

Chilliwack and District Real Estate Board

Office Privacy Policy

1. **The Privacy Code of The Canadian Real Estate Association**

This Board is a member of The Canadian Real Estate Association (CREA) and adheres to and abides by the principles set out in the CREA Privacy Code.

2. **The Policy Statement**

The Chilliwack & District Real Estate Board only collects personal information:

- (a) About member REALTORS® necessary to process membership, collect dues, operate the MLS® system, enforce its By-laws and generally effectively administer the Board
- (b) About buyers, sellers and properties provided by member REALTORS® in the course of the operation of an MLS® system.

3. **The Person in Charge**

Sharon Labiuk, Executive Officer, is the person/position responsible for privacy compliance in this Board. Her name shall be made available to consumers. The responsibilities of the privacy compliance officer shall include:

- (a) Establish and update information protection policies;
- (b) Ensure policies are implemented by other Boards to which data-processing functions are out-sourced;
- (c) Establish criteria for classification of information;
- (d) Evaluate the accessibility of sensitive information and take corrective action where necessary;
- (e) Provide education to employees on the importance of information protection;
- (f) Attempt to resolve consumer and member privacy complaints to the satisfaction of the individual.

4. **The Collection, Use and Disclosure of Personal Information**

- (a) No personal information shall be collected from an individual without first obtaining the consent of the individual to the collection, use and dissemination of that information;
- (b) Express consent (whether oral or written) must always be obtained except in the following situation. Consent may be implied where the information is not sensitive and where it can be reasonably assumed that the individual would expect the information to be disclosed in this fashion;
- (c) Once information is collected, it will be used and disclosed only for the purposes disclosed to the individual;

- (d) Standard from listing agreements and/or buyer agency agreements prepared by the Board for use by members shall contain the clauses approved by the Directors by which the seller/buyer authorizes the collection, use and disclosure of personal information.

5. Protecting Information

Information must be protected in a manner commensurate with its sensitivity, value and criticality. This policy applies regardless of the media on which information is stored, the locations where the information is stored, the system used to process the information, or the processes by which information is handled.

(a) Collection and Disclosure

- (i) Meetings with REALTORS® or members of the public must take place in a place and manner to ensure confidentiality;
- (ii) Information should be available to other persons in the Board only on a need-to-know basis.

(b) Storage

- (i) Filing cabinets designated by the Board manager to contain personal, including sensitive, information are to be kept locked at all times;
- (ii) All personnel have computer passwords. These passwords are confidential and are not to be shared with any unauthorized persons.

(c) Destruction

- (i) This Board has in place a record retention and destruction policy. Refer to that portion of the policy manual for details.

6. Accuracy of and Access to Personal Information

To ensure the quality of the information collected:

- (a) Insofar as possible, personal information about member REALTORS® should be collected directly from the consumer;
- (b) Listing information should be collected directly from the listing broker/salesperson; public property information (taxes, assessment data etc.) collected directly by a real estate board from a public source should be verified with that source. Public property information provided by a REALTOR® should be verified by the REALTOR®.
- (c) Disclaimers of accuracy should always be attached to any disclosure of information and on all MLS® data.

7. Access to Personal Information

- (a) Copies of any privacy brochure approved by this Board should always be available to the public in the reception area of the Board;
- (b) The individual set out in Section 3 as being responsible for privacy compliance is the person responsible for responding to access requests and all such requests will be referred to him or her. All staff persons will co-operate fully with the privacy compliance officer in responding to requests;
- (c) On written request and appropriate identification satisfactory to the Board, an individual will be advised of personal information about him/her retained in the Board's records;
- (d) Where information cannot be disclosed (for example the information contains reference to other individuals or is subject to solicitor-client privilege) the individual will be advised of reasons for non-disclosure.
- (e) An individual may have appended to a record any alternative information where the office is of the view that the appended information is, in fact, correct;
- (f) A minimum administrative fee may be charged to supply the information.

8. Compliance

- (a) Failure to comply with the Privacy Code constitutes a breach of CREA's Code of Ethics and Standards of Business Practice;
- (b) Any complaints from an individual concerning the collection, use or disclosure of information must be referred to the privacy compliance officer, who will attempt to resolve the complaint to the individual's satisfaction;
- (c) In the event the complaint cannot be resolved internally to the individual's satisfaction, he or she will be advised of where to direct the complaint.