/2024 5:08 PM |
| 194 | I have practiced Transaction Brokerage hundreds of times in the last 30 years, and there has never been an issue. Agents need proper training, and well documented guildlines as to what they can, and cannot say or do. | 3/18/2024 5:07 PM |
| 195 | Nothing that happens in BC should ever be a model for good practice anywhere else. | 3/18/2024 5:07 PM |
| 196 | Easy enough to refer either buyer or seller to another agent in your brokerage for the transaction | 3/18/2024 5:03 PM |
| 197 | Consumers are well informed and protected in Alberta. They have a choice to accept or reject transaction brokerage so our current model protects their interests as they are able to choose. | 3/18/2024 5:03 PM |
| 198 | For practical reasons during the transaction | 3/18/2024 5:03 PM |
| 199 | I would like to hear the rational for this ban? | 3/18/2024 4:58 PM |
| 200 | It should be done correctly. Many agents I know do not practice Trans action brokerage. I Do all smaller style commercials deals now and it is expected from my clients. they do not want to deal with 2 people. | 3/18/2024 4:58 PM |
| 201 | THere is a reason buyers and sellers engage with professionals for advise and guidance | 3/18/2024 4:56 PM |
| 202 | It seems to be a practice that other provinces have already eliminated and double enders are rarely in the best interest of the buyer or seller. Again, this is not my area of license, but that is my opinion....It has poor optics for our industry. | 3/18/2024 4:55 PM |
| 203 | While I typically avoid transaction brokerage voluntarily when it involves representation of both buyer and seller by one agent, banning it altogether would be detrimental to those working under common-law brokerage. Unless another solution is brought in for situations where two agents of the same commonlaw brokerage have clients who are interested in transacting, a ban would be detrimental to all. If it were outright banned without another process to account for separate agents under commonlaw, clients may lose their protections by being asked to enter customer status and/or agents will be forced to lose income and client relationships if they are forced to seek out representation for their client by someone from an outside brokerage. I would be much more interested in a proposal to review transaction brokerage for commonlaw brokerages, and banning deals that are 'double-ended' by one agent. | 3/18/2024 4:52 PM |
| 204 | Only in the case when it's the same realtor/team, not in the case when it's 2 different realtors | 3/18/2024 4:49 PM |

RECA Rules Review - Standards of Practice

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| | from the same common law brokerage | |
| 205 | It can be an advantage to the clients. | 3/18/2024 4:48 PM |
| 206 | It is needed in the small rural areas | 3/18/2024 4:48 PM |
| 207 | It's in every consumer's best interest to have professional representation. | 3/18/2024 4:48 PM |
| 208 | YOU cannot serve 2 masters | 3/18/2024 4:47 PM |
| 209 | 100% this is one of the most unethical practices we have in the industry. It does not put the needs and best interest of the clients first. Again, I have see so much manipulation of this daily in the industry where the only benefactor is the realtor. It discredits the industry and makes the public see realtors as shady and untrustworthy. | 3/18/2024 4:47 PM |
| 210 | I think 21 should be in affect for everyone | 3/18/2024 4:45 PM |
| 211 | don't become communist like BC - pls we need to protect our self regulation - Gov't is not in the business of real estate - so it shouldn't be in charge of real estate industry | 3/18/2024 4:43 PM |
| 212 | This is ridiculous. The clients have to agree to it already. I've had buyers and then signed on sellers that my buyers liked their house. I've done all the work and to hand it off when the clients are ok with it is uncalled for. | 3/18/2024 4:41 PM |
| 213 | Ok for large brokerages Small brokerages will not exist because of the limited market types | 3/18/2024 4:39 PM |
| 214 | Absolutely not but agents breaking rules should be more strictly punished and removed from industry. Transaction brokerage can be very beneficial in pulling a difficult deal Together. | 3/18/2024 4:38 PM |
| 215 | Transaction Brokerage is required in areas where there are few realtors and brokerages. Often the only realtor who is willing to show these listings in the more remote areas is the list agent. | 3/18/2024 4:36 PM |
| 216 | As long as the transaction is going through a brokerage where a competent broker sees it and takes action if there are issues it should go smoothly. | 3/18/2024 4:35 PM |
| 217 | As long as all parties have a clear understanding of the process, what each parties roles and responsibilities are and have agreed in writing to the process, all should be OK | 3/18/2024 4:35 PM |
| 218 | I don't know. | 3/18/2024 4:34 PM |
| 219 | is this not the reason why designated agency exists, to have another option to operate under? If a brokerage wants to continue to operate as a transaction brokerage, have at-er, I don't see any reason to remove it. We have a 2nd option. | 3/18/2024 4:34 PM |
| 220 | Both parties to the transaction are aware that a licensee is representing both sides of the trasnaction and sign documentation to this effect, so they are 100% okay with it, why is RECA getting involved where their feet have no business. Then it also says when a brokerage represents a buyer and seller - is this ridiculous or what. So you can have a brokerage of 1500 realtors and none of them are allowed to sell a property represented by another Realtor in that same brokerage? This would be a great case to bring up to the Feds and the competition Bureau. When the consumer is aware and they agree to proceed, who's business is it to state that they cannot proceed? | 3/18/2024 4:33 PM |
| 221 | I firmly believe it is not in the best interest in the public to "double end" deals accept in the case of remote regions where there is a limited number of licensees. | 3/18/2024 4:32 PM |
| 222 | might as well be a private sale, which I also don't support. The realtor is now not representing anyone, so is the seller getting the best terms and conditions or is the buyer? Who is being protected where? nobody is, so why is a commission being paid? I have never understood this practice. | 3/18/2024 4:31 PM |
| 223 | I believe a better deal is made by both parties by one realtor knows his product and client. | 3/18/2024 4:30 PM |
| 224 | Been licensed for 40 years and never had an issue. Especially prevalent in small towns, but that is also where they know and trust you. | 3/18/2024 4:29 PM |
| 225 | I think that representing both side is NOT ethic and a good practice. Open the door for a lot of wrong doing for both sides of the deal. It should be banned. | 3/18/2024 4:29 PM |
| 226 | Yes. Realtors often have their colleague write an offer for their listing and end up "double ending it" Getting paid on both ends aside, I don't see how this protects the public's best | 3/18/2024 4:28 PM |

