



## REAL ESTATE BOARD OF GREATER VANCOUVER

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### PRIVACY POLICY FOR CONSUMERS OF MLS®

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#### **OUR COMMITMENT TO PRIVACY**

The Real Estate Board of Greater Vancouver (the “REBGV”) is committed to maintaining the security, confidentiality and privacy of your personal information. This Privacy Policy documents our ongoing commitment to you and has been developed in compliance with the British Columbia *Personal Information Protection Act*.

#### **SCOPE OF POLICY**

This Policy applies to the REBGV. This Policy addresses personal information about individuals and does not apply to the information collected, used or disclosed with respect to corporate or commercial entities.

This Policy does not impose any limits on the collection, use or disclosure of the following information by the REBGV:

- your business contact information; and
- certain publicly available information.

#### **ACCOUNTABILITY**

The REBGV has designated a Privacy Officer who is responsible for the REBGV’s compliance with this Policy. The Privacy Officer may be contacted as described below.

#### **PURPOSES**

When collecting information, the REBGV will state the purpose of collection and will provide, on request, contact information for the Privacy Officer who can answer questions about the collection.

The REBGV collects your personal information for the following reasons:

- (a) Allowing members of Real Estate Boards (including REALTORS® and appraisers) to:
  - (i) Value your property.
  - (ii) List/market your property on the Multiple Listing Service® System in accordance with the terms and conditions of the MLS® System and the Real

Estate Boards. This purpose does not apply if your listing is an exclusive (non-MLS®) listing.

- (iii) Market your property through any other media (both print and electronic).
  - (iv) Help you locate a suitable property to buy or lease.
  - (v) Facilitate the purchase and sale or lease transaction both before and after the completion of your transaction or entering into of your lease (including by cooperating with financial institutions, legal advisors, government departments and agencies, and third parties engaged in connection with the purchase and sale or lease transaction, such as photographers, appraisers and other service providers, and by communicating with you to coordinate any of the foregoing or to ensure your satisfaction with any of the foregoing and with the real estate services provided to you in connection with the transaction).
- (b) Allowing the REBGV and other Real Estate Boards and their members (including REALTORS® and appraisers) to compile current and historical statistics on sales and property prices and lease rates, and to conduct comparative market analyses. Information about your property will be retained in the MLS® System and handled in accordance with the MLS® System's and the Real Estate Boards' terms and conditions, and may be generally published by the Real Estate Boards from time to time (for example on the REALTOR.ca public website) for these purposes after your property has sold or leased or your listing has expired (if you are a seller/landlord) and after you have purchased or leased your property (if you are a buyer/tenant). This purpose does not apply if your listing is or was an exclusive (non-MLS®) listing.
  - (c) Enforcing codes of professional conduct and ethics for members of Real Estate Boards (by cooperating with the REBGV and other Real Estate Boards, the British Columbia Real Estate Association, the Real Estate Council of British Columbia, the Canadian Real Estate Association, and other regulatory bodies).
  - (d) Complying with legal requirements and acting pursuant to legal authorizations.

The above collections, uses and disclosures are a necessary part of your relationship with your REALTOR® and the REBGV.

Other uses:

- (a) REALTORS® may communicate with you to determine whether you require additional real estate services.
- (b) REBGV, other Real Estate Boards, and their members, and survey firms on their behalf, may communicate with you to participate in surveys.

You may instruct the REBGV to refrain from using or sharing information in the “other uses” ways described above at any time by providing written notification to the REBGV Privacy Officer. The REBGV acknowledges that the sharing of information in the “other uses” ways described above is at your option and you will not be refused services merely because you advised the REBGV to stop using or sharing information in this way.

When personal information that has been collected is to be used for a purpose not previously identified, the new purpose shall be identified prior to use and consent for same shall be obtained from you unless the use is authorized or required by law.

## **CONSENT**

The REBGV will obtain your consent to collect, use or disclose personal information except where the REBGV is authorized or required by law to do so without consent. For example, the REBGV may collect, use or disclose personal information without your knowledge or consent where:

- the information is publicly available, as defined by statute or regulation;
- the REBGV is obtaining legal advice; or
- the REBGV reasonably expects that obtaining consent would compromise an investigation or proceeding.

