

## COMPLAINTS PROCESS

### Guidelines for Filing a Complaint

Many times when a misunderstanding arises between a licensee and a consumer, it is often due to lack of communication between the parties. If this has happened to you, the following procedure is suggested to assist you in resolving your problem as quickly as possible.

#### First, go to the Real Estate Agency

Discuss your concern with the representative directly in an attempt to resolve the matter. You may also bring the matter to the attention of the real estate office manager in charge.

Should the issue not be resolved to your satisfaction, then determine whether it is a matter for the Real Estate Board or the Real Estate Council of BC based on the following:

Real Estate Board	Real Estate Council of BC
Real Estate Boards deal with complaints that involve their code of ethics, standards of business practice, and the Boards bylaws.	The Real Estate Council handles infractions of the <i>Real Estate Act</i> and its related rules and regulations.
<p>Examples of areas boards investigate:</p> <ul style="list-style-type: none"> <li>• Unethical behaviour</li> <li>• Not treating all parties to a contract fairly</li> </ul> <p>The REALTOR® Code of Ethics and Standards of Business Practice can be found on the VIREB website at <a href="http://www.vireb.com">www.vireb.com</a>.</p>	<p>Examples of matters that the Real Estate Council will investigate:</p> <ul style="list-style-type: none"> <li>• mishandling of deposits</li> <li>• concealing property defects</li> <li>• misrepresentation</li> <li>• unauthorized signing of documents</li> <li>• unwritten guarantees to resell a property used as an inducement to do business</li> <li>• secret commissions</li> <li>• professional misconduct including incompetence and conduct unbecoming of a licensee</li> </ul>
The Real Estate Board is not empowered to award or mediate monetary damages. Such matters are more properly dealt with through civil action. The Board can issue letters of warnings, reprimand, suspend or cancel services or membership as well as assess fines or hearing costs.	The Real Estate Council is not empowered to award of mediate monetary damages. Such matters are more properly deal with through civil action. The Council can issue letters of warnings, reprimand, suspend or cancel any license as well as assess hearing costs.
If your concern appears to be a matter for the Real Estate Board, please complete and submit the Complaint Form attached.	<p>If your concern appears to be a matter for the Real Estate Council, then....contact them directly at 1-877-683-9664.</p> <p>When an issue involves an unlicensed person acting as a real estate professional contact the Financial Institutions Commission (FICOM) by clicking this <a href="#">link</a>.</p>

## COMPLAINT FORM

Name(s) of Person(s) filing complaint: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Work: \_\_\_\_\_ Home: \_\_\_\_\_  
Fax: Work: \_\_\_\_\_ Home: \_\_\_\_\_

Are you licensed under the *Real Estate Services Act*? Yes  No   
If yes, please state the name, address and telephone number and agent:

Please list the names of the real estate licensee(s) complained against and include the name and address of the firm where he or she is employed:

Name of Licensee	Name and address of firm
1. _____	_____
2. _____	_____

Address of property which is subject of complaint: \_\_\_\_\_

Date of transaction: \_\_\_\_\_

Please indicate if you are the *Seller, Buyer, Other*. (Please explain)

Please give brief summary as to the exact nature of your complaint below, and attach a more detailed explanation to this form:

*Note: include clear copies of all documentation in support of your complaint, such as:*

- |  |   |
|--|---|
| 1. Contract of Purchase and Sale and addenda | 5. Listing information  |
| 2. Listing agreement                         | 6. All relevant correspondence between yourself and the licensees |
| 3. Agency disclosure forms                   | 7. All documents relating to a Property Management transaction    |
| 4. Property Disclosure Statement             |   |

Is this transaction the subject of current legal proceedings? Yes  No   
If yes, please explain the nature of the legal proceedings:

---

I/We hereby authorize the Vancouver Island Real Estate Board to forward a copy of my/our entire complaint to any licensee who may be involved in the transaction which is the subject of my/our complaint, and also to the employing agent of the licensee, for a response to the complaint in order to assist the Vancouver Island Real Estate Board with its investigation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of complainant(s)