



NSREC BOARD OF DIRECTORS
Record of Decisions
December 10, 2020

PRESENT: Mary MacDonald, Chairperson
Linda Smardon, Vice Chairperson
Anthony Brown
Susan Green
Nancy McGrath
Aaron Millen
Clinton Wilkins
Kim Fox
Greg Taylor
Pernille Jakobsen Esaiw
Brad Chisholm, Registrar

REGRETS: Carol Beal

STAFF: Peggy Kell (recorder)
Chloe Kenney

The following does not represent a verbatim record of the proceedings of this meeting.

The meeting was called to order at 10:04 a.m. and adjourned at 1:57 p.m.

CALL TO ORDER:

M. MacDonald, Chair, called the meeting to order at 10:04 a.m.

APPROVAL OF THE AGENDA

MOVED by G. Taylor and seconded.

To approve the agenda as amended to move the Education Committee Report after the Chair Report, add diversity report after the commercial report, and add a broker communication to the Registrar report.

MOTION PUT AND PASSED UNANIMOUSLY.

CONSENT AGENDA

Approval of minutes pre-AGM May 28, 2020

Approval of minutes September 10, 2020

MOVED by L. Smardon and seconded

To approve the minutes as amended.

MOTION PUT AND PASSED UNANIMOUSLY.

EDUCATION COMMITTEE REPORT

C. Wilkins delivered the Chair Report for the Education Committee. B. Chisholm provided an update on the education contract modifications with NSAR. The Education Committee recommended the salesperson licensing course be the first licensing course to reform. C. Wilkins said there will be more discussion around the 2020/2021 CPE course, but the course will focus on contract law, case law, and clause writing.

MOVED by L. Smardon and seconded

To reform the salesperson licensing course first.

MOTION CARRIED UNANIMOUSLY.

FINANCE COMMITTEE REPORT

L. Smardon said staff prepared a report on board and committee fees, including what other regulatory bodies in Nova Scotia do regarding compensation.

MOVED by L. Smardon and seconded

That the ad hoc board meetings held in spring and early summer be modified to \$150 for the chair and \$100 for members.

MOTION CARRIED UNANIMOUSLY.

MOVED by L. Smardon and seconded

That fees for committee and task force members will be \$150 for the chair and \$100 for members.

MOTION CARRIED UNANIMOUSLY.

MOVED by S. Green and seconded

To amend the motion to compensate committee members at a rate of \$50 per hour for meetings over two hours prorated by half hour.

MOTION CARRIED UNANIMOUSLY.

MOVED by L. Smardon and seconded

To approve the 2021 budget.

MOTION CARRIED UNANIMOUSLY.

COMPLAINTS REVIEW COMMITTEE REPORT

A. Millen said the committee met yesterday and provided an update on complaints, investigations, and outstanding cases. A. Millen said staff are handing inquiries as they come in and working with brokers. The committee will be making recommendations to the licensing and education committees based on the results of the investigations.

MOVED BY A. Millen and seconded

To approve the Complaints Review Committee report as presented.

MOTION CARRIED UNANIMOUSLY.

LICENSING COMMITTEE REPORT

K. Fox said the licensing committee met recently and she provided an update on licensing activities. Overall, licensing course enrollment is up by more than 50 percent over last year.

MOVED by K. Fox and seconded

To approve the Licensing Committee report.

MOTION CARRIED UNANIMOUSLY.

RECOVERY FUND COMMITTEE REPORT

S. Green clarified an error in the minutes of June 11 regarding the motion amending the By-law, which omitted that the motion accept the legal opinion of Pink Larkin.

MOVED by S. Green and seconded

That the record of the June 11 meeting minutes item #7 be corrected to reflect the approval of the Pink Larkin opinion of February 21.

MOTION CARRIED UNANIMOUSLY.

S. Green said the committee will be meeting in January and making recommendations to the By-law committee chair as well as the chair of the board and the registrar. There will be a change to the

Recovery Fund Committee members due to D. Malone becoming president of NSAR in 2021. The NSAR will appoint a new committee member.

MOVED by S. Green and seconded

To approve the Recovery Fund Committee report.

MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

By-Law Task Force

L. Smardon said there is a correction required to board and committee qualifications in Part 2 of the By-law.

MOVED by L. Smardon and seconded

To amend By-law 207 as follows:

207 and 225

207 To be eligible to serve as a member of the Commission, a licensee must:

- (a) Hold a valid real estate license;**
- (b) must not have been convicted of an offence pursuant to the Act, the Regulations, or the By-law resulting in**
 - (i) a disciplinary suspension within the past 10 years; or**
 - (ii) a disciplinary licence restriction; or**
 - (iii) a fine greater than \$500 within the past two years; or**
 - (iv) a fine of \$500 or less within the past year.**
- (v) Not be a director, officer, board member or employee of another real estate organization whose role is to defend the interests of the industry.**

MOTION CARRIED UNANIMOUSLY.

Amendment to APS Task Force

L. Smardon said she spoke with R. Hartlen, chair of the task force. The task force recommended that the Board change to the APS to require the buyer provide notice of satisfaction/waive conditions to the seller/seller's licensee before a particular date. The task force suggested wording in their report, and recommended that the form committee work on implementing this change as well as creating a notice of satisfaction/waiver form for buyers to use. The change to require buyers have to waive conditions in writing is a dramatic shift for the industry and the task force recommends this issue be put back to the forms committee.

Moved by L. Smardon and seconded

That the recommendation of the task force be approved and the matter be sent back to the Forms Committee for implementation.

MOTION CARRIED UNANIMOUSLY.

Commission policy on education equivalency

B. Chisholm said he was looking for feedback from the board regarding the education equivalency regarding college diplomas as an equivalent. He proposes adding the word “relevant” or “applicable” to the college program.

MOVED by A. Millen and seconded

To amend the education equivalency policy to state that the two-year college diploma is subject to prior approval by Registrar.

MOTION CARRIED UNANIMOUSLY.

NEXT MEETING

TBD.

ADJOURNMENT

The Chair adjourned the meeting at 1:57 p.m.