

ASSISTANTS – REAL ESTATE BROKERAGE

Purpose: To explain the responsibilities real estate professionals have to supervise assistants and the tasks assistants may perform and not perform.

This bulletin applies to all real estate brokerages, brokers, associate brokers, associates, and assistants of any of these individuals.

An individual must hold a licence from the Real Estate Council of Alberta (RECA) to trade in real estate. Real estate professionals often hire individuals to work directly with the real estate professional. These individuals may or may not hold a licence with the real estate professional's brokerage. If the individual holds a real estate licence, they can perform any activities a real estate professional performs. If the individual does not hold a licence with the real estate professional's brokerage, their activities are much more restricted.

Assistants that do not hold a licence must not trade in real estate. Their activities must focus on administrative tasks.

Real estate professionals employing assistants must ensure:

- to assign tasks assistants are competent to perform
- not to assign tasks that requires a real estate licence
- disclose to clients, customers, public, and industry professionals the assistant does not hold a licence to trade in real estate
- ensure assistants identify themselves as assistants to their employer
- supervise the activities of the assistant
- ensure that the assistant complies with brokerage policies and procedures

Brokers must:

- oversee activities of assistants in the employ of the brokerage and brokerage professionals
- approve the hiring of assistants
- establish policies and procedures regarding assistants
- ensure the assistant understands any policies for client confidentiality
- enter into a confidentiality agreement between the brokerage and the assistant

- enter into a written agreement outlining the assistant's job description and remuneration formula with a copy in the brokerage files

Tasks unlicensed real estate assistants may do: (under broker, associate broker, associate supervision):

- answer and forward calls
- write ads for their employer's approval and place them with the media
- maintain and update the employer's website
- prepare promotional information and materials for their real estate professional's approval
- submit listings and changes to the applicable listing service and/or database
- witness documents that the real estate professional presents to the client or customer
- follow up on loan commitments after a contract has been negotiated
- assemble documents for closing or incoming/outgoing tenants
- secure public documents from the courthouse, utilities services, etc.
- copy keys for brokerage listings/rentals at their real estate professional's request
- record and deposit trust money, security deposits and advance rents
- type standard form contract for their real estate professional's approval
- compute the amount of commission cheques
- place signs on property on behalf of their real estate professional
- order items or routine repairs at the request their real estate professional
- act as a courier to deliver documents and pick-up keys for their real estate professional
- schedule showings of properties on behalf of their real estate professional
- retrieve real estate board information for their real estate professional's use
- set-up client/customer files, take property photos, complete fact sheets for their real estate professional's approval and deliver to the properties
- open seller's properties on behalf of their real estate professional for service providers (e.g. appraisers, inspectors) if the seller/landlord has given informed consent
- install lockboxes on their real estate professional's listed properties
- input listings/changes in listing databases once real estate professional verifies the information
- distribute real estate professional's marketing materials
- distribute property information to the public after approval from their real estate professional
- inspect or measure properties if qualified to do so and if their real estate professional verifies the information

- solicit or canvass interest in their real estate professional's services
- accept rents and security deposits once their real estate professional negotiates the agreement
- perform bookkeeping functions for their real estate professional
- obtain leads for their real estate professional

Tasks unlicensed real estate assistants must not do are:

- place marketing materials or ads without their real estate professional's approval
- show properties for sale or for lease
- preview properties without their real estate professional
- answer questions from the public regarding any real estate transactions
- discuss any real estate documents associated with actual/potential transactions
- attend listing/sales presentations without their real estate professional
- negotiate real estate purchase contracts or lease agreements
- negotiate or agree to any commission, management or referral fees
- negotiate rents, security deposits or lease provisions, except for properties as an employee of the owner
- hold public open houses
- represent themselves as a real estate professional
- collect late rent payments, except for properties as an employee of the owner
- access key/code to a key box
- act as a go-between for tenant or owner and their real estate professional when an agreement is in place

INFORMATION BULLETINS

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Related information

Legislation

- *Real Estate Act* – s.1(1)(s.1), s.1(1)(v), s.1(10)(x), and s. 17
- *Real Estate Act Rules* – s.44, s.46, 51(1)(e), 51(1)(f), and 53(e)

Information bulletins

- Responsibilities – Real Estate Broker
- Teams in the Real Estate Industry
- Trading in Real Estate as a Real Estate Broker