

Consultation on Proposed Changes to the Administrative Penalty Regime under RESA: Publication Policy

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The Real Estate Council of British Columbia (RECBC) has enacted a publication related bylaw and maintains a publication policy respecting discipline decisions. Under its current practice, administrative penalty decisions are not published, though RECBC currently compiles and publishes some aggregated statistical data on administrative penalties.

If the [Proposed Changes to the Administrative Penalty Regime](#) proceed, RECBC may amend its publication policy with respect to administrative penalty decisions. It is specifically considering the publication of all administrative penalties.

RECBC's considerations with respect to expanded publication of administrative penalties focus on the following:

- Balancing potential licensee reputational concerns with public interest and consumer protection goals.
- The proposed rule changes significantly expand the designated rules, including rules that are fundamental to the purposes of regulating real estate services (e.g. sections 3-3 and 3-5 of the Rules). It is expected that administrative penalties under the proposed new rules would be applied in matters which presently are subject to discipline proceedings, often concluded by Consent Orders, which are published and linked to the online licensee search function.
- Publication of decisions generally promotes transparency, accountability and public confidence in the regulatory system and better meets standards of good regulatory practice for regulators. Many other regulators publish administrative penalty decisions.
- Publication of decisions provides an additional educational opportunity for licensees and the public.