



Access to Records Requests Policy

BOD Approval: September 10, 2020

The Nova Scotia Real Estate Commission will provide an applicant with access to records held by the Commission that are related to the applicant's application.

Request

- Requests for access to an applicant's records must be made to the Registrar in writing. Written requests may be made to the Registrar by email.
- Requests for access to an applicant's records may be made by the applicant him/herself or by any person authorized by the applicant, in writing, to communicate with the Commission on the applicant's behalf.

Timing

- The Commission will respond to an applicant's request for access to their records within 30 days of receiving the applicant's request.
- Where an applicant's request for access to their records cannot be accommodated within 30 days, the Commission shall inform the applicant of the timeframe when their records will be accessible, such timeframe not to exceed 60 days from the date of the applicant's request.
- The Commission will retain copies of records relating to an applicant's application for one year following receipt of the first record relating to an applicant.

Exclusions

The Commission will not provide access to the following documents that may form part of an applicant's record:

- the document or any information in the document is subject to a legal privilege that restricts disclosure of the record or the information, as the case may be
- documents that are prohibited from disclosure pursuant to an Act or Regulation,
- documents that are prohibited from disclosure by court order or order of a quasi-judicial tribunal,
- granting the access could reasonably be expected to lead to the identification of a person who provided information in the record to the regulating body explicitly or implicitly in confidence, and the regulating body considers it appropriate in the circumstances, that the identity of the person be kept confidential;
- granting the access could reasonably be expected to threaten or harm the mental or physical health or the safety of another person; or
- granting the access could negatively affect public safety or could undermine the integrity of the registration process.

Access

The Commission will provide copies of an applicant's records by mail, electronically, or facsimile, as requested by the applicant.

Fees

The Commission will charge a fee for making an application file available to an applicant, which will not exceed the amount of reasonable cost recovery.

Corrections

If an applicant believes the information held by the Commission is inaccurate, the applicant may request that the Commission correct its records by making a written request to the Registrar with documentation supporting the applicant's request.