

Real Estate Complaint Samples

SCENARIO #1: TRADING SERVICES

Michael purchased a property using a real estate agent. He is unhappy with the services received so Michael submitted his complaint to BCFSA.

Michael reports that upon possession of the property, he noticed a dark, furry spot when he removed some carpet. Subsequently, he had an inspection done and it was determined that there was mould from water damage under the carpet. He alerted his real estate agent and his agent stated that they had known about the damage but had thought it had been “taken care of.”

The Superintendent will require the following information and documents to support an investigation of the complaint in order to determine. If supported by the evidence, this matter deals with a failure to disclose a material latent defect, duties to clients, and acting honestly and with reasonable care and skill.

Copies of the following support materials are required:

- Service agreement between Michael and their real estate agent;
- Contract of Purchase and Sale;
- Property Disclosure Statement;
- MLS® Listing and/or Feature Sheet;
- Inspection Report;
- Correspondence (texts and/or emails) between Michael and their real estate agent, unaltered and in their entirety;
- Phone records if there were any phone conversations;
- List of witnesses;
- A detailed summary of events in chronological order. This should include when important conversations took place and what was provided at that time; and
- Any document and/or communications noted in the summary, unaltered and in their entirety.

SCENARIO #2: STRATA PROPERTY MANAGEMENT

Robert is the president of Strata Council LMS 123. He reports that the strata council is unhappy with the services of their strata property manager and the strata council voted to submit a complaint to BCFSA.

Strata Council LMS 123 reports the following issue: The strata council reported that they were unaware that the strata property manager signed a contract on behalf of the strata council to fix the fence using his wife's company "Fence-Fixers R Us."

The Superintendent will require the following information and documents to support an investigation of the complaint to determine next steps. If supported by the evidence, this is a matter that deals with conflict of interest, signing without authority, duties to clients, and acting honestly and with reasonable care and skill.

Copies of the following support materials are required:

- Service agreement between the strata and the strata property manager;
- Correspondence (texts and/or emails) between the strata and their strata property agent, unaltered and in their entirety;
- Phone records if there were any phone conversation;
- List of witnesses;
- A detailed summary of events in chronological order. This should include when important conversations took place and what was provided at that time; and
- Any document noted in the summary should be included in the complaint, unaltered and in their entirety.

SCENARIO #3: PROPERTY MANAGEMENT

Mary is the owner of a property. She lives overseas and has hired a property manager to look after her investment property. She is unhappy with the services provided and has filed a complaint with the BCFSA.

Mary reports that her property manager failed to do a background check on a tenant that was chosen to rent Mary's property. Mary further reported that the tenant left the property after being three months late in rental payments, damaged the walls, and was affiliated with a gang and wanted by the police.

The Superintendent will require the following information and documents to support an investigation of the complaint to determine next steps. If supported by the evidence, this matter deals with duties to clients and acting with reasonable care and skill.

Copies of the following support materials are required:

- Service agreement between Mary and the property manager;
- Correspondence (texts and/or emails) between Mary and the property manager, unaltered and in their entirety;
- Property Inspection Reports (In and Out);
- Bank records/cheques;
- Phone records if there were any phone conversations;
- List of witnesses;
- A detailed summary of events in chronological order. This should include when important conversations took place and what was provided at that time;
- Any document noted in the summary, unaltered and in their entirety.