

Professional Courtesy and Civility

Bylaw 702.1

The Saskatchewan Real Estate Commission receives a number of complaints each year respecting conduct that is unprofessional and unbecoming of a registrant, but, until recently, that conduct did not specifically violate any of the bylaws or sections of *The Real Estate Act*. In response to these complaints, the Commission determined that it should have the ability to sanction those registrants who act inappropriately when trading in real estate. The Financial and Consumer Affairs Authority of Saskatchewan agreed and, on Friday October 14, 2016, a new bylaw came into effect which states:

A registrant shall not engage in conduct that is disgraceful, unprofessional or unbecoming of a registrant in the course of his or her practice.

The new bylaw regulates the civility and professional conduct of all registrants. Conduct, for the purposes of this bylaw, includes communication with clients, other registrants, and the public, as well as anything else done in the course of trading in real estate.

Professional conduct is not limited to refraining from inappropriate comments, offensive jokes, or rude gestures. Being a professional means being held to a higher standard of conduct than the general public. It means that other professionals can expect to be treated with courtesy and respect, and they can be expected to act in kind. Registrants are better able to protect and promote the interests of their clients in an atmosphere of civility and professional conduct.

Bylaw 702.1 mimics, in large part, the wording of Article 21 of *The REALTOR® Code*, which provides that “A REALTOR® shall not engage in conduct that is disgraceful, unprofessional or unbecoming of a REALTOR®”. Through their membership in the Association of Saskatchewan REALTORS®, many registrants in Saskatchewan are already bound to follow *The REALTOR® Code*. Bylaw 702.1 will ensure that those registrants who are not members of the Association are also required to act in a professional manner and give the Commission the ability to discipline all registrants for unprofessional conduct.

Other regulated professions are held to similar standards. For example, the Law Society of Saskatchewan *Code of Professional Conduct* provides in section 6.02(1) that “A lawyer must be courteous and civil and act in good faith with all persons with whom the lawyer has dealings in the course of his or her practice.” Under section 19 of *The Chiropractic Regulatory Bylaws*, the Chiropractors’ Association of Saskatchewan requires that “All members of the association shall conduct themselves in a professional manner so as to enhance the honour of those engaged in the practice of chiropractic.”

The Commission believes that the addition of Bylaw 702.1 will strengthen its ability to act in the protection of the public and increase the level of professionalism expected by the industry.

Registrants who violate this bylaw face the same possible penalties as all other bylaw infractions: reprimands, fines of up to \$5,000, and potential suspension or cancellation.