

DISCLAIMER: This publication is intended for EDUCATIONAL purposes only. The information contained herein is subject to change with no notice, and while a great deal of care has been taken to provide accurate and current information, UBC, their affiliates, authors, editors and staff (collectively, the "UBC Group") makes no claims, representations, or warranties as to accuracy, completeness, usefulness or adequacy of any of the information contained herein. Under no circumstances shall the UBC Group be liable for any losses or damages whatsoever, whether in contract, tort or otherwise, from the use of, or reliance on, the information contained herein. Further, the general principles and conclusions presented in this text are subject to local, provincial, and federal laws and regulations, court cases, and any revisions of the same. This publication is sold for educational purposes only and is not intended to provide, and does not constitute, legal, accounting, or other professional advice. Professional advice should be consulted regarding every specific circumstance before acting on the information presented in these materials.

© **Copyright: 2024** by The University of British Columbia, through its Sauder School of Business, Real Estate Division 2024. ALL RIGHTS RESERVED. No part of this publication may be reproduced, transcribed, modified, distributed, republished, used in any information storage and retrieval system, or otherwise used in any form or by any means, without the prior written permission of the publisher. For permission to use material from this text or product, contact UBC Real Estate Division at info@realestate.sauder.ubc.ca or 1-888-776-7733.



CHAPTER 26

TECHNOLOGY AND THE REAL ESTATE LICENSEE

Learning Objectives

After studying this chapter, a student should be able to:

- ☒ Recognize software that is commonly used in real estate sales
- ☒ Describe the technological devices that can contribute to a licensee's competitive advantage
- ☒ Review the components of an online marketing strategy and explain how a licensee can effectively implement a strategy
- ☒ Establish a plan to protect and back up data
- ☒ Explain the importance of computer and data security
- ☒ Apply freedom of information and privacy principles and rules

INTRODUCTION

Technology is playing an increasingly important role throughout all aspects of a real estate salesperson's business. According to the National Association of Realtors® Home Buyer and Seller Generational Trends Report (2023):¹

- All generations of home buyers begin their housing search online
- 96% of all home buyers searched online at some point during the home buying process and 40% viewed online videos
- More than half (51%) of buyers found the home they ended up buying online
- Buyers used the internet to determine which homes to visit, find their real estate representative, become pre-qualified and/or apply for a mortgage, and conduct virtual walk-throughs of the home

Technological tools are not only used for reaching out to the target market – they are also used to shape a licensee's competitive advantage and to increase efficiency in day-to-day tasks. This chapter discusses the various ways that licensees can use technology to run a more efficient business.

TECHNOLOGY AND THE LICENSEE'S OFFICE

Technology has spurred significant changes to the physical environment of a real estate brokerage. While most representatives still have a physical desk at their brokerage office, much of their business is conducted elsewhere – working remotely from a home office, from mobile devices while out in the field, etc.

Due to the ease of mobility afforded by technology, representatives are becoming increasingly independent from their brokerages. This has shifted the brokerage environment and the way a licensee conducts their business. This section discusses the challenges and opportunities that accompany the mobile office environment.

Challenges of a Mobile Office Environment

There are several challenges when adapting to a mobile office environment, particularly since this area is continually evolving as technology changes. Challenges include connecting with the brokerage, communicating effectively, and knowing when in-person interaction is essential.

The decentralization of the real estate brokerage office environment can affect the sense of community within a brokerage. There is value in face-to-face interactions – colleagues learning from one another, opportunities for collaborations and partnerships, developing mentorship relationships, etc. The licensee should make an effort to attend in-person meetings and brokerage events (e.g., networking and teambuilding events).

When representatives are less physically present within the office, they may feel disconnected from the brokerage. Frustrations with a lack of communication is one potential issue that might arise. Knowing what methods of communication to use and how to use them will help mitigate these issues; for example, the licensee should get into the habit of promptly replying to emails and phone calls and meeting with the managing broker and other colleagues in person, when needed.