RECA Rules Review - Standards of Practice

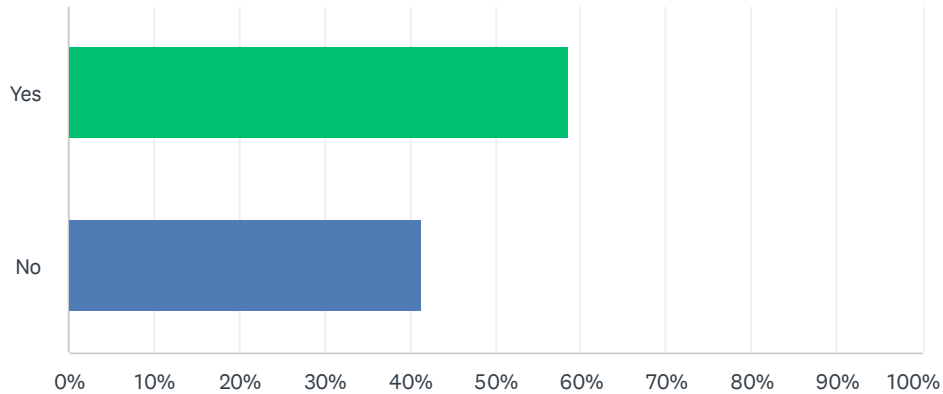
| | | |
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| | interest | |
| 227 | There are lots of forms to help explain this relationship to consumers. | 3/18/2024 4:27 PM |
| 228 | Representing both sides is much more common in Commercial where I practice, and which is generally much more sophisticated. Even in residential, the associate can facilitate both sides by providing a comprehensive market evaluation to both parties to assist with guidance. The issue with residential is that it is often much more emotional, while commercial is usually more rational. | 3/18/2024 4:27 PM |
| 229 | There is to many double ending happening and that it's more a benefit to the agents and not to the seller. | 3/18/2024 4:26 PM |
| 230 | The only reason this is still allowed is pure greed. Frankly, it amazes me that the practice has not had more legal challenges. Seldom does the Seller or buyer client receive complete and proper fiduciary duties by the single agent. | 3/18/2024 4:24 PM |
| 231 | You can not represent both, nor neither as agent will have a bias for either buyer or seller. There should be a separate agent representing each side separately. | 3/18/2024 4:24 PM |
| 232 | It is a usefully tool to endure impartiality when representing both clients. If both parties have a relationship with and trust the agent, why should one of the parties have to step aside and use wn agent whom they don't know or trust when the transaction is at its most vulnerable stage ? | 3/18/2024 4:23 PM |
| 233 | As a team, we frequently have a high number of buyers and sellers, The occasion happens where we can fit both our clients needs. | 3/18/2024 4:19 PM |
| 234 | I don't think it is in anyone's best interest to do transaction brokerage. I would like to see it not legal as I have seen first hand agents abusing the 'privilege' to better themselves and double-end a deal. It errs on the side of shady business, especially in a busy market. | 3/18/2024 4:19 PM |
| 235 | proper paperwork and disclosure is necessary. however, it should not be allowed in competing offers | 3/18/2024 4:17 PM |
| 236 | Most of my 25 years I did transaction brokerage as that is what I am paid to do is to sell the property. What are open houses for if not to sell the house which leads to transaction brokerage. Homeowners hirer Realtors to sell their property and want to see actual work being done which is good for our industries image which is historically seen when an open house is done. I have sold several properties at open houses which was want the expectation was from both parties to the transaction brokerage. If done as the paperwork reads honestly . . . then it is what we are paid to do. | 3/18/2024 4:17 PM |
| 237 | No no and no!! | 3/18/2024 4:16 PM |
| 238 | As long as existing rules are followed, there is no risk to the clients and would otherwise place unnecessary restraints to a buyer or a seller. Over reaching is never a good idea | 3/18/2024 4:15 PM |
| 239 | I believe that it should be discontinued it's not in the publics best intertest with the level of integertiy and training of todays agent | 3/18/2024 4:13 PM |
| 240 | We should also ban a brokerage/licensee from representing a buyer and seller. Although we like to think their is a "Chinese Wall" between the relationships - I believe this is abused regularly and is dishonest to both parties, who often get taken advantage of. I also think having no one represent the buyer/seller is a bad idea as they should be allowed to have themselves represented by their chosen brokerage/licensee. | 3/18/2024 4:12 PM |
| 241 | This isn't my area as I am a condo manager, but that makes sense. | 3/18/2024 4:08 PM |
| 242 | If you follow the guidelines, all will be fine. | 3/18/2024 4:08 PM |
| 243 | I recognize many industry members have successfully navigated these situations, but it defeats the purpose of having 'exclusive buyer agreements' if it's not whole heartedly supported. I think if many jurisdictions do not allow for transaction brokerage, it would be something to be considered on a national level in how enquiries are delegated - example, CREA enquiries go to the listing agent. If many jurisdictions are moving to this, should that not change as well as it's considered a conflict of interest? | 3/18/2024 4:08 PM |
| 244 | This would stop a buyer and seller from the same client list and have a negative impact to providing service | 3/18/2024 4:07 PM |

RECA Rules Review - Standards of Practice

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| 245 | We do not deal in real estate, therefore, cannot comment on this question. | 3/18/2024 4:07 PM |
| 246 | I handle many of these cases and feel I am more competent than most other agents for a variety of reasons. Doing so would not benefit the client better or more. | 3/18/2024 4:05 PM |
| 247 | I feel it is not in the best interest in the public in general to allow a transaction brokerage, it seems that you cannot look out for the best interest of all parties. Also the prospect of dual commission would seem like motivation for the licensee to act in their own best interest . | 3/18/2024 4:02 PM |
| 248 | But with a rural leniency in small towns and rural areas?? | 3/18/2024 4:01 PM |
| 249 | a large majority of lawsuits come from these transaction brokerage relationships. It's my opinion that you should only represent one client at a time and faciliate the transaction with the other party as a customer. Period. | 3/18/2024 3:59 PM |
| 250 | If I am transparent and get the appropriate paperwork then I should have the opportunity to represent both parties. There's paperwork that already allows me to do this and my goal is to make cash well establishing relationships and garnering more referrals | 3/18/2024 3:58 PM |
| 251 | Good luck in Small Town Alberta. Consumer's aren't children, and they understand what fiduciary duties are. | 3/18/2024 3:56 PM |
| 252 | give the consumer a choice. If their choice is informed, give them the option to pursue TB | 3/18/2024 3:56 PM |
| 253 | The public hires a real estate associate to list a property, and often expects that agent to bring in a buyer. | 3/18/2024 3:55 PM |
| 254 | It is natural to represent both sides in some deals. My agent friends talk about significant chicanery to get around this requirement in BC. Let's not open that pandora's box when things are working well here in Alberta. It is artificial to force independent representation. | 3/18/2024 3:52 PM |

Q21 Should licensees be prohibited from representing another party while representing themselves in the same trade/deal?

