

RESPONSIBILITIES – REAL ESTATE ASSOCIATE BROKERS AND ASSOCIATES

Purpose: This bulletin explains the responsibilities of an associate broker and associate as part of their business practices.

This bulletin applies to all real estate professionals.

Real estate associate broker and associate responsibilities and accountabilities include:

- trade in real estate only in the name that appears on your licence
- trade only in the name of the brokerage that is on your licence
- ensure that all transactions and related documentation meet legislative requirements
- deliver all documentation to the broker for trades and potential trades
- maintain communication with the broker regarding your activities on behalf of the brokerage
- notify the broker upon learning of any violation of the *Real Estate Act*, Regulations, Bylaws, or Rules
- notify the broker if you did not receive a deposit as part of a trade
- respond promptly to any inquiry from your broker
- immediately notify the executive director of any changes in information previously given
- ensure adequate supervision of your unlicensed assistant who is not an employee of the brokerage

INFORMATION BULLETINS

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Examples

1. Timothy Tradent is a licensed real estate associate with 123 Real Estate Associates Inc. His marketing materials use the name "Tim Trader". Mr. Tradent has previously made application to the Real Estate Council of Alberta (RECA) for his also-known-as first name, Tim. RECA approved "Tim", as it is a derivative of his legal name Timothy. RECA does not approve the use of false last names by industry professionals. Mr. Tradent must not only use the name Trader to trade in real estate. Mr. Tradent may wish to use "Trader" as an additional moniker in his advertising. This is acceptable only if he clearly indicates his full name and the brokerage name as it appears on his licence.
2. Jane Smith holds a licence as a real estate associate with TEAM Real Estate Ltd. Ms. Smith meets with a couple and completes an Offer to Purchase. Ms. Smith submits their offer to a seller and the seller rejects the offer. Her clients decide not to submit a further offer. Ms. Smith destroys her copy of that Offer to Purchase that the seller did

not accept. Ms. Smith did not meet her responsibility to deliver all real estate trade documentation for trades and potential trades to her broker.

3. John Doe holds a real estate licence as an associate broker. He personally hires an unlicensed assistant. Mr. Doe is responsible to supervise his personal assistant. This includes ensuring that his assistant does not perform any tasks for which she requires a real estate licence.
4. Mary New declares bankruptcy but does not report this to RECA. Ms. New is responsible to notify the executive director in writing of any changes in information given as part of her licence application.

Related information

Legislation

- *Real Estate Act* Rules - section 53

Guides

- Advertising Guidelines

Information bulletins

- Advertising – Licensed Name
- Advertising - Clearly Indicated
- Notice to Executive Director
- Teams in the Real Estate Industry