In a mobile office environment, the licensee may feel more distant or physically removed from the brokerage. Despite this, relevant procedures and protocol must be followed. Licensees must know when technological shortcuts are not appropriate (or legally permissible) and when other arrangements must be made.

Finally, adapting to the continually changing mobile office environment can be expensive. New technological tools are continually being introduced to the market. Some of these can help the representative's business; others will yield minimal results. The sales representative must weigh the costs and benefits of each technological opportunity to determine whether it merits the investment.

Opportunities of a Mobile Office Environment

Licensed representatives tend to have entrepreneurial personalities and the flexibility and mobility afforded by technology may allow them to perform at a higher potential. Representatives are often able to accomplish more and to increase efficiency when they are not required to be physically present at the brokerage office. Less time is wasted in commuting back and forth and – at least theoretically – this allows representatives to provide a better service to clients and to generate higher revenues.

¹ National Association of REALTORS® Home Buyer and Seller Generational Trends Report 2023.

hot desking

when desks are assigned to workers as needed, rather than assigning a permanent desk to each worker

There are also opportunities in adjusting the physical office requirements of the brokerage. Fewer or smaller workstations may be required in a physical office; for example, *hot desking* involves assigning desks to workers as needed instead of assigning a permanent desk to each worker. Rather than having desks sit empty, desks are temporarily assigned to those who are in the office on a particular day.

Operating from a Mobile Office

Licensees who operate from a mobile office require a proactive, rather than reactive, approach to technology. Licensees need to continually be aware and learn about technological opportunities that arise. They must be able to critically evaluate each opportunity to identify situations where the investment in the technology will result in positive returns for the business in terms of higher productivity, additional sales, and increasing revenues.

Other ways that a licensee can operate efficiently from a mobile office are discussed in the following sections.

Streamlining Technologies

A licensee typically requires a wide range of programs to operate efficiently (which will be discussed in detail in a later section). Consider the following list of automated systems, identified by Lone Wolf Real Estate Technologies,² which many sales representatives employ on a regular basis:

- Accounting
- Forms and contracts
- Document management
- Contact management
- Lead management
- Lead conversion monitoring
- Advertising management
- Listing syndication
- Blogs and social media
- Licensee website
- Showing scheduling
- Market statistics
- Internet monitoring tools

A sales representative can better manage their time by implementing systems that integrate with one another, reducing redundancies and efficiencies. Remember – these programs are supposed to improve efficiency, not reduce it.

Investing in Tools for Success

Investments in new technologies can be significant; it is understandable that a licensee might be hesitant in investing money in a new, unproven technology when the current method is adequate. Opportunities for technological improvement include upgrading the licensee's website to replace an outdated one; new software that will make it easier to market services or listings across outlets; camera equipment to improve virtual tours; etc.

The licensee needs to be knowledgeable about the technological opportunities that are available and must be willing to seek out the education required to make an informed decision. Some brokerages will invest in these tools and make them available to licensees (e.g., allowing a sales representative to rent or borrow a piece of equipment); licensees may wish to make suggestions to the managing broker in terms of tools that will help its representatives. Being at the forefront of technological developments can contribute to both a licensee's and a brokerage's competitive advantage and position in the market.

² www.lwolf.com

Communication

Overcoming challenges to communication is the key to succeeding in a mobile office environment. A sales representative must ensure that there are clear lines of communication between themselves and the managing broker, as well as laterally among other licensed representatives. Prospective and existing clients must also be able to easily reach the sales representative; for example, if a client phones in to the brokerage's office and the licensee is operating remotely, the call should be forwarded to the licensee's mobile phone.

Cloud Collaboration & Task Management Software

Technology has allowed businesses to better connect with staff members working remotely. Cloud collaboration and task management software are effective tools for teams who are trying to keep synchronized on tasks and have proven to be highly useful when running a remote business or virtual office. These tools go well beyond basic to-do lists, offering numerous solutions for tracking, planning, and managing businesses tasks. Features include direct-messaging capabilities, data sharing, group chatting, online whiteboards, and screensharing. In a real estate brokerage, this type of software is useful for keeping all agents on the same page and for quickly assigning a lead or transaction to an agent or staff member.

