

The Register



August 2010

Saskatchewan Real Estate Commission Annual Meeting

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**October 7, 2010
Saskatoon Club
417—21st Street East
Saskatoon, Saskatchewan
11:30 a.m.**

The Saskatchewan Real Estate Commission will be hosting a complimentary noon luncheon commencing at 11:30 a.m. at the Saskatoon Club.

The Annual Meeting will be held during the luncheon. The agenda is as follows:

1. Call to Order
2. Opening Greetings
3. Introductions
4. Greetings from Financial Services Commission
5. Overview of the Commission's 2009-2010 activities
6. Special Presentations
7. Chairperson's Closing Remarks
8. Adjournment

We invite you to come and join us and use this as an opportunity to acquaint yourself with the Commission and its mandate; to meet the Commission members and staff; and to ask any questions you may have concerning the regulation of the industry.

If you are planning on attending this luncheon, please RSVP to srolleston@srec.ca prior to October 4, 2010.

Commission Appoints New Assistant Executive Director/Registrar and hires an Administrative Assistant

The Saskatchewan Real Estate Commission is pleased to announce the appointment of Tom Ketterer as its new Assistant Executive Director/Registrar. Tom commenced employment with the Commission on June 1, 2010.

Tom obtained his Bachelor of Commerce in Accounting from the University of Saskatchewan in 1990. He articulated with KPMG in Regina and Thomson Jasper in Saskatoon and obtained his Chartered Accountant designation in 1994. During his articling, he worked with a variety of clients including individuals, small owner managed businesses and large corporations. After leaving public accounting, Tom worked in owner managed businesses (in the transportation and manufacturing sectors) and in the public sector. His experience includes a strong background in internal controls, financial and management reporting and analysis, and a focus on striving for continuous improvements in business processes and results.

He is married and has two children that are active in a variety of sports which allows Tom to help coach and be involved in sporting activities. Tom currently serves on the Board of Directors of the Saskatoon SPCA.

We are also excited to report that effective June 18th, Shari Rolleston commenced employment with the Commission as the Administrative Assistant.

Before starting with the Commission on June 18th, Shari previously worked with McDonalds Restaurants of Canada Ltd. and Regional Employment Development Inc. in administrative positions. She had a wide range of responsibilities that included payroll, scheduling, ordering of supplies and various other clerical functions.

Shari and her husband, Scott have two young boys that

keep them busy with their interests in “Mighty Machines”, Superheroes and various sporting activities.

Both Tom and Shari are very welcome additions and we look forward to a long working relationship with them.

Property Management Disclosures for a Registrant Trading in Real Estate Owned by the Registrant

Under Section 29 of the Real Estate Regulations, a registrant who is carrying out property management of his or her own property is exempt from trading through his or her brokerage for this particular type of trading activity. However, the registrant is still required to make disclosures in writing to the tenant before entering into a lease or rental agreement with the tenant. The disclosure requirements are:

- ownership or interest in the real estate, and that
- *The Real Estate Act* does not apply to the lease or rents of the real estate.

The Commission has a mandatory form (Disclosure of Interest in Trade) that is required to be used to make these disclosures. The registrant is required to fill out PART A (personal information), PART C (Disposition of real estate owned or rented by a registrant, an associate or immediate family member) and PART D (signatures and acknowledgement). The form then must be signed by the registrant’s broker who is required to retain the document for a period of six years.

The Saskatchewan Real Estate Commission will be closed on the following days:

September 6 - Labour Day

October 7 (afternoon) - SREC Annual Meeting

October 11 - Thanksgiving

November 11 - Remembrance Day

December 24, 2010 (afternoon)

December 27-31 Christmas Holidays

Offers to Purchase Obtained by a Registrant

Section 58 of *The Real Estate Act* requires that all Offers to Purchase obtained by a registrant must be in writing in addition to being dated and signed by the buyer in the presence of a witness.

The definition of an Offer to Purchase includes any offer to purchase, exchange, option or lease of real estate in addition to any amendments or counter offers for the transaction.

A registrant who obtains an offer **SHALL** immediately deliver a copy of the offer to the seller or to his/her agent. The acceptance of the offer must be in writing, dated and signed by the seller in the presence of a witness. The registrant is required to leave one copy of the acceptance with the seller and immediately have a copy of the acceptance delivered to the buyer.

The legislation prohibits a registrant from obtaining an offer or acceptance of an offer unless done in the prescribed manner in writing.

