

ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

QUESTION 839-18(2): REAL ESTATE SALES CONSUMER PROTECTION

September 20, 2017

MR. O'REILLY: Merci, Monsieur le President. My question is for the Minister of Municipal and Community Affairs, as she has responsibility for consumer protection. I just want to add to my Member's statement that I am not aware of any widespread problems with the real estate sector in Yellowknife or the NWT and that I personally used their services to my complete satisfaction in the past. My statement outlined the situation in multiple representation or dual agency in brokering of real estate transactions. As I pointed out, our legislation is very weak when it comes to the regulation of buying and selling properties. Has the department received complaints or requests regarding this element of the real estate business in the Northwest Territories? Mahsi, Mr. Speaker.

MR. SPEAKER: Minister of Municipal and Community Affairs.

HON. CAROLINE COCHRANE: Thank you, Mr. Speaker. Mr. Speaker, to date, no, the Department of Municipal and Community Affairs has received no complaints regarding the dual agency role of real estate agents. However, I would like to stress that within the act we do have a provision for a superintendent for real estate. If there are any residents in the Northwest Territories who have complaints regarding the potential role of a dual agency role, acting on behalf of the buyer and the seller, then please contact Municipal and Community Affairs, talk to the superintendent of real estate, and we will take note.

MR. O'REILLY: Thanks to the Minister for that response. I appreciate that very much. I acknowledged her reference to getting consumer protection information out earlier in my statement today and thank her again for this in the House, but I am wondering if her officials have researched other jurisdictions to determine how the real estate sector is regulated and what, if any, changes might be made here, in the Northwest Territories.

HON. CAROLINE COCHRANE: At this point, no, the Department of Municipal and Community Affairs has not done any research regarding the dual agency role for real estate agents. It has not been identified as a priority, it has not been identified in our mandate, and it has not been identified as a public safety issue at this point, so, to date, no, we have not done any cross-jurisdictional research.

MR. O'REILLY: Thanks to the Minister for that answer. As I pointed out in my statement, our current legislation regulating real estate transaction deals with regard to ethics are under sort of a catch-all section prohibiting "anything that dishonestly influences, discourages, or induces a trade." Real estate transactions, as I mentioned, are amongst the most complex and significant investments many people ever make. Does the Minister agree it is time to review how we regulate the real estate sector to more specifically address ethical issues and practices such as dual agency?

HON. CAROLINE COCHRANE: Yes, I do agree that there are a lot of acts and regulations that the Department of Municipal and Community Affairs are governed by. Very many of them are out-dated. We do need to work on updating all of the acts and regulations. However, we have prioritized, based on the mandate of this Legislative Assembly, safety issues, other issues that are necessary, such as the Western Canada Lottery Act. I had committed previously in this House that issues that were brought up would be put onto a list. We are working with all the stakeholders to identify priorities. Some of them will not be able to be done within this Assembly, but we will be putting in a report recommending that they be considered within the next Assembly if we cannot get to them.

MR. SPEAKER: Masi. Oral questions. Member for Frame Lake.

MR. O'REILLY: Mahsi, Mr. Speaker. Thanks again to the Minister for acknowledging her long legislative to-do list. I am just wondering if she can tell me: the legislation that governs real estate transactions, when was that last reviewed, if ever? Thanks, Mr. Speaker.

HON. CAROLINE COCHRANE: As stated in my previous answer, I do recognize that there are a lot of acts and regulations that we do need to update. The Real Estate Agent's Licensing Act was introduced in 1991. No significant changes have been made since then. Thanks to the Member, it is on our radar to actually put it forward to all of our stakeholders and ask to prioritize where it should be within our review of all the acts and regulations that we are governed by. Thank you, Mr. Speaker.