Answered: 661 Skipped: 16



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 58.55% | 387 |
| No | 41.45% | 274 |
| TOTAL | | 661 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|----|---|--------------------|
| 1 | Professional standards apply | 4/19/2024 11:31 PM |
| 2 | This is not a Regulator issue this is a code of conduct issue. | 4/19/2024 2:29 PM |
| 3 | Simple. Insider trading. | 4/19/2024 12:22 PM |
| 4 | As long as we follow the rules I don't see any problems. However, to avoid conflict of interest Licensee should be represented by another agent or the other party. | 4/19/2024 11:06 AM |
| 5 | Written disclosure covers this | 4/19/2024 6:53 AM |
| 6 | It's a conflict | 4/19/2024 12:00 AM |
| 7 | If you are representing yourself, this leaves much room for scrutiny which is neither necessary to bring to the table, nor worth the hassle. If a girl is created where the other party agrees to this with all terms defined, I take no issue with this. Otherwise, this is an edit avoidable practise that opens the door for many to disregard their fiduciary obligations. | 4/18/2024 11:41 PM |
| 8 | Eliminate conflict of interest. | 4/18/2024 9:02 PM |
| 9 | Too much conflict of interest. | 4/18/2024 7:17 PM |
| 10 | Simply put, by definition, this is transaction brokerage. RECA has to determine whether is wants to govern this industry or not. If transaction brokerage remains in force in Alberta then it is acceptable. If not then the practice must be prohibited. If I understand the objective of RECA then it is to protect the consumer (public interest) and the integrity of the industry and in doing so, should eliminate all possibility of "Conflict of Interest". | 4/18/2024 6:56 PM |
| 11 | Too conflicting | 4/18/2024 6:29 PM |
| 12 | This is so silly I do not even know why this is an issue. If someone is breaking the rules or | 4/18/2024 5:29 PM |

RECA Rules Review - Standards of Practice

laws to sell or buy then punish the perpetrators. The whole industry should not suffer. Raise the insurance premiums of those who are found guilty of breaking rules or laws. Or, when necessary ban the associates from trading in Real Estate

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| 13 | Representing yourself sometimes is daunting but be honest! UP front about what is happening. | 4/18/2024 5:13 PM |
| 14 | This should be a part of brokerage oversight to ensure that all parties are protected | 4/18/2024 3:12 PM |
| 15 | They should have to inform the other party about the duties and discuss agency and have them sign customer disclosure beyond that it is fine if the other party agrees. | 4/18/2024 2:36 PM |
| 16 | I believe that's best practice to avoid any potential misunderstandings or complications. | 4/18/2024 12:17 PM |
| 17 | Just have it documented and if both properties agree, move forward. It would be ideal that the other party signs off that they have received pertinent information during the trade/deal that gives them a educated decision. | 4/18/2024 11:36 AM |
| 18 | As long as all disclosures have been made and everyone is aware, its fine | 4/18/2024 11:19 AM |
| 19 | It's ultimately up to the client to decide whether they want to work with the listing agent as a buyer's agent or not. If there were incentives to working with a licensee working as both the buyer and seller to the buyer, then that would be a conflict of interest that would need to be addressed. | 4/18/2024 11:03 AM |
| 20 | It makes sense that allowing this could lead to more temptation of fraudulent deals. | 4/16/2024 2:16 PM |
| 21 | There is a conflict of interest and in my experience (I have had clients experience this) the general public doesn't understand the conflict and the impact on their transaction. This is where we can do better and protect the public. | 4/15/2024 10:57 AM |
| 22 | There are plenty of representation options people can choose even if it is a licensee buying or selling their own property. | 4/11/2024 1:13 PM |
| 23 | As long as that party is on the same side of the deal, then there should be no issue. If a licensee were to purchase property with a partner, I don't see an issue with that. Obviously, a licensee should not be representing the person on the other side, and have personal involvement in the transaction. That party would need to clearly understand that they are not represented, are engaging in a transaction with a professional, and that they should acquire professional advice themselves to ensure there is no unfair disadvantage to them in the transaction. | 4/10/2024 3:33 PM |
| 24 | If they are selling their own stuff, yes they should bring in a broker or someone else from the firm to oversee the transaction for transparency. This prevents fraud. | 4/9/2024 8:58 PM |
| 25 | ABSOLUTELY! LICENSEES HAVE MORE KNOWLEDGE AND THEREFORE IT WOULD BE COMPLETELY UNETHICAL FOR THEM TO BE INVOLVED PERSONALLY IN SUCH A SITUATION. | 4/9/2024 5:46 PM |
| 26 | maintain strong discipline in cases where a licensee represents two parties and does something wrong. Don't create rules for the exceptions. Most realtors act in good faith. Deal with the bad apples swiftly and strongly. | 4/9/2024 11:47 AM |
| 27 | Undecided, because theoretically, an prive ndividual, licensed or not, can trnsact real estate outside of the industry. Impossible to monitor. | 4/8/2024 11:32 AM |
| 28 | It is impossible to represent another party, they are going to be a customer. | 4/7/2024 11:02 AM |
| 29 | THAT IS A CONFLICT. FULL STOP. | 4/6/2024 1:39 PM |
| 30 | If the Licensees own the property in question it is Ok. If they are buying a property they have a listing on, another Agent needs to act for them with full disclosure to the Owners of the property in question. Or they give up the listing. | 4/4/2024 11:19 AM |
| 31 | This I think is a conflict of interest. | 4/4/2024 10:57 AM |
| 32 | Checks and balances should be in place for extra & extensive disclosures in this case | 4/3/2024 5:03 PM |
| 33 | Again, this is an Industry specific question not a general rule. | 4/3/2024 11:30 AM |
| 34 | Yes, it should be law that they cannot represent themselves and another party in the same trade/deal even if they fully disclose their interest/self-representation to the other party. The | 4/2/2024 9:46 PM |

