



THE REGISTER

SREC Newsletter

November 2017



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Changes are coming soon to the mandatory education program for pre-registration and CPD.

Message From the Chair



It's hard to believe that another year is coming to an end. As it does, the Commission is taking this time leading up to our last meeting of the year to reflect on our accomplishments, while we look forward to the new year and continue to contemplate our role in the regulation of the real estate industry in Saskatchewan.

We are proud to continue to be a leading regulator in Canada and throughout the world. We take pride in working closely with organized real estate, our registrants, other stakeholders and similar organizations around the world to stay aligned with current industry trends and take what opportunities are available.

The coming year will see the Commission continuing to work hard on: finalizing education courses and programming with a new provider, working with our government partners in progressing the new draft legislation, and hosting regulators from across Canada at the annual Real Estate Regulators of Canada conference in Saskatoon in June.

Again, I encourage all registrants to share your thoughts on how we can improve our role to ensure your clients remain protected and confident in you and in their real estate experience.

Wishing all the best to everyone during the upcoming holiday season.

Sincerely,

Trevor Koot

Brokerage Annual Financial Reporting

It's preparation time for annual financial reporting by brokerages. Bylaw 606 states all brokerages must file an annual financial report for the previous calendar year with the Saskatchewan Real Estate Commission. Reports for the 2017 year must be filed on or prior to March 15, 2018. The Commission offers an instructional guide on its website for those who wish to jot down dates and figures prior to submitting the electronic version. www.srec.ca > Forms > Trust Account Forms > Annual Financial Report Guide.

It is important to remember the report is not considered complete until all requested and supporting documentation is received (or post marked on or prior to March 15, 2018) by the Commission. Documentation may be clearly scanned with PDFs emailed to info@srec.ca. Please retain all originals with your file records.

In accordance with Commission Bylaw 407, a late submission fee of \$1,500.00 will be levied against each brokerage whose complete report and supporting documentation are received dated/postmarked after March 15, 2018.

If you have any questions or concerns regarding the filing process, please contact Gail Armstrong at info@srec.ca.

Changes to the Education Program

The Commission recently announced that effective January, 2019, we will be changing education providers for our mandatory education. UBC's Sauder School of Business, Real Estate Division (Sauder), will be the new provider and will be developing a new, enhanced mandatory education program for the Commission based on blended learning.

This will not affect registrants in any way, with the exception that they will no longer access their mandatory education programs through the Association of Saskatchewan REALTOR[®]'s website. Rather, all active students and registrants will receive information about the new program and how to access it through Sauder's learning portal prior to its launch in the new year. Information for incoming students will be hosted on the Commission's website with links to the student portal.

During this transition period, the ASR will continue to provide mandatory education on behalf of the Commission, and courses will continue to be accessed through their website throughout 2018. Both the Commission and the ASR will work with registrants and students to promote a seamless transition.

See our article, "Construction Zone Ahead", p. 7 of this issue, for more details.

Annual Professional Corporation (PC) Permits It's Time to Renew!

All PC permits issued by the Saskatchewan Real Estate Commission (Commission) **expire on December 31, 2017**. Notices regarding the upcoming expiry were recently sent to all current PC permit holders. To date, only a small percentage of permit holders have made the effort to begin the renewal process.

To maintain your status with the Commission under *The Professional Corporations Act*, you must complete all three renewal steps prior to the expiry date:

1. Provide a copy of your PC corporate/entity profile report to the Commission. This can be obtained from the Corporate Registry by visiting www.isc.ca/corporateregistry. **Ensure the report is dated after October 15, 2017**. This report can be sent to the Commission by fax, mail or email (see Contact information below).
2. Once the Commission has received your corporate/entity profile report, it will be reviewed and your information will be updated on the Commission's online registration system.
3. After the Commission has updated your corporate information, you will be sent an email to proceed with the online portion of the renewal. The email will contain specific renewal instructions.
4. Log onto the Commission's online registration system to view your personal page. The Commission uses a circle filled with colour to show the status of information: 

The color-coded method is similar to a traffic light. A green circle represents good standing (the permit is active), a yellow circle represents attention is needed (renewal is due), and a red circle represents failure to comply (renewal is past due).