Registration Report

A total of 45 individuals applied for initial registration between April 1 and June 30 and were therefore exempt from the 2009-2010 CPD requirement as well as receiving a discount in their registration fees from \$575 down to \$300 for the remainder of the registration year.

Correspondence was sent to seventeen brokerages requesting submission of the interest bearing trust account form from their financial institution for the period October 1, 2009 to March 31, 2010.

As of May 31, 2010 there were fifty-four individuals still registered who had not attended one of the 2009-2010 CPD seminars. E-mail correspondence was sent to these registrants outlining the requirements for registration renewal at July 1st (i.e. enrollment and/or completion of the CPD home study course, written request for an extension and payment of the \$300

extension fee). Fourteen of these fifty-four terminated their registration at June 30th and will be required to complete the 2009-2010 CPD by home study prior to being granted reinstatement of their registration. Forty individuals requested an extension. Thirty-nine were granted an extension and one was denied his request for an extension. Five of the thirty-nine were given an exemption from the \$300 late extension fee due to extenuating circumstances. Thirty-three of the remaining thirty-four paid the \$300 extension fee and one individual's fee remains outstanding. Thirty-eight individuals completed the home study course prior to June 30th and were thereby eligible to renew their registration for July 1st. One individual choose not to renew immediately pending completion of the 2009-2010 CPD home study course during July.

The on-line registration renewal process went relatively smooth this year. Throughout the month of June numerous phone calls were dealt with to assist registrants who had misplaced their log-in information and required assistance with the process. We encountered some difficulties with two specific e-mail servers being used by registrants. These e-mail servers appear to have stringent security protocols and are blocking our database from sending an e-mail to the registrants providing them with the log-in information.

By 4:30 p.m. on Friday, June 30th there were 23 individuals who had not yet logged onto the Internet to process their registration renewal for July 1st and their Certificates of Registration expired at midnight on June 30th. Of these 23 individuals, nine terminated their registration and fourteen renewed between July 1st and 5th.

Registration Statistics:

	<u>June 1, 2010</u>	<u>July 1, 2010</u>
Brokerages/Broker	228	227
Branch Managers	22	24
Associate Brokers	140	138
Salespeople	<u>1,206</u>	<u>1,204</u>
Total # of Registrants	1,597	1,593

On June 30, 1990 the industry had 1,784 registrants; thereafter, we saw a continuous decline to low of 1,264 in 2006. As of July 31, 2010 there were a total of 1,611 individuals registered to trade in real estate in Saskatchewan.

PST and Real Estate Fees

The Commission has received several enquiries lately from the public and registrants relating to the rules on the application of Provincial Sales Tax relating to real estate fees. The Saskatchewan Government provided a guideline relating to real estate fees with the issuance of Information Bulletin PST-24 in March 2000 that was revised in September 2002. The following is a quote from the Bulletin:

REAL ESTATE FEES

“Fees or commissions paid to a person registered to trade in real estate under The Real Estate Act are taxable for all land and building properties located in Saskatchewan, including residential, commercial, recreational and farm properties. Tax does not apply to fees or commissions on new home sales. New homes include single family dwellings and condominiums. Fees for real estate appraisals or property inspections are not taxable.”

Further information is available from the Government web site: www.finance.gov.sk.ca/taxes/pst.

Mission Statement

To protect the public interest by ensuring that registrants act within a professional framework that promotes ethical conduct and integrity and strengthens consumer trust and confidence.

Commission Members

Larry Gingerich (Saskatoon,) Chairperson
Cheryl Elliott (Prince Albert), Vice Chairperson
Donnett Elder, Regina
Trevor Koot, Swift Current
Phillip Mack, Regina
Anne Odishaw, Saskatoon
Marion Piper, Lloydminster
Terry Powell, Saskatoon
John Puderak, Saskatoon
Ron Skinner, Yorkton
Wayne White, Regina

Commission Staff

Al Jacobson, Executive Director/Registrar
Tom Ketterer, Assistant Executive Director/
Registrar
Ed Miller, Director of Investigations
Verna Olfert, Director of Registration
Shari Rolleston, Administrative Assistant
Jason Weiler, Systems Administrator
Allan York, Director of Audits

SREC Contact Info

Saskatchewan Real Estate Commission
237 Robin Crescent
Saskatoon, SK
S7L 6M8

Our fax number is: **1-306-373-2295**
Our telephone numbers are:
1-306-374-5233
1-877-700-5233 (Toll Free)

Our website address is: **www.srec.ca** and we may be reached at the following e-mail addresses:

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