RECA Rules Review - Standards of Practice

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| | other party must find another licensee to represent them or they can represent themselves. | |
| 35 | No as long as the other party is given the option to use someone else. | 4/2/2024 8:07 PM |
| 36 | how can someone be impartial when they are personally involved? This seems like a very obvious yes. | 4/2/2024 7:19 PM |
| 37 | It should be avoided for conflict of interest. | 4/2/2024 4:15 PM |
| 38 | As long as proper disclosures are made upfront, there is no issue in this. The other party must sign off they realize the other person is a licensed agent in Alberta. | 4/1/2024 6:19 PM |
| 39 | Unless I am misunderstanding this seems like even more of a conflict than a normal double-end. | 4/1/2024 4:33 PM |
| 40 | representing as in the other party can not be a client. Customer status should be allowed. | 4/1/2024 2:39 PM |
| 41 | I was taught how this would look in court if it ever came to that, explain it to a court. | 4/1/2024 2:09 PM |
| 42 | Conflict of interest, danger of having insider information that can lead to unfair advantage in the deal. | 3/30/2024 1:12 PM |
| 43 | I feel there could be conflict of interest | 3/30/2024 9:19 AM |
| 44 | Clearly one cannot represent someone else while representing one's own best interests. | 3/29/2024 7:11 AM |
| 45 | na | 3/28/2024 3:06 PM |
| 46 | That is a conflict of interest, human nature is to always act in your own best interest, and again the public expects even a minimum level of guidance from the expert. | 3/28/2024 12:04 PM |
| 47 | I have professionally sold my own properties in the past and just disclosed everything required | 3/27/2024 12:00 PM |
| 48 | As long as it is clear and understood by all parties, and the best advice is provided to both parties and the option to seek other advice is provided. | 3/27/2024 8:55 AM |
| 49 | As long as the consumer is aware of the relationship and what their options are, why not give them the option to enter into an agreement? | 3/26/2024 1:29 PM |
| 50 | Should be supervised. | 3/26/2024 11:38 AM |
| 51 | Clear conflict of interest. | 3/26/2024 10:44 AM |
| 52 | There is no way to fully represent someone else's interests while looking out for yourself. | 3/26/2024 8:46 AM |
| 53 | Absolute conflict of interest | 3/25/2024 7:12 PM |
| 54 | This is a no brainer! Licensees are trained professionals and that is why we are required to disclose if we have an interest in a property. The untrained Consumer would be a sitting duck! | 3/25/2024 3:44 PM |
| 55 | While a Licensee can facilitate between two third parties, when the Licensee is one of the contracting parties, that licensee cannot separate themselves from their own self-interest in providing services to the other party. | 3/25/2024 2:13 PM |
| 56 | This is addressed really well already | 3/25/2024 10:39 AM |
| 57 | If a licensee is doing a personal trade, they should not be allowed to represent both sides of the transaction. I think this is a conflict of interest. | 3/25/2024 10:30 AM |
| 58 | It is an inherent conflict of interest no matter how it's handled. | 3/25/2024 9:48 AM |
| 59 | Has to be disclosed properly and all parties informed | 3/23/2024 7:03 PM |
| 60 | AS LONG AS THERE HAS BEEN FULL DISCLOSURE TO THE DEAL , AND ALL PARTIES AGREE IN WRITING IT SHOULD BE OK | 3/22/2024 5:10 PM |
| 61 | Assuming full transparency and the offer of the licensee to step back and allow the consumer to be represented elsewhere, I see no issue with this. Again, the broker should be providing sufficient oversight, in theory. | 3/22/2024 11:04 AM |
| 62 | To much conflict here. | 3/21/2024 9:32 PM |
| 63 | this is a conflict of interest since they make money from the otherside in some cases | 3/21/2024 4:30 PM |

RECA Rules Review - Standards of Practice

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| 64 | Disclosure is what is important. Banning people from being honest and open is silly. | 3/21/2024 3:09 PM |
| 65 | But the agent needs to reveal to other agents in a multiple offer situation if they have an offer in the mix, MOST do not unless you specifically ask | 3/21/2024 2:15 PM |
| 66 | When a licensee represents themselves, it becomes difficult to be impartial. | 3/21/2024 1:33 PM |
| 67 | For transparency and so that the licensee does not have an advantage. | 3/21/2024 1:00 PM |
| 68 | I don't believe it is fair to have one party have a significant advantage over the other on a fair business deal. | 3/21/2024 12:55 PM |
| 69 | What the client feels comfortable with | 3/21/2024 11:05 AM |
| 70 | This is a conflict of interest and should not be allowed. | 3/21/2024 10:48 AM |
| 71 | This is an extreme conflict of interest. | 3/21/2024 10:34 AM |
| 72 | Selling your own home, buying a home shouldn't be any different for me as for Joe public. This goes back to being a pro. Be an honest good person, be transparent and there are no issues | 3/21/2024 10:17 AM |
| 73 | Is a conflict of interest and huge liability. | 3/20/2024 4:58 PM |
| 74 | As long as transaction brokerage is explained fully, and both parties feel comfortable with the same agent (or brokerage in Common Law Agency brokerages) with this agreement, there is no reason to get rid of transaction brokerage. | 3/20/2024 4:36 PM |
| 75 | Unfortunately I do not understand the question | 3/20/2024 4:24 PM |
| 76 | This sounds like a conflict of interest | 3/20/2024 4:12 PM |
| 77 | In my opinion this is a conflict of interest. | 3/20/2024 4:11 PM |
| 78 | I am not sure what the question is asking, my understanding was I cannot be a transaction broker in a transaction where I am also either the buyer or seller? | 3/20/2024 3:58 PM |
| 79 | The conflict of interest here could never possibly be in the consumer interest. An agent will manipulate that situation for their gain. | 3/20/2024 3:55 PM |
| 80 | All conflicts of interest should be identified though. | 3/20/2024 1:55 PM |
| 81 | Yes for residential. No for commercial. | 3/20/2024 10:56 AM |
| 82 | Obvious conflict of interests. | 3/20/2024 10:54 AM |
| 83 | Again - as long as the 'other' party has been sufficiently informed of their rights and acknowledge (in writing) - there's no reason to add rules and to remove the ability for parties to make their own decisions. | 3/20/2024 9:29 AM |
| 84 | same answer as above, good Realtors do good business | 3/20/2024 5:56 AM |
| 85 | Too strong of a conflict of interest. | 3/19/2024 9:34 PM |
| 86 | There's obviously a conflict of interest.. | 3/19/2024 6:54 PM |
| 87 | Having someone else there to clearly define the intent and the transaction will only help with all parties understanding and protecting all parties. | 3/19/2024 6:51 PM |
| 88 | As long as all proper disclosures are given and documented, this should be allowed. There is nothing wrong with this practice, only requirement I would have is proper documentation which should be existing at the moment anyways. | 3/19/2024 6:38 PM |
| 89 | Major conflict of interest | 3/19/2024 5:58 PM |
| 90 | This is just a special case of transaction brokerage. One cannot provide fiduciary duty to two parties, even if one of the parties is themselves. | 3/19/2024 5:24 PM |
| 91 | I feel that should be an option, as long as full disclosure is presented to the other party and if they are in full agreement with the situation and feel confident then yes. Perhaps having a document that explains the requirements to the client/customer and them signing off that they are in agreement with this situation then both parties are covered. | 3/19/2024 5:08 PM |
| 92 | That example cuts too close to the line. | 3/19/2024 4:39 PM |