SOFTWARE, APPS, AND TECHNOLOGICAL DEVICES

On the one hand, representatives require fewer tools now than ever before to get their jobs done: a laptop, tablet, or smartphone combined with access to wireless internet is typically all that is needed to accomplish most daily tasks. Access to a printer/scanner/copier is also needed from time to time.

On the other hand, more tools are available than ever before and the industry continues to develop new products and programs. Software is able to tackle more complex tasks while becoming easier for the user to manipulate. Mobile apps are replacing physical tools including maps, calculators, and cameras. Devices, such as drones and 360 degree cameras, are revolutionizing the way that licensees market properties, blurring the lines between virtual and in-person property tours.

The following sections provide an overview of the tools available to real estate sales representatives. Not all licensees will have a need for all of these tools; similarly, there may be a need for other applications or devices not discussed herein. Licensees must educate themselves on new products as they become available and to determine whether or not these products are applicable to their businesses.

Software

Computer *software* consists of the applications (programs) that the computer runs to enable the user to accomplish tasks. Any program that runs on a computer is considered software; for example, Microsoft Word, PowerPoint, and Excel are all types of software that many licensees use on a daily basis. It is assumed that licensees are already familiar with these types of software, but other relevant programs will be discussed herein. Specific product names will be mentioned throughout this section as examples only. Their acknowledgement should not be considered an endorsement for any one software product.

software
the applications (programs) that the computer runs to enable the user to accomplish tasks

Forms Software

Forms software allows licensees to electronically generate the most common forms and contracts used in real estate transactions. For example, real estate sales licensees belonging to a real estate board that has access to the industry intranet website called RealtorLink® (www.realtorlink.ca) are able to access a major form software hub called WEBForms®. All forms on RealtorLink® are automatically updated to industry requirements. WEBForms® allows users to access the most recent versions of real estate forms and to organize the forms used for different clients and projects.

There are other forms software packages available for purchase (e.g., Formulator and Zip Form), but it is important to confirm that the forms being used are updated to industry standards.

Multiple Listing Service® Systems Software

When a property is listed for sale, the listing licensee has the option of entering property details into a database of listings called the Multiple Listing Service® (MLS®). Local real estate boards manage the listing information for properties listed in their geographic location. The MLS® serves many functions including

computing listing searches, producing automated hot sheets, and generating Comparative Market Analysis (CMA) presentations and other client prospecting tools.

The accuracy of the information is the responsibility of the listing licensees; all information must be factual and properly verified. Misleading and inaccurate information can result in legal action.

The MLS® provides current inventory of available properties and a history of sales in a geographic area. The Canadian Real Estate Association (CREA) owns the MLS® trademark and has a proprietary interest in the REALTOR® trademark as well. Both trademarks ensure homebuyers and sellers are dealing with a qualified real estate professional. For up-to-date information on CREA, visit www.crea.ca.

Consumer Access to MLS® Information

Only licensed representatives have access to complete MLS® information. However, Canadian consumer websites such as realtor.ca (see Figure 26.1) and realtylink.org, and US websites such as realtor.com and homes.com, have made partial listing information available to the public.

Real estate boards and associations allow different amounts of property information to be made available to the public. For example, some public websites include the property address. The more property information that is made available on the public websites, the better consumers can define their search parameters.

FIGURE 26.1: Consumer Site www.realtor.ca

The screenshot shows the REALTOR.ca website. At the top, there is a red navigation bar with the REALTOR.ca logo, tabs for 'Residential' and 'Commercial', and icons for a heart, a house, a magnifying glass, and a 'Find a REALTOR' button. Below the navigation bar, there is a large banner image of three people standing in a modern home. Overlaid on the left side of the banner is a text box that reads: 'Residential. Your local REALTOR® will help you find the perfect home. Get started here by searching for properties for sale and rent across Canada. This site contains accurate