



## **Policy: Discipline Decisions Publication Policy**

**BOD Approval: December 19, 2013**

### **Commission Bylaw 839**

- (a) In accordance with Real Estate Trading Act Section 25, all newspaper notices must contain the industry member's name, the current and/or former brokerage, the violations, the length of cancellation or suspension, and the penalty. The Registrar may include an explanation of the events/behaviour that lead to the violations.
- (b) The Registrar must send a notice of any cancellation or suspension to the real estate industry and publish the notice on the Commission website. The notice must contain the industry member's name, the current and/or former brokerage, the violations, the length of cancellation or suspension, the penalty, and an explanation of the events/behaviour that lead to the violations. The notice remains on the Commission website for the duration of the suspension/cancellation.
- (c) The Registrar may send a notice to the industry with the names of any industry member whose
  - (i) licence fails to renew as a result of failure to complete required education course;
  - (ii) errors and omissions insurance coverage is terminated; or
  - (iii) licence is downgraded or restricted.
- (d) Administrative penalties-Sanctions assessed by way of administrative penalty may be published without reference to the industry member's name.
- (e) Discipline decisions involving a fine of \$500 or less may be published in an industry discipline publication and placed on the Commission website without giving the name of the industry member or brokerage.
- (f) Discipline decisions involving a fine greater than \$500 may be published in industry discipline publication and placed on the Commission website. The publication will identify the name of the industry member, the current and/or former brokerage, and an overview of the case and the penalty. After a period of one year from the publication date, the industry member and the brokerage name(s) will be deleted from the website, but the description of the violation and the penalties will remain.
- (g) Discipline history disclosure - When requested in writing, the Commission may disclose the discipline history of an industry member. Violations involving fines greater than \$500, licence suspensions/cancellations, restrictions or downgrades will be disclosed for a five-year period prior to the date of the request. Violations involving, administrative penalties, fines less than \$500, course requirements, and letters of reprimand will be disclosed for a three-year period prior to the date of request.
- (h) Licence history disclosure-When requested in writing, the commission will disclose the following about an industry member:
  - (i) The number of years licensed in a particular class of licence;
  - (ii) The total number of years licensed; and
  - (iii) The name of the industry member's current brokerage.