In the Professional Corporation section on your profile page (on the right), is a link to "Renew Permit". Clicking on this link takes you to a secure payment section where you may pay by either VISA or MasterCard to renew your permit for the 2018 year. The PC permit renewal fee is \$200. *Your circle color should change from yellow to green once payment has been processed.*

NOTE: THE COMMISSION OFFICE WILL BE CLOSED DECEMBER 22, 2017 UNTIL JANUARY 2, 2018. The Commission must be in receipt of your report PRIOR TO DECEMBER 20, 2017 in order to allow for processing time.

Contact:

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CPD 2017-18

Get your Professional Development On

Each registration year, registrants must complete ONE Continuing Professional Development (CPD) course.

Courses are provided through our education provider, the ASR. In-class workshops are filling up fast and space is limited. After March 2018, the in-class workshops will not be available.

Please note that as of this printing, [online CPD is now available](#). Check ASR's website regularly for updates concerning CPD.

A reminder: CPD ***must be completed by May 31st*** of each registration year. Proof of completion by midnight, May 31st must be received by the Commission before registrants can renew their registration for the upcoming year.

Registrants who have not completed CPD within the required time will be assessed a late fee of \$300 and must apply to the Registrar for an extension.

- ***Industry Updates***
(offered as an in-class workshop OR as an online course)
- ***Commercial Course - Land Management***
(offered ONLY as an online course)
- ***Broker/Brokerage Course - Brokerage Audits***
(offered ONLY as an online course)

Please visit

www.saskatchewanrealestate.com/cpd
to purchase and register TODAY!

2017/18 Dates to Remember

Oct. 15-Dec. 31
Professional
Corporation
permit renewals

Dec. 7 (Saskatoon)
March 8 (Regina)
Regular Commission
meetings

March 15
Brokerage Annual
Financial Reports due

May 16-June 30
Registration renewals

May 31
CPD completion
deadline

July 1
Registration year
begins

SREC Hosts RERC 2018

The Real Estate Regulators of Canada (RERC), is made up of regulatory jurisdictions from across Canada who have as a common goal the improvement of professional practice through regulation of the real estate industry.

RERC hosts an annual conference attended by member jurisdictions from across the country. The conference is an opportunity to share and discuss the latest trends and issues in both the real estate industry and its regulation. Each jurisdiction shares highlights of their year, the progress of current projects, and regulatory improvements made over the course of the last year.

RERC's goal is to create a cohesive regulatory practice across Canadian jurisdictions through the sharing of information and resources, and having common goals for the industry. RERC is responsible for the creation of Canada's effective, fluid interjurisdictional reciprocity policies and practices where each jurisdiction recognizes the training and experience achieved from each other jurisdiction. It also researched and created common learning objectives and pre-registration training programming for all individuals entering the industry in Canada, which helps ensure that the public is getting qualified professional representation in their real estate transactions.

The Saskatchewan Real Estate Commission will host RERC's annual conference in Saskatoon from June 6th to 8th, 2018. 2018's conference is a "Leadership Conference", which is arranged on a semi-annual basis in order to include members from the jurisdictions' Board/Council/Commission in the workshops and presentations.

Hosting this year's Leadership Conference is an excellent way for the Commission to showcase for other jurisdictions the interesting projects we have underway and engender discussion on regulation of the industry from both the regulator and the registrant perspectives, not to mention show off the beauty of Saskatchewan.

Highlights of the conference will include jurisdictional updates, best practices in regulation, trends in real estate and the regulator's role, presentations from other regulatory bodies and experts, and the sharing of strategies.

The Commission looks forward to hosting RERC 2018.



Construction Zone Ahead

2018 will bring with it many changes for us all, and one of the most exciting and challenging projects the Commission has undertaken will be in its final stages of development this next year.

The Commission began an intensive and thorough review of our mandatory education program, including pre-registration training and continuing professional development (CPD), in 2012. Since then, we have worked with testing experts to develop a whole new set of final exams for the pre-registration courses and have begun revisiting the course contents, design and delivery. Part of the process necessitated the distribution of a Request for Proposals (RFP), which elicited an incredible response. As a result of the intensive RFP review process, UBC's Sauder School of Business, Real Estate Division (RED), was chosen to undertake the massive education reform program. They will be the Commission's education provider effective January 2019.

Throughout 2018, the Commission staff will be working closely with Sauder to design and develop a completely new education program. Pre-registration education will still follow the same path (Phase 1, Phase 2 and Phase 3 courses), but the design and delivery will change. Students will gain the ability to take their courses online, they will encounter a full-service, interactive online student portal, interim mandatory assignments will be included for each course, students will be able to access professional, expert assistance 24/7, and video tutorials will be available for specific subject matter. As Sauder has a full complement of in-house experts in real estate, law, education and exams, the Commission looks forward to providing an education program designed on education best practices and with the best technology.

