

## Technology Providers Licensing Process with BCREA

The below sets out processes for Technology Providers to licence BC Real Estate Association (BCREA) solely owned Standard Forms, Clauses and Resources and/or BCREA and Canadian Bar Association BC (CBABC) jointly-owned Standard Forms (collectively, “**BCREA Resources**”).

All licensing of BCREA Resources will be granted at BCREA’s sole discretion. BCREA reserves the right not to grant a licence of BCREA Resources to anyone.

**Note:** BCREA does not grant licences to Technology Providers to use member board data or member board forms. Technology Providers must make applications separately to member boards if data or member board forms are required.

If BCREA grants a licence to use BCREA Resources to a Technology Provider, this does not guarantee a Technology Provider will be granted a licence to use member boards’ data. Even where the eight member boards support the licence, by supporting the application, it does not bind member boards, brokerages, or REALTORS® to enter into any agreements and/or use the services.

## Technology Provider to Provide Services Provincially and is Supported by all Member Boards

### **Description:**

Technology Provider is looking to licence BCREA Resources in connection with services to be provided provincially to BC managing brokerages and REALTORS®, and applies to BCREA licensing of BCREA Resources.

**Note:** The licensing function and auditing may be outsourced, and application fees will aim to ensure cost recovery.

All fees paid to BCREA are non-refundable, regardless of whether the Application is approved or, if approved, if the licence is terminated for any reason prior to the end of the then-current term (or extended term).

### **Steps To Be Taken:**

- 1) Technology Provider submits Licensing Application to BCREA.
  - a) BCREA sends an invoice to the Technology Provider for the Initial Application Fee which is payable to BCREA before the Application is reviewed.
  - b) Once the Application Fee is received, the Application is sent to the member boards for their consideration. Member boards are asked to provide a response within 90-120 days, indicating if they are in support of the Application. Member boards may ask for additional information directly from the Technology Provider.
  - c) BCREA will notify the Technology Provider of the outcome of the member boards’ consideration.

If an Applicant does not have support from all eight member boards, BCREA will not review the Application; however, Applicants are welcome to re-apply if they have gained support from all of the member boards.

If all member boards support BCREA granting a licence to use BCREA Resources to the Applicant, BCREA will review the Application.

- 2) BCREA will review the Application and may request additional information from the Technology Provider.
- 3) BCREA will either:
  - a) Inform CBABC of the Application, where all the criteria is met, and if necessary seek permission for the requested use if required under the joint ownership agreement for BCREA and CBABC jointly-owned Standard Forms. Upon receiving required permissions BCREA will approve the Technology Provider's Application; or
  - b) approve the Technology Provider's Application for BCREA solely-owned forms or clauses; or
  - c) reject the Technology Provider's Application.

BCREA may provide conditional approval in its discretion. If a Technology Provider is conditionally approved, but the conditions are not met or are rejected, BCREA will retain the Application Fee.

BCREA will notify the Technology Provider of the decision to licence BCREA Resources.

If BCREA approves the Technology Provider's Application, BCREA will forward a copy of the [BCREA Licence Agreement – Technology Provider](#).

- 4) The Technology Provider will deliver to BCREA a signed copy of the Licence Agreement along with the Performance Bond, an Initial Licence Fee, and an Annual Administration Fee for the initial term and each subsequent year of the term of the licence. If the initial term commences after January 1, the Administration Fee will be prorated on a daily basis during the first term. All such amounts are subject to BCREA's ongoing review and are subject to change at BCREA's discretion.

Upon receipt of such fees BCREA will execute the Licence Agreement granting the Technology Provider to use the requested BCREA Resources on the terms and conditions of BCREA's Standard Licence Agreement.

BCREA will inform the eight member boards when a Licence Agreement to a Technology Provider is executed.

The Technology Provider is aware that it is required to pay BCREA the Annual Administration Fee for all years of the licence term after the initial term (each a "Subsequent Year") on or before December 15 of the year immediately prior to the commencement of each Subsequent Year if the licence is extended for a Subsequent Year.



- 5) All Technology Providers will be subject to audits by BCREA (or a person authorized on BCREA's behalf) on an annual basis or as determined by BCREA from time to time in its discretion to ensure compliance with the terms and conditions of the Licence Agreement.