



Review of Licensure Decision Policy

BOD Approval: September 10, 2020

The Nova Scotia Real Estate Commission provides the following process for review of licensure decisions.

Definitions

Committee means a Panel of Licensing Committee Members.

Parties refers to the applicant and the Registrar.

Policy is the Policy on Reviews of Licensure Decisions.

Composition of the Licensing Committee and Licensing Committee Panel

1. A panel of no less than three members will be selected from the Licensing Committee.
2. No one who acted as a decision-maker in reaching the original licensing decision may serve on the panel of Licensing Committee Members.
3. Licensing Committee members will participate in training prior to participating in a licensure review hearing.

Notification of Right to Licensure Review

4. When an applicant is not granted licensure with the Commission, they will be informed of the decision by letter.
5. The letter shall include:
 - a) reasons for the licensure decision;
 - b) a statement that indicates the applicant's right to review by the Licensing Committee; and
 - c) a statement indicating the applicant may exercise their right to an internal review by informing the Commission within 30 days of this letter's date.
6. This Policy shall be attached to the decision letter.

Requesting the Licensure Review

7. Within 30 days of the letter's date, the applicant may submit a written request for a review of a licensure decision by the Licensing Committee via email or mail.
8. The applicant's request for internal review should outline the basis for the review.

Scheduling the Licensure Review

9. Upon receipt of a request for internal review, the Registrar will notify the Licensing Committee and provide all records relating to the applicant's application to the Committee within seven days.
10. The Registrar will contact the applicant within seven days of receipt of the application records to schedule the date for the Licensure Review.
11. The Licensure Review Hearing will take place within 60 days of the receipt of application records by the Committee.

Opportunity to Make Submissions

12. Either party may make submissions in writing to the Committee within 30 days after the review has been scheduled.
13. The Committee will share submissions with both parties to review. The parties will be given at least 14 days to review submissions in advance of the hearing date.

Licensure Review Hearing

14. At the Licensure Review Hearing, the Committee will review all submissions made by the parties.
15. Both Parties will have the opportunity to appear before the committee.
16. Parties may appear with or without legal counsel.

The Licensure Review Decision

17. The Licensing Committee will render its decision based on careful consideration of all submissions at the Hearing.
18. The Committee may uphold the rejection of the applicant or order the Registrar to reverse the decision and register the applicant. The Committee may require terms, conditions, or restrictions be imposed on the applicant's license as a condition of licensure.
19. A decision will be reached within 15 days of the hearing, at which point both Parties will be informed in writing.
20. The decision will be issued to the applicant via mail or email with reasons.
21. If the Committee issues a decision to reverse the Registrar's decision and license the applicant, the Registrar must register the applicant within 14 days.