

Reading List on Real Estate Practice in British Columbia

In anticipation of requirements created by the Agreement on Internal Trade (AIT) and the BC/Alberta Trade Investment and Labour Mobility Agreement (TILMA), the Real Estate Council of British Columbia asked the Real Estate Division to prepare the following reading list on real estate practice in British Columbia for Inter-Provincial applicants. Unless otherwise indicated, these selected readings are derived from the current Real Estate Trading Services Licensing Course Manual, and are intended to identify specific topics related to real estate practice in British Columbia that may be different from that in other Canadian jurisdictions, either because of legislative or practice differences. The Real Estate Trading Services Course Manual is available for purchase from the [Real Estate Division's online bookstore](#).

Reading List for Inter-Provincial Licensing Applicants - April 2009

Preface: Introduction to Real Estate (pages Pref.7 through Pref.13)

Introducing British Columbia's statutory regulation of the real estate industry, as well as information about the statutory and voluntary organizations in the province.

Chapter 1: Fundamentals of Law (pages 1.4 - 1.6)

Providing an introduction to the British Columbia Court system.

Chapter 2: The Real Estate Services Act

This chapter deals with crucial information for licensees about the primary legislation regulating real estate trading services in British Columbia. It also introduces the Real Estate Development Marketing Act, which regulates the marketing of properties in multi-unit developments in the province.

NOTE: For Inter-Provincial applicants intending to apply for a Broker's licence in British Columbia, Chapter 2 of the Broker's Licensing Course also contains important information related to a Broker's obligations and responsibilities under the Real Estate Services Act. See [Chapter 2: Mandatory Requirements Under the Real Estate Services Act](#). (If desired, the Broker's Licensing Course Manual is also available for purchase from the Real Estate Division's online [bookstore](#).)

Additional Resources:

- [Real Estate Services Act](#)
 - [Real Estate Services Regulation](#)
 - [Council Rules](#)
 - [Council Bylaws](#)
- [Real Estate Development Marketing Act](#)
 - [Real Estate Development Marketing Regulation](#)
- [Real Estate Council of BC website](#)

Chapter 4: Title Registration in British Columbia

This chapter introduces readers to British Columbia's unique version of the Torren's system of land registration and describes the registration process and title searching considerations in the province.

Additional Resources:

- [Land Title and Survey Authority of British Columbia](#)

Chapter 6: Commercial and Residential Tenancies

Although all provinces have tenancy legislation of some sort, there are differences between the Provinces, and the material in this chapter dealing with residential tenancies and the BC Residential Tenancy Act will be specific to British Columbia. The material relating the commercial tenancies will be generally the same as in most other provinces.

Additional Resources:

- [The BC Residential Tenancy Office](#)
- [The BC Residential Tenancy Act](#)

Chapter 7: Condominiums and Co-operatives in British Columbia

Although all provinces have strata or community association legislation of some sort, there are substantial differences. The material in this chapter provides an introduction to the creation of condominiums in BC, and to the rights, duties and obligations of the owners, developers and licensees respecting transactions involving condominium properties.

Additional Resources:

- [The BC Strata Property Act](#)
- [The Condominium Home Owners' Association](#)

Chapter 11: Contracts for Real Estate Transactions (pages 11.1 - 11.9, and 11.13 - 11.38)

While dealing with generic contract law topics, this chapter introduces British Columbia's version of the Statute of Frauds requirement of writing for contracts respecting land (BC's Law and Equity Act) and also deals with specifics of the clauses in the standard form contract of purchase and sale in use in the province.

Chapter 12: Law of Agency (pages 12.1; 12.7 - 12.10)

While the common law of agency is the same across all provinces, there are differences in application in many provinces. The selected readings indicate the application of agency relationships and the disclosure requirements currently applicable in British Columbia.

Chapter 15: Mortgage Law (pages 15.3; 15.17 - 15.19; 15.20 - 15.23)

While this chapter introduces the basics of mortgage law, the pages indicated outline some areas of specific application to British Columbia, including duplicate certificates of title, the Business Practices and Consumer Protection Act disclosure requirements, Property Law Act considerations upon assumption of a mortgage and other provincial legislation.

Additional Resources:

- [Financial Institutions Commission, Office of the Registrar of Mortgage Brokers](#)

Chapter 18: Local Government Law (pages 18.3 - 18.7; 18.10 - 18.13)

Many processes will be similar across the provinces, but areas of specific interest will be the discussion of the division of responsibilities between the provincial government (Agricultural Land Commission, Islands Trust Act, Environmental Management Act, etc.) and the Local Governments (Vancouver Charter, Community Charter and zoning issues).

Chapter 19: Taxes on Real Property (pages 19.4 - 19.5; 19.8 - 17)

Again, there are provincial similarities, but the most BC specific areas would include the basis of assessment (pages 19.4 - 19.5); our administrative procedures and exemptions (pages 19.8 - 19.14) and our assessment appeal process (pages 19.14 - 19.17).