RECA Rules Review - Standards of Practice

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| 93 | if you have the listing and the relationship with a buyer then why bring someone else in? | 3/19/2024 4:03 PM |
| 94 | They are still required to act honestly | 3/19/2024 3:33 PM |
| 95 | If there is full transparency and an acknowledgment has been signed and fiduciary duties are practised then no. Only if there is possibility of a suspicious transaction. I feel this happen less than 2% of time. | 3/19/2024 3:33 PM |
| 96 | Disclose. | 3/19/2024 3:07 PM |
| 97 | It must be clear, and the parties are agreeable to this. | 3/19/2024 2:49 PM |
| 98 | As long as disclosure is made ahead of time to the client or customer I see no issue. | 3/19/2024 2:49 PM |
| 99 | Conflict of interest | 3/19/2024 2:45 PM |
| 100 | Again Transparency and honesty as well as second set of eyes | 3/19/2024 2:07 PM |
| 101 | No, as long as you are following the fiduciary duties, there should not be a problem. | 3/19/2024 1:38 PM |
| 102 | As long as everything is disclosed this shouldn't be an issue as long as the agent is already following the other rules. | 3/19/2024 1:09 PM |
| 103 | Clearly a conflict of interest. | 3/19/2024 12:40 PM |
| 104 | Why would they be? Realtors also live in homes and have to buy them on occasion - why should they not be allowed to purchase a home from one of their clients - you are looking for a problem here that does not actually exist - as long as all necessary disclosures have been made in writing there is no problem here - stop meddling for the sake of meddling!!!! | 3/19/2024 12:13 PM |
| 105 | Would be up to the other part whether or not they want to be represented or not. If they decide not to that is their prerogative. | 3/19/2024 11:07 AM |
| 106 | Provided it is disclosed | 3/19/2024 11:04 AM |
| 107 | conflict of interest. | 3/19/2024 10:53 AM |
| 108 | Commonsense! | 3/19/2024 10:52 AM |
| 109 | I would argue that licenses have spent thousands of dollars an hours to learn a skill set that should allow them to represent themselves while representing another party. | 3/19/2024 10:30 AM |
| 110 | Full disclosure is something we already have in place and it works very well. | 3/19/2024 10:30 AM |
| 111 | If it is done legally and everyone is ok with the transaction this should be allowed. | 3/19/2024 10:13 AM |
| 112 | NA | 3/19/2024 10:08 AM |
| 113 | Duh... YES! Is this actually a question?? | 3/19/2024 10:08 AM |
| 114 | Feels wrong. | 3/19/2024 10:06 AM |
| 115 | Again, I think full disclosure is key and a client should have the choice. | 3/19/2024 10:05 AM |
| 116 | This should be a rule. There is no way anyone can act fairly when representing themselves as well as another party | 3/19/2024 9:57 AM |
| 117 | See above. | 3/19/2024 9:54 AM |
| 118 | Why? | 3/19/2024 9:43 AM |
| 119 | Full disclosure should suffice. | 3/19/2024 9:40 AM |
| 120 | As long as disclosure is completed the clients/customers can decide if they have issue. | 3/19/2024 9:27 AM |
| 121 | I don't feel either party is being properly represented It seems more important the associate gets a double end with little concern for the clients interest. I doubt either side has been properly informed about the process. Although the other party is a 'client" I think they are still coached as to acceptable price etc. the main goal for the associate is to get the double end with little concern for either party. I think it is just wrong | 3/19/2024 9:15 AM |
| 122 | As long as all informed parties clearly agree to said transaction. | 3/19/2024 9:09 AM |
| 123 | too many conflicts here to serve unbiasedly. | 3/19/2024 9:04 AM |

RECA Rules Review - Standards of Practice

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| 124 | Transparency is the key here | 3/19/2024 8:07 AM |
| 125 | I had five offers on one house fall through all brought by different agents. It was a nightmare. I had a call from a customer. They bought it themselves, and I sold it to them. How would i get the job done otherwise | 3/19/2024 7:50 AM |
| 126 | Clarity and transparency to the public. | 3/19/2024 7:22 AM |
| 127 | Our rules and regulations are sufficient. I believe though, most agents would consider for their own protection having someone else represent them in a transaction. | 3/19/2024 7:14 AM |
| 128 | If the other party is fine with dual agency then why should it be prohibited. And get it in writing. Dual agency always sucks and each party usually feels like they got screwed. The other party can get someone to rep them. If not, buyer beware. | 3/18/2024 11:57 PM |
| 129 | Agents need to be unbiased in transactions. | 3/18/2024 11:50 PM |
| 130 | ANswered above | 3/18/2024 11:36 PM |
| 131 | Probably not, only because there's nothing to prevent an agent from referring the other party to a different agent which they are friendly or affiliated with. So prohibiting the current customer status and disclosure requirements is unlikely to enhance consumer protection. | 3/18/2024 10:49 PM |
| 132 | I thought this was already the case, such as selling one's own property prohibits representing a buyer at the same time, regardless of transaction brokerage. | 3/18/2024 10:20 PM |
| 133 | Avoid all together conflicts of interest | 3/18/2024 10:14 PM |
| 134 | Yes, however in a Common Law brokerage I feel another agent from the same brokerage could fill that roll. | 3/18/2024 9:47 PM |
| 135 | Who's best interest is this!? | 3/18/2024 9:29 PM |
| 136 | Conflict of interest. | 3/18/2024 9:29 PM |
| 137 | In this case, yes - the licensees should not be able to represent another party if they are self-representing. | 3/18/2024 8:05 PM |
| 138 | Conflict | 3/18/2024 7:42 PM |
| 139 | Disclosure should suffice | 3/18/2024 7:38 PM |
| 140 | How can someone represent themselves and fulfill their fiduciary duty to the other party? | 3/18/2024 7:33 PM |
| 141 | Not if the other party has been properly informed. Consumers are grown ups and should be able to make their own decisions. But I do think there so be a new and specific form when they are dealing with a licensee who is involved in the transaction themselves. I don't think they are given the proper information currently. | 3/18/2024 7:12 PM |
| 142 | Huge conflict of interest risk | 3/18/2024 7:11 PM |
| 143 | As long as all options and scenarios are discussed and the party is comfortable with it | 3/18/2024 6:37 PM |
| 144 | This seems like a conflict of interest to me if it is for the same trade/deal. | 3/18/2024 6:34 PM |
| 145 | Clients should have their own representation. | 3/18/2024 6:24 PM |
| 146 | Get rid of DC one conflict. | 3/18/2024 6:19 PM |
| 147 | As long as it is disclosed in writing, the client has every opportunity not to use that licensee if they are bothered by it. Why isn't there a standard disclosure form? | 3/18/2024 6:01 PM |
| 148 | This is too big a conflict of interest to overcome. | 3/18/2024 5:55 PM |
| 149 | too close | 3/18/2024 5:49 PM |
| 150 | If I want to sell my own property to a client/customer I am either honest or I am not. Punish the dishonest people. Leave the honest people alone. If the client/customer is aware of and my interest/share in a property is fully disclosed then that person can determine if they feel comfortable or want independent representation. | 3/18/2024 5:43 PM |
| 151 | This could become a conflict of interest. | 3/18/2024 5:42 PM |