Other exceptions may apply.

Your consent can be express, implied or given through an authorized representative such as a lawyer, agent or broker.

Consent may be provided orally, in writing, electronically, through inaction (such as when you fail to notify the REBGV that you do not wish your personal information collected/used/disclosed for various purposes after you have received notice of those purposes) or otherwise.

You may withdraw consent at any time, subject to legal, contractual and other restrictions, provided that you give reasonable notice of withdrawal of consent to the REBGV. On receipt of notice of withdrawal of consent, the REBGV will inform you of the likely consequences of the withdrawal of consent, which may include the inability of the REBGV to provide certain services for which that information is necessary.

## **LIMITS ON COLLECTION OF PERSONAL INFORMATION**

The REBGV will not collect information indiscriminately and will limit collection of information to that which is reasonable and necessary to provide services and which is reasonable and necessary for the purposes consented to by you. The REBGV will also collect information as authorized by law.

## **LIMITS FOR USING, DISCLOSING AND RETAINING PERSONAL INFORMATION**

Your personal information will only be used or disclosed for the purposes set out above and as authorized by law.

The REBGV will keep personal information used to make a decision affecting you for at least one year after using it to make the decision.

The REBGV will destroy, erase or make anonymous documents or other records containing personal information as soon as it is reasonable to assume that the original purpose is no longer being served by retention of the information and retention is no longer necessary for legal or business purposes.

The REBGV will take due care when destroying personal information so as to prevent unauthorized access to the information.

## **ACCURACY**

The REBGV will make a reasonable effort to ensure that personal information it is using or disclosing is accurate and complete.

If you demonstrate the inaccuracy or incompleteness of personal information, the REBGV will amend the information as required. If appropriate, the REBGV will send the amended information to third parties to whom the information has been disclosed.

When a challenge regarding the accuracy of personal information is not resolved to your satisfaction, the REBGV will annotate the personal information under its control with a note that the correction was requested but not made.

## **SAFEGUARDING PERSONAL INFORMATION**

The REBGV protects the personal information in its custody or control by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, copying, modification, disposal or similar risks.

The REBGV will take reasonable steps, through contractual or other reasonable means, to ensure that a comparable level of personal information protection is implemented by the suppliers and agents who assist in providing services. Some specific safeguards include:

- physical measures such as locked filing cabinets;
- organizational measures such as restricting employee access to files and databases as appropriate;
- electronic measures such as passwords and firewalls; and
- investigative measures where the REBGV has reasonable grounds to believe that personal information is being inappropriately collected, used or disclosed.

Note that confidentiality and security are not assured when information is transmitted through e-mail or other wireless communication.

## **PROVIDING ACCESS**

You have a right to access your personal information held by the REBGV.

Upon written request and authentication of your identity, the REBGV will provide you with your personal information under its control, information about the ways in which your information is being used and a description of the individuals and organizations to whom that information has been disclosed. The REBGV may charge a reasonable fee for doing so.

The REBGV will make the information available within 30 days or provide written notice where additional time is required to fulfil the request.

In some situations, the REBGV may not be able to provide access to certain personal information (e.g., if disclosure would reveal personal information about another individual, the personal information is protected by solicitor/client privilege, the information was collected for the purposes of an investigation or where disclosure of the information would reveal confidential commercial information that could harm the competitive position of the REBGV). The REBGV may also be prevented by law from providing access to certain personal information.

Where an access request is refused, the REBGV will notify you in writing, document the reasons for refusal and outline further steps which are available to you.

## **COMPLAINTS**

The REBGV will, on request, provide information regarding its complaint procedures.

Any inquiries, complaints or questions regarding this Policy should be directed in writing to the REBGV Privacy Officer.

Contact Information:

Ms. Arnelle Starnaman  
Privacy Officer  
Real Estate Board of Greater Vancouver  
2433 Spruce Street  
Vancouver, BC V6H 4C8

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