Current registrants will also benefit from Sauder's expertise; the mandatory CPD program will also undergo major revision and improvements. Sauder's RED is already developing CPD 2018/19 with a very tight turn-around in mind. During this year of transition, change is inevitable. However, the Commission is aware that change is hard and not always welcome by those affected. We seek to reassure all registrants that the first year or two of the new program is transitional. This means that we will continue to review the changes, decide on a best path, and more changes may be implemented. At all times, we are open to constructive feedback from the industry.

Please email us at info@srec.ca with any questions.



Commission Disciplinary Action

Complete Commission hearing decisions can be found on our website through the links provided at the end of each summary.

The Commission is also proud to promote our presence on CanLII, [here](#) (full coverage from Jan, 2004).

Gurpreet Bhatia (salesperson), Re/Max Crown Real Estate (formerly a salesperson with Porchlight Realty)

Date of Decision: August 15, 2017

Violation: Mr. Bhatia was charged with professional misconduct contrary to Commission Bylaw 702 for failing to protect and promote the interests of his clients.

Details: Mr. Bhatia represented Buyers who entered a contract to purchase a property. During the time that conditions were to be removed, Mr. Bhatia left on a previously planned trip to India. He referred his clients to another registrant but they wanted Mr. Bhatia to finish the transaction. He had the Buyers pre-sign amendment forms to extend conditions and left them with a removal of conditions form which he instructed them to send to the Sellers when their financing was approved. The Buyers' conditions were not removed by the day Mr. Bhatia left for India.

Mr. Bhatia arrived in India two days later and learned that the Buyers had not been approved for financing. Mr. Bhatia spoke to the Buyers' mortgage broker and was told that the broker only had to submit some documents and he was comfortable lifting the financing condition. On this same day, the Buyers and Sellers removed all conditions by signing a Notice to Remove Conditions form. Mr. Bhatia advised the Buyers to speak with their lawyer and was later informed that they had.

The day before the possession date, Mr. Bhatia received a call from his clients that the bank had backed out of financing their purchase. On possession day, Mr. Bhatia emailed the Seller's agent saying there had been a delay on the bank's end and they might need another day. The Buyers worked with their mortgage broker to obtain new financing. The day after the possession date, Mr. Bhatia emailed the Seller's agent to ask for an extension of the possession date so the Buyers could get the new financing in order.

A few days later, the Seller's lawyer informed the Buyers' lawyer that the Buyers had forfeited their \$5,000 deposit by failing to complete the transaction on or before the possession date. Mr. Bhatia was advised that the Seller had relisted the property and had accepted an offer. The Buyers lost their \$5,000 deposit.

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Mr. Bhatia guilty of the charge and ordered that he receive:

- an order of reprimand and a \$1,500 fine for the breach of Bylaw 702.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of Gurpreet Bhatia dated August 15, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2015-47.pdf>.

Commission Disciplinary Action

Erlinda Blanchette (salesperson), Global Direct Realty Inc. (formerly a salesperson with Better Homes and Gardens Real Estate Signature Service)

Date of Decision: August 15, 2017

Violation: Ms. Blanchette was charged with professional misconduct contrary to Commission Bylaw 702 for failing to deal fairly with all parties to the transaction.

Details: Ms. Blanchette and her husband, also a registrant, were asked to show their buyer clients a Property. The MLS listing specified that viewing appointments must be made through the listing agent. One of the buyers told Ms. Blanchette that he had called and the home would be available between 6:30pm and 8:00pm. Ms. Blanchette assumed that her client had spoken with the listing agent and gained permission to view the Property. She assumed that the details of the viewing had been cleared with her husband; her husband assumed the details of the viewing had been cleared with her.

At 6:40pm, Ms. Blanchette's husband opened the lockbox on the Property and Ms. Blanchette, her husband, and the buyer clients entered the Property. While inside the Property, Ms. Blanchette asked who had authorized the showing and was informed that one of the buyers had spoken to the seller's ex-boyfriend. At this point, Ms. Blanchette told her clients they needed to leave immediately.

