

Is Someone Covering Your Files (when you can't)?

Real estate transactions can be unpredictable. A straightforward trade can become complicated very quickly. As such, a registrant representing a party to a transaction can find himself or herself stuck if something goes wrong when the registrant is unavailable due to illness, travel or any other circumstances that prevent the registrant from dealing with the trade in a timely manner.

While a registrant is entitled to get sick or go on vacation, the obligation to protect and promote the interests of the client *must always* be satisfied.

When planning a vacation, registrants should seriously consider whether or not another registrant at the brokerage should look after his or her files while away. In making this determination, the registrant should consider such things as:

- Will the registrant have access to a computer or fax machine?
- Will the registrant have good cell phone coverage and/or reception?
- How comfortable are the clients with electronic communication, signing documents electronically, etc.?
- How many ongoing files does the registrant have and at what stage of the transaction are these files?

A registrant who falls ill should seriously consider the impact his or her illness is likely to have on his or her ability to represent the client's interests.

Refusal to turn transactions over to other registrants when having trouble carrying out their duties, for whatever reason, is harmful to the best interests of the public. A client's interests are not being protected and promoted when their agent is not available or unable to focus the necessary attention on their transaction.

If it is becoming clear that a registrant is not able to deal with requests from clients or other agents adequately and in a timely manner, for any reason, that registrant should make arrangements with his or her broker or another registrant to handle the files.