RECA Rules Review - Standards of Practice

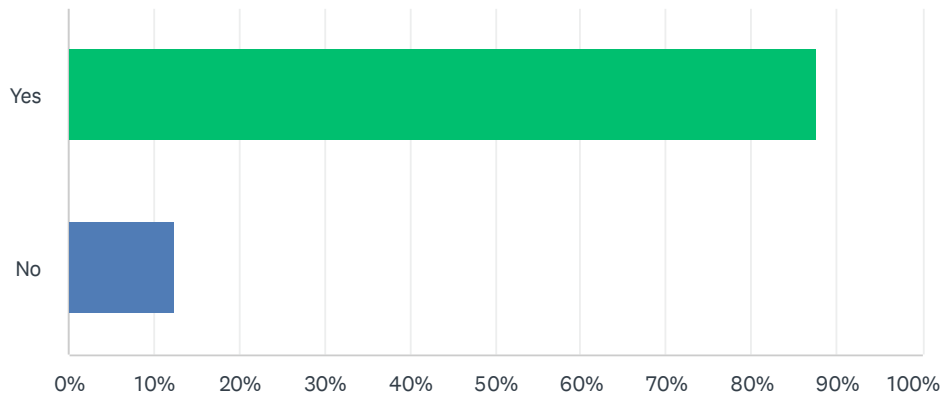
| | | |
|-----|--|-------------------|
| 152 | SEE ABOVE | 3/18/2024 5:41 PM |
| 153 | The structure and act is clear. If both parties agree to this type of representation. | 3/18/2024 5:35 PM |
| 154 | So long as full disclosure is done, there is not a reason to ban this. All licensees need to know to tread very carefully in these situations and maybe the requirement for residential deals is that an independent lawyer has to be involved? | 3/18/2024 5:31 PM |
| 155 | Never trust a skinny cook. We need to be able to buy what we are selling. | 3/18/2024 5:30 PM |
| 156 | It is bound to create a conflict of interest scenario and a headache for the broker and brokerage. | 3/18/2024 5:30 PM |
| 157 | Logical for consumers confidence. | 3/18/2024 5:24 PM |
| 158 | Proper disclosure and consent should be obtained from the unlicensed party to acknowledge the conflict of interest in all cases, but should not prevent the licensee from representing themselves. | 3/18/2024 5:19 PM |
| 159 | Not an outright prohibition. as much as RECA is there to protect the public, there are instances that should be an exception. For example completing a trade with family members. Some families really do get along. | 3/18/2024 5:10 PM |
| 160 | Hire a Realtor, its easier | 3/18/2024 5:08 PM |
| 161 | When representing themselves, the other party should have Customer Status. If the other party has Client Status, then the licensee's obligations are to the client, not themseoves. | 3/18/2024 5:07 PM |
| 162 | This would only create an opportunity for abuse. | 3/18/2024 5:07 PM |
| 163 | Way too much potential for abuse | 3/18/2024 5:03 PM |
| 164 | The licensees are already obligated to follow the rules and to be transparent to their clients always | 3/18/2024 5:03 PM |
| 165 | Basic conflict of interest | 3/18/2024 5:03 PM |
| 166 | As long as all parties are aware and sign off...then I see no issue. | 3/18/2024 4:58 PM |
| 167 | this is something you can not do fairly even if you think you can. | 3/18/2024 4:58 PM |
| 168 | conflict of interest | 3/18/2024 4:56 PM |
| 169 | see #20 response | 3/18/2024 4:55 PM |
| 170 | The choice should be up to the parties, fully informed of course. | 3/18/2024 4:52 PM |
| 171 | This is a conflict of interest with the potential of bad public opinion | 3/18/2024 4:49 PM |
| 172 | It could save time & money. | 3/18/2024 4:48 PM |
| 173 | Should not have personal business mixed with duties for clients. | 3/18/2024 4:48 PM |
| 174 | If all the rules and policies in place are followed and the Realtor knowing the legal side of their actions to stray will have serious consequence, it would not have issues | 3/18/2024 4:48 PM |
| 175 | It's in every consumer's best interest to have professional representation. | 3/18/2024 4:48 PM |
| 176 | conflict of interest | 3/18/2024 4:47 PM |
| 177 | the honest agents should not be punished for the bad apples | 3/18/2024 4:43 PM |
| 178 | No however know the risk. Ultimately if the client is aware and agrees then that would constitute as their legal instructions to continue. | 3/18/2024 4:41 PM |
| 179 | With total disclosure | 3/18/2024 4:39 PM |
| 180 | There is a large conflict here. The problem is if the brokerage is common law. It's very tough to get around this conflict so this has to be dealt with very carefully. As you can't relay on a competitive brokerage to sell your personal property | 3/18/2024 4:38 PM |
| 181 | This is a conflict of interest that cannot be disclosed away. | 3/18/2024 4:37 PM |
| 182 | As long as they have a Customer relationship as their is a conflict of interest. | 3/18/2024 4:36 PM |

RECA Rules Review - Standards of Practice

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| 183 | This undermines confidentiality and fairness for the other party. You cannot represent some else's best interest if you are looking out for your own interests. | 3/18/2024 4:35 PM |
| 184 | Provided all parties clearly understand the process and have signed off, then there should be no issues. | 3/18/2024 4:35 PM |
| 185 | N/a | 3/18/2024 4:34 PM |
| 186 | I think the other party needs to be explained the situation and if both are in agreement why not? speeds the process up, both will come to a quicker resolution, and I think it keeps the realtor honest, the liability shld make the other party feel confident the realtor wouldnt hide anything. | 3/18/2024 4:34 PM |
| 187 | See the aforementioned response - the other part does not have to deal / work with / be represented by the licensee, if they so choose, what's the issue - they are adults and have agreed in writing that they are aware of the situation. | 3/18/2024 4:33 PM |
| 188 | conflict of interest. | 3/18/2024 4:31 PM |
| 189 | Common sense | 3/18/2024 4:29 PM |
| 190 | Because it is same customer and client representation. | 3/18/2024 4:29 PM |
| 191 | this is a more serious conflict. If you are representing yourself you shouldn't be able to rep a client at the same time. | 3/18/2024 4:27 PM |
| 192 | Not as long as it has been clearly disclosed. | 3/18/2024 4:27 PM |
| 193 | There is to many double ending happening and that it's more a benefit to the agents and not to the seller. | 3/18/2024 4:26 PM |
| 194 | Obviously too many conflicts of interest, and an agent should not be able to represent themselves in any contract. | 3/18/2024 4:24 PM |
| 195 | Disclosure should be sufficient to protect the public. Why penalize the licensees? | 3/18/2024 4:23 PM |
| 196 | Yes - you cannot remain impartial. | 3/18/2024 4:19 PM |
| 197 | but it is a stupid decision to do this and insurance should be voided | 3/18/2024 4:17 PM |
| 198 | How do you treat both parties equal when you are one of them. this should be discontinued ASAP | 3/18/2024 4:13 PM |
| 199 | See above. Clients should be made aware if this is happening and the transaction should be stalled until separate representation is found for each party. This is for the benefit of the client/customer. | 3/18/2024 4:12 PM |
| 200 | This isn't my area as I am a condo manager, but that makes sense. | 3/18/2024 4:08 PM |
| 201 | that is a significant conflict of interest. | 3/18/2024 4:08 PM |
| 202 | We should help our clients as best we can | 3/18/2024 4:07 PM |
| 203 | We do not deal in real estate, therefore, cannot comment on this question. | 3/18/2024 4:07 PM |
| 204 | We are held to a higher standard if we are representing both parties including ourselves, better care and service for the transaction then anyone else would provide | 3/18/2024 4:05 PM |
| 205 | As long as I provide full disclosure and have the appropriate paperwork I should be allowed to represent everyone. I always give them choices and that's all that really matters. Integrity honesty and transparency. We have paperwork let's just keep it going. We all need to get paid | 3/18/2024 3:58 PM |
| 206 | Legal advice should be sought, which is the current rule. | 3/18/2024 3:56 PM |
| 207 | so long as the consumer knows they have a choice, and are making an informed decision, and the licensee is managing the transaction ethically, then there is no issue. | 3/18/2024 3:56 PM |

Q22 Are you in support of these clerical amendments?

