

REIBC — where do we go from here?

We've got a big date coming up. It will be the Institute's Golden Anniversary on July 16, 2010. That might sound a long time from now but think about it: as soon as the Olympics have successfully concluded, July 16th will be almost upon us. So we need to start preparing by asking ourselves the fundamental question: In its next 50

Institute's future can be dealt with in a single article. Of course not. We're going to need the next two years! But let me at least try to get the ball rolling with one digestible question... well, OK, it may be one question but, I suspect, it will go to the heart of how we'll all want to see the Institute girding up for its second 50 years. Should the

heard elsewhere; namely, those involving sales and property management professionals by the Real Estate Council and those involving appraisers (because of our widely overlapping memberships) by the Appraisal Institute of Canada.

(ii) The comparatively small percentage of members not referable

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The far-sighted and dedicated individuals who established the Institute knew very well what they wanted to achieve. They wanted to ensure that those engaged in the various aspects of real estate would have the opportunity to be recognized as members of a professional society — one that valued education, real estate experience and commitment to ethical dealings and integrity. That's all reflected in the REIBC constitution where the Institute's purposes are carefully listed. But the world of the 21st century is unrecognizable from that of July 16, 1960, and we need to make the right changes. Where do we go from here indeed?

I am not suggesting that this important debate about the

Institute retain the responsibility for professional discipline?

This question emerged from the deliberations of the Standards & Practice Task Force, chaired by Brian Hawkins, RI. One of the purposes of the task force is to review and update the Code of Professional Conduct in the *REIBC Constitution and Bylaws* (Part 35) "to ensure they define a high level of professional practice and are uniform and compliant with other major organizations within our membership." The ensuing discussions were more complex and diverse than I think we'd anticipated. The fact is that the existing Code of Professional Conduct has been largely superseded by other developments:

(i) Complaints concerning the specific job categories dealt with in the code are almost invariably

to the Real Estate Council or the Appraisal Institute appear to be making their living in increasingly varied ways, not necessarily being addressed in our present structure (the REIBC Executive Officer has listed 30 job categories engaged in by the members — and the list is growing!).

The reality is that the Institute scarcely deals with complaints any more. According to my research, there were 48 complaints in the last 20 years but only five of these were in the last 10 years. Most of these ended up at either the Real Estate Council or Appraisal Institute and were dealt with by letter or dismissed. Very few were of a serious nature. For example, there has been only one suspension under our disciplinary provisions, and that was in 1989! Moreover, even if a member were to

who's talking?

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be found culpable, he or she would likely choose to not pay the fine and hearing costs; in the absence of any statutory requirement for being an RI, there's a strong prospect of his/her quitting the Institute instead. Our disciplinary provisions, in practice, lack teeth.

So, if we're not getting the complaints and, even if we do, don't have the statutory underpinnings to discipline members effectively, what is the point? Should we not jettison the illusory apparatus of professional discipline?

Against this immense step, there are specific difficulties and an important general one. Under the *Expropriation Act*, we are prescribed by the Lieutenant Governor in Council as being an Institute that can accredit individuals doing appraisals.

Similarly, under the *Property Transfer Tax Act*, we can qualify a person as an appraiser. Is there any risk to these statutory accomplishments? More significantly, both the R.I.(B.C.) and RI designations enjoy "occupational title protection" under the *Society Act*. Some members will recall the former as being the original professional designation of the Institute with any Professional or Honorary member being entitled to use it after their name. The RI designation was adopted in 2002 after a re-branding of the Institute and in recognition of the significant number of Professional members who did refer to themselves as "RIs." Both designations are used today. However, since subsections 88(1) (a)(iii) & (iv) specifically require bylaw provisions governing conduct,

standards of practice and penalties, we would no longer qualify for protection of either designation. This would not particularly matter in the case of the RI for which we hold trademark protection, but it would almost certainly require that we obtain similar protection for the R.I.(B.C.).

But it's the "important general one" that should mean the most, and takes us back to my opening comments. If we decide no longer to have the theoretical capacity to discipline our members, can we still claim to be a "Profession"? Will we be thereby embarking on a new path, moving away from the traditional notions of how a profession should look, towards becoming, perhaps, a gathering-place for persons earning their living from real estate but

increasingly divergent in exactly what they do? More of a formalized networking structure than a traditional organization?

Yes, it's a big thought. And, more than anything else, we need to hear from our members: what do you think of the specific idea of jettisoning the function of professional discipline? How indicative is that of your attitude about how the Institute should develop in the next 50 years? (How can an aging, declining membership rejuvenate itself?) Please email your comments (attention *Input Editor*) to dwojrnarski@reibc.org so that we can publish your letters, pro and con, in the next edition of *Input*. Let's try to be as far-sighted and dedicated as the founders!

Club REIBC

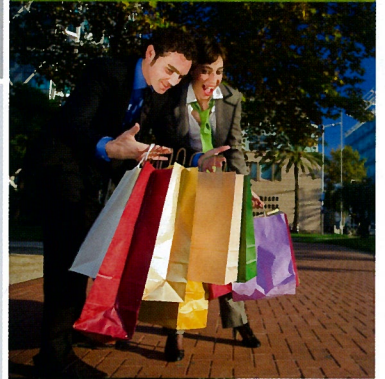
RI

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Dear Member,

The Real Estate Institute of BC is pleased to have launched last April an exciting new member benefits program for you and your family. Club REIBC is designed to give more Association value to you, our valued members. This perks program, Club REIBC, provides exclusive access to discounts on a variety of products and services ranging from professional services to entertainment to travel packages. This is our way of thanking you for your continued support of REIBC.

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