An automated email was sent to the listing agent notifying her that Ms. Blanchette's husband had opened the lockbox. Ms. Blanchette called the listing agent, but there was no answer. Later that night the listing agent called Ms. Blanchette about the unauthorized viewing and Ms. Blanchette apologized for the miscommunication with her clients. The listing agent said that other registrants had shown the property without prior notification and that she was going to report it.

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Ms. Blanchette guilty of the charge and ordered that she receive:

- an order of reprimand and a \$1,500 fine for the breach of Bylaw 702.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of Erlinda Blanchette dated August 15, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2016-09.pdf>.

Important Note

Questions? Contact the Commission's Legal & Compliance department at compliance@srec.ca, or call 306-374-5233.

Commission Disciplinary Action

Ted Cawkwell (salesperson), Re/Max Saskatoon

Date of Decision: November 1, 2017

Violation: Mr. Cawkwell was charged with professional misconduct contrary to Bylaw 727 for advertising a property for sale without written authorization from the owner.

Details: Mr. Cawkwell became aware that the Sellers had listed approximately 49 quarter sections of land for sale with another brokerage. Mr. Cawkwell contacted the Seller's Agent to request information about the Property to give to some qualified buyers he knew about. The Seller's Agent eventually sent Mr. Cawkwell some details on the listing so that he could approach the qualified buyers he had mentioned to the Seller's Agent before. Mr. Cawkwell sought out additional information on the Property to provide to his qualified buyers.

Mr. Cawkwell combined the information he received from the Seller's Agent with the information gathered by his team and created information packages relating to the Property. One of the information packages was a five-page colour package. The other information package was an eight-page colour booklet. Mr. Cawkwell did not think that the information packages were advertisements.

The information packages were sent to 411 qualified buyers in Saskatchewan and elsewhere. The Sellers did not give Mr. Cawkwell written authorization to distribute the information packages.

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Mr. Cawkwell guilty of the charge and ordered that he receive an order of reprimand and a \$2,500 fine.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of Ted Cawkwell dated November 1, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2016-79.pdf>.

George Harvey (broker), Wheatland Realty

Date of Decision: September 11, 2017

Violation: Mr. Harvey was charged with professional misconduct contrary to section 18(1)(b) of the *Act* by trading in real estate as a broker while he was not registered as a broker.

Details: Mr. Harvey is the broker and sole registrant of Wheatland Realty Ltd. His 2015-2016 certificate of registration expired on June 30, 2016. Mr. Harvey neglected to renew his certificate of registration for the 2016-2017 year. He did not realize that he had failed to renew his certificate of registration.

On October 6, 2016, the Sellers signed a listing agreement with Wheatland Realty Ltd. listing the Property for sale. An advertisement was created and published with respect to the Property.

On November 24, 2016 and December 9, 2016, Ms. Gail Armstrong, the Registration and Office Administrator of the Saskatchewan Real Estate Commission, sent an email to Mr. Harvey, at the email address he provided to the Commission, to inquire if he was acting as a broker. On January 30, 2017, Ms. Armstrong sent an email to the same email address attaching a letter advising that Mr. Harvey was not registered and that she had attempted to contact him on two previous occasions. Mr. Harvey received this email and contacted Ms. Armstrong immediately. Mr. Harvey became registered on January 30, 2017.

Commission Disciplinary Action

George Harvey (broker), Wheatland Realty, (con't from p.10)

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Mr. Harvey guilty of the charge and ordered that he receive an order of reprimand and a \$2,000 fine.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of George Harvey dated September 11, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2017-08.pdf>.

Susan Kramm (broker), Realty Executives Battlefords

Date of Decision: September 5, 2017

Violation: Ms. Kramm was charged with professional misconduct contrary to Bylaw 726(b) for creating an advertisement that included inaccurate information.

Details: Ms. Kramm and another party listed the Property for sale with her brokerage. Ms. Kramm acted as the listing agent. An MLS® Listing was created advertising the Property for sale. The MLS® Listing states that the Property was built in 2010.

Around the same time, Ms. Kramm began representing the Buyer in his search for a home. Ms. Kramm told the Buyer about the Property and, after telling him that it was her property, took him to view it. The Buyer and another party purchased the Property.

After taking possession of the Property, the Buyer discovered that the Property had been built in 2008, not in 2010 as advertised. The building permit for the Property was issued in 2007, but the Property was vacant until 2010 and the final inspection was completed that year. The statement in the MLS® Listing that the Property was built in 2010 was a typographical error that was not caught on review.

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Ms. Kramm guilty of the charge and ordered that she receive an order of reprimand and a \$2,500 fine.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of Susan Kramm dated September 5, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2016-18.pdf>.

May Liang (salesperson), Re/Max Saskatoon

Date of Decision: November 1, 2017

Violation: Ms. Liang was charged with professional misconduct contrary to section 39(1)(a) of *The Real Estate Act* for engaging in conduct that is harmful to the best interests of the public, the registrants or the Commission, namely sharing her clients' personal information for a purpose unrelated to a trade in real estate without their knowledge or consent.

Details: Ms. Liang represented the Buyer in her purchase of the Property. During Ms. Liang's representation of the Buyer, they developed a strong buyer-agent relationship. The Buyer had shown an interest in some personal care products from an online multilevel marketing company, so Ms. Liang decided to purchase some of these products as a surprise gift for the Buyer that Ms. Liang would give to her when she took possession of the Property.

Commission Disciplinary Action

May Liang (salesperson), Re/Max Saskatoon, (con't from page 11)

Ms. Liang registered the Buyer's name and cell phone number and an email address belonging to the Buyer's daughter at the Company's website and used this information to place the order. Ms. Liang did not tell the Buyer or the Buyer's daughter that she would be registering their contact information at the website or that she would be using this information to place an order. Neither the Buyer nor the Buyer's daughter consented to have this information used to place an order through the website. Ms. Liang paid for the products with her credit card.

The Buyer's daughter began receiving emails from the Company advising that the Buyer had successfully created a customer account and providing updates on the progress of the Buyer's order. Since the Buyer's daughter's email address and the Buyer's name and cell phone number were used to place the order on the website, they have been receiving frequent promotional emails and phone calls from the Company.

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Ms. Liang guilty of the charge and ordered that she receive an order of reprimand and a \$1,000 fine.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of May Liang dated November 1, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2015-76.pdf>.

Shannon Stroeder (salesperson), Century 21 Diamond Realty

Date of Decision: September 5, 2017

Violation: Ms. Stroeder was charged with professional misconduct contrary to Commission Bylaw 701(a) for making or permitting to be made a statement, record, report, notice or other document required by the Act, the regulations or the bylaws that contains an untrue statement of a material fact, that being the square footage of a property.

Details: Ms. Stroeder listed a property for sale. She completed an MLS® System Data Input Form with respect to the Property that indicated that the Property was 1,280 square feet. Ms. Stroeder obtained the square footage of the Property by consulting the Saskatchewan Assessment Management Agency ("SAMA") Report. It was very cold the day the sellers signed the listing agreement, so Ms. Stroeder did not go outside to conduct her own exterior measurements. She intended to return to the Property another day and conduct the measurements, but she became busy with other listings and did not measure the exterior of the Property to confirm the information in the SAMA Report.

The Buyers purchased the Property in the summer of 2013. In August of 2014, Ms. Stroeder was contacted by the registrant who had represented the Buyers to discuss the Property. The other agent advised that she had been engaged to list the Property for sale and that, while conducting measurements, she had noticed that her measurements did not accord with Ms. Stroeder's listing or the SAMA Report. The other agent advised Ms. Stroeder that the Buyers were upset to learn of the difference in the square footage.

In January of 2015, SAMA attended at the Property to measure the home and found it to be 1,120 square feet.

Disposition: The Hearing Committee agreed with the consent order filed by the parties, found Ms. Stroeder guilty of the charge and ordered that she receive an order of reprimand and a \$1,750 fine.

The entire written decision of the Saskatchewan Real Estate Commission in the Matter of Shannon Stroeder dated September 5, 2017 can be viewed on the Commission website at <http://www.srec.ca/pdf/2015-69.pdf>.

Contact Us

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Paul Jaspar, Vice Chair, Saskatoon

David Chow, Moose Jaw

Mike Duggleby, Regina

Dave Hepburn, Saskatoon

Jeff Markewich, Moose Jaw

Vern McClelland, Lloydminster

Al Myers, Saskatoon

Anne Parker, Regina

Lori Patrick, Regina

Bob Volk, Regina

The office of the Commission will be **closed** for the following statutory holiday observances:

- **Fri, Dec. 22 @ noon - Mon, Jan. 1** (in observance of Christmas & New Year's)
- **Monday, Feb. 19** (Family Day)
- **Friday, March 30** (Good Friday)

Regular Office Hours:

Monday-Friday, 8:30am-noon, 1pm-4:30pm

Closed weekends and holidays.