Answered: 618 Skipped: 59



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 87.70% | 542 |
| No | 12.30% | 76 |
| TOTAL | | 618 |

| # | PLEASE EXPLAIN YOUR REASONING. FEEL FREE TO ALSO OFFER ALTERNATIVE IDEAS. | DATE |
|----|---|--------------------|
| 1 | It sure would be helpful if you could chart out the current and proposed changes on one page in excel or have a survey page for each line. | 4/19/2024 10:33 AM |
| 2 | less words that say more is easier to understand and provides more clarity. | 4/18/2024 7:18 PM |
| 3 | Anything to make things move along better I am in favour of | 4/18/2024 5:30 PM |
| 4 | Clarity and brevity are honourable goals in any industry. The identified amendments are welcome. | 4/18/2024 4:22 PM |
| 5 | Again, any efforts to reduce red tape or redundancy is welcomed. | 4/18/2024 12:18 PM |
| 6 | This needs to be defined. | 4/18/2024 11:38 AM |
| 7 | If it clarifies and reduces red tape then makes sense | 4/18/2024 11:30 AM |
| 8 | All except the ridiculous waste of time changing gendered language. Its not biased, its not to any real persons. Its not specifically referring to someone whos gender is relevant or in question. | 4/18/2024 11:29 AM |
| 9 | For sure since the change in electronic signatures and documents has evolved and will continue to do so. | 4/16/2024 2:16 PM |
| 10 | The only one I disagree with is 62(b)(i). I don't believe it's relevant to the licensee on the other side which brokerage you work for, so (ii) could be struck. Regarding (i), I think some of the public has the perception that all licensees are "in cahoots" with each other. Many people don't realize how big the industry is or how unacquainted most licensees are to most others. If a member of the public sold property to, or bought property from, a licensee and didn't find out until after the deal that they were a professional, it could easily lead them to the perception they were dealt with unfairly even when that is not the case. I am in favour of mandatory disclosures to members of the public when licensees are acting on their own behalf. | 4/10/2024 3:50 PM |

RECA Rules Review - Standards of Practice

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| 11 | I am not sure 41 e requires in writing. That could be overly complicated. The rest are fine. | 4/9/2024 9:00 PM |
| 12 | Self explanatory. | 4/6/2024 1:39 PM |
| 13 | I do think that this makes the wording clearer without losing the intent | 4/4/2024 10:59 AM |
| 14 | No specific comment. | 4/2/2024 4:15 PM |
| 15 | Yes / No... I don't see a significant variation in the vocabulary. | 4/1/2024 2:12 PM |
| 16 | I don't want to review them | 3/30/2024 1:16 PM |
| 17 | They are inclusive and appropriate based on the current social environment. | 3/30/2024 1:15 PM |
| 18 | To be a correct survey, each clerical amendment should be listed along with a support? Yes - No answer because otherwise it is all or nothing. In my view the clerical amendments should be disregarded until some time in the future when RECA rectifies this 'improper survey issue'. | 3/29/2024 7:13 AM |
| 19 | na | 3/28/2024 3:06 PM |
| 20 | The proposed updates seem reasonable and fair. | 3/28/2024 12:07 PM |
| 21 | I trust these are positive changes. | 3/27/2024 12:01 PM |
| 22 | Elimination of gender language: I rarely read the rules to make myself feel good. We all know he means he/she. 41(c) what's wrong with informing people, as soon as reasonable, as to how we expect to be paid? 51(1)(j) if the data is not held in some physical place where RECA can come in and access it, then how will they obtain it if the party being investigated is uncooperative? Although this is already an issue, even in the case of a brick and mortar operation, it adds another level of complexity where you have to appeal to the courts, and then to the company holding the data ie. Gmail etc. A brokerage could easily have a small harddrive where they backup their data every night. 59 Does informing the borrower of how a brokerage COULD be remunerated count? How are we to know at the beginning of a transaction how we are to be paid? Leave 41(c) in tact. 62(b)(i)(ii) I disagree. Other licensees should know the other practitioner is in fact licensed and who the brokerage is, as the latter is ultimately the first party complainants should go to in the event that they are displeased with service. 72 I disagree. You must leave some liability with other parties. If the other party dislikes that no action has been taken to verify, let them demand more. | 3/26/2024 2:37 PM |
| 23 | Leave well enough alone. | 3/26/2024 10:44 AM |
| 24 | for the most part, if it reduces "red tape" | 3/26/2024 8:48 AM |
| 25 | This requires update | 3/26/2024 8:35 AM |
| 26 | 4 Inclusion (e) ensure the role of the licensee is clearly understood by their clients and third parties, and where reasonable obtain authorization in writing; Isn't this redundant "and where reasonable obtain authorization in writing" covered by signing written service agreements? No harm in leaving in 62(1)(b) for clarity. Disclosure is important. 62(1) A licensee trading in real estate on the licensee's own behalf, either directly or indirectly, must disclose in writing: (b) to the licensee representing a buyer or seller: (i) that the licensee is authorized under the Act; and (ii) the name of the brokerage with which the licensee is registered. | 3/25/2024 4:09 PM |
| 27 | TO REMOVE RED TAPE, REMOVE REDUNDANCY, AND ALIGN WITH EXISTING LEGISLATION | 3/22/2024 5:15 PM |
| 28 | Yes, red tape reduction is good. The proposed changes look fine. At least nothing that makes it unpalatable. | 3/21/2024 12:57 PM |
| 29 | Better to reduce redundancy. | 3/21/2024 10:50 AM |
| 30 | Yes to some and no to a few. The vast majority of realtors are hard working honest people. But there will always be a few bad apples, and we need to have rules that allow us to police our industry in a way that protects the general public | 3/21/2024 10:19 AM |
| 31 | no sure, will need to review in full at a later date | 3/21/2024 10:10 AM |
| 32 | with the number of clerical amendments proposed, each Rule amendment should be a separate question or incorporated into smaller groups. Some of the proposed clerical amendments I do agree with, however there are others I do not agree with, this requires my answer to be No to Question 20 | 3/21/2024 8:46 AM |

