



BRITISH COLUMBIA
REAL ESTATE
ASSOCIATION

May 10, 2012

Honourable Shirley Bond
Minister of Justice
Room 232, Parliament Buildings
Victoria, BC V8V 1X4

Dear Minister:

RE: Bill 44, *Civil Resolution Tribunal Act*

Thank you for introducing Bill 44. It is obviously the product of considerable consultation and research, and the British Columbia Real Estate Association (BCREA) and others interested in stratas appreciate those efforts.

BCREA agrees with the government's approach to the tribunal—particularly the principles of using resources appropriately and early resolution, or prevention of disputes. The Association is pleased to see some of its suggestions incorporated into the legislation; specifically, a self-funding model, performance measurement and reasonably swift implementation.

While we recognize the rules will provide considerable detail, in the meantime, we have the following questions about the proposed Civil Resolution Tribunal:

- What if an individual who needs to resolve a strata dispute that is within the jurisdiction of the tribunal does not have Internet access (this relates particularly to section 5: “If required under the rules, before a person makes a request for tribunal resolution, the person must attempt to resolve the dispute using online dispute resolution services provided by the tribunal.”)?
- What if their English-language skills are not particularly good?
- What is the impact, if any, of the items that remain the jurisdiction of the Supreme Court (matters that affect land or that are significant in a strata complex)?
- What kinds of qualifications will case managers need?
- What kinds of qualifications will tribunal members need?
- Will anonymous results of disputes settled by agreement (through the case management process) be made public?
- Since the tribunal will not be bound by practice directives, how will consistency in decision making be ensured?
- How many disputes are expected each year; that is, what is the capacity of the tribunal?
- How quickly are disputes expected to be resolved with each method? Will there be rules or guidelines on timeframes?

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- Will further consultations take place as the rules and regulations are developed; for example, determining classes of disputes?

BCREA looks forward to more information, and is pleased to provide any assistance you may require. Please do not hesitate to contact me at 604.742.2787 or rlaing@bcrea.bc.ca.

As you know, BCREA represents real estate boards and REALTORS® on all provincial issues, providing an extensive communications network, standard forms, economic research and analysis, government relations, applied practice courses and continuing professional education. To demonstrate the profession's commitment to improving Quality of Life in BC communities, BCREA supports policies that encourage economic vitality, provide housing opportunities, respect the environment and build communities with good schools and safe neighbourhoods.

Sincerely,



Robert Laing
Chief Executive Officer

Copy: Hon. Rich Coleman, Minister of Energy and Mines and Minister Responsible for Housing
Leonard Krog, MLA – Nanaimo
Shane Simpson, MLA – Vancouver-Hastings
Doug Page, Manager, Housing Policy Branch, Ministry of Energy and Mines and Minister Responsible for Housing