RECA Rules Review - Standards of Practice

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| 33 | Why can there not be gendered references? | 3/20/2024 4:13 PM |
| 34 | The changes are straight forward. | 3/20/2024 4:12 PM |
| 35 | Except 71b. The 2 day waiting period is ridiculous. | 3/20/2024 4:11 PM |
| 36 | I don't agree with the changes to 42 (e), i think it should remain as is, without removals, but I'm ok adding the references to the various acts (Alberta/Federal). I don't trust the current Provincial Government to not change the act to be counter to the current intent. I don't have an issue with the other additions. | 3/20/2024 11:30 AM |
| 37 | I'm always in favour of increasing clarity. | 3/20/2024 10:56 AM |
| 38 | As the industry evolves - it's important to keep language current with the times. | 3/20/2024 9:30 AM |
| 39 | some but not all | 3/20/2024 5:57 AM |
| 40 | I support red tape reduction. | 3/19/2024 9:35 PM |
| 41 | You should only work with those you are comfortable working with... There is always another broker that is willing to work with a serious seller or buyer | 3/19/2024 8:27 PM |
| 42 | Removing red tape on clerical amendments will help make services faster. | 3/19/2024 6:38 PM |
| 43 | Not sure | 3/19/2024 5:15 PM |
| 44 | having this information available to review is helpful. as well has having this opportunity to give feedback is also helpful. | 3/19/2024 5:09 PM |
| 45 | In principle, yes, but why were those line items less clear before? | 3/19/2024 4:41 PM |
| 46 | less red tape the better | 3/19/2024 4:04 PM |
| 47 | Reduce red tape as much as possible | 3/19/2024 3:34 PM |
| 48 | For reasons of clarity. | 3/19/2024 2:54 PM |
| 49 | Agreed | 3/19/2024 2:45 PM |
| 50 | Removing redundancy is simpler | 3/19/2024 2:08 PM |
| 51 | reduce red tape - no; remove redundancy, align with existing legislation yes. The "red tape" is there to make sure everything is done in accordance with standards etc. | 3/19/2024 10:54 AM |
| 52 | No Comment, I did not take the time to read the paper. | 3/19/2024 10:52 AM |
| 53 | As long as we aren't turning into the woke/cancel culture society. This wave of our culture is already waning and the pendulum is now swinging back to sanity. eg: men in women's sports. Finally, sports are stopping this wokeness. Let's not be part of something we look silly with in the future. | 3/19/2024 10:36 AM |
| 54 | We must keep in line with the legislation. | 3/19/2024 10:17 AM |
| 55 | Even Star Trek had to revamp their intro to keep current with the times, it is what it is. | 3/19/2024 10:11 AM |
| 56 | Good amendments proposed. | 3/19/2024 10:08 AM |
| 57 | It achieves the desired outcome of reducing red-tape and redundancy. | 3/19/2024 9:55 AM |
| 58 | I don't know. | 3/19/2024 9:47 AM |
| 59 | There are a number of changes in here that would be looking to remove and challenge those who say there are two genders. RECA needs to focus on managing their agents and providing a training program that actually enables new agents to perform at a high level and stop with the political discourse. | 3/19/2024 8:55 AM |
| 60 | Who wants more work. Lol | 3/19/2024 7:52 AM |
| 61 | I like all but 42e, where the prescriptive list, I feel it should be both the legislation and the list, just for clarity. | 3/19/2024 7:25 AM |
| 62 | The elimination of gendered language feels like an attack on women. I'm against that. We've come so far with rights and now we're being erased by the woke. I'm very disappointed in this, | 3/19/2024 12:04 AM |

RECA Rules Review - Standards of Practice

but I'm sure no one cares, and will just cater to others. Sigh. Fine with 48(a), remove redundancies 51(1)(j) good. Evolving. 57(g) yes. Good. 60.1(4) yes. Good. 62(b)(i)(ii) yes. Good. Everything else, I don't have an opinion either way.

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| 63 | I am in support of eliminating redundancy. | 3/18/2024 11:52 PM |
| 64 | speaks for itself | 3/18/2024 11:37 PM |
| 65 | It is prudent to review the rules for the sake of staying current and on par with consumers and associates alike. | 3/18/2024 10:22 PM |
| 66 | Anything to make life simpler. | 3/18/2024 9:30 PM |
| 67 | They all look reasonable to me. | 3/18/2024 8:07 PM |
| 68 | Not enough info | 3/18/2024 7:43 PM |
| 69 | Need more info on 71(b) | 3/18/2024 7:34 PM |
| 70 | No need to fix a things that are not broken | 3/18/2024 7:12 PM |
| 71 | Making positive amendments to help the industry is a good thing. | 3/18/2024 6:36 PM |
| 72 | Unsure | 3/18/2024 6:24 PM |
| 73 | who cares. | 3/18/2024 6:20 PM |
| 74 | That's a good start, remove twice that amount next time. | 3/18/2024 6:02 PM |
| 75 | This needs to be simplified in several shorter pieces for clarity. | 3/18/2024 5:55 PM |
| 76 | This will reduce red tape. | 3/18/2024 5:44 PM |
| 77 | DID NOT READ | 3/18/2024 5:41 PM |
| 78 | Anything to reduce redundancy. | 3/18/2024 5:31 PM |
| 79 | Logical | 3/18/2024 5:25 PM |
| 80 | Good to see we are trying to evolve with the times. | 3/18/2024 5:12 PM |
| 81 | Some yes. But not all. | 3/18/2024 5:11 PM |
| 82 | It is more practical | 3/18/2024 5:05 PM |
| 83 | In favor | 3/18/2024 5:02 PM |
| 84 | These are well thought out | 3/18/2024 4:55 PM |
| 85 | If they are reducing redundancy but I am not sure about removing red tape. | 3/18/2024 4:50 PM |
| 86 | Streamlining is always beneficial. | 3/18/2024 4:48 PM |
| 87 | with the exception of gender, there are only two genders, please don't add in a bunch of language about they/them, zee etc | 3/18/2024 4:45 PM |
| 88 | Less red tape but absolutely punishment for wilful breaking of rules. | 3/18/2024 4:42 PM |
| 89 | Anything that brings clarity is good. If the existing legislation says something I am all for following the legislation. | 3/18/2024 4:37 PM |
| 90 | again - similar to a previous amendment, these simply continue the legalize and misinterpretation of any change | 3/18/2024 4:36 PM |
| 91 | Redundancy and red tape needs to be limited and/or eliminated wherever possible | 3/18/2024 4:36 PM |
| 92 | I'm not sure | 3/18/2024 4:34 PM |
| 93 | Anything to reduce red tape. | 3/18/2024 4:28 PM |
| 94 | No opinion | 3/18/2024 4:25 PM |
| 95 | i did not read this but clerical error should always be fixed and anything misleading and too subjective | 3/18/2024 4:18 PM |

RECA Rules Review - Standards of Practice

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| 96 | I don't think many of those are warranted and don't agree with many of the revised wordings. | 3/18/2024 4:14 PM |
| 97 | I skimmed it and the changes look fine. | 3/18/2024 4:09 PM |
| 98 | I have not reviewed in detail so can't form an opinion but believe that this is an easily delegated task for the powers that be (RECA)...There needs to be some confidence in their ability to sort through clerical amendments | 3/18/2024 4:03 PM |
| 99 | I have not read them. This assumes these are to reduce red tape only. | 3/18/2024 4:00 PM |
| 100 | Making things easier is great as long as we are still protected and our clients have the information required to make the appropriate decisions | 3/18/2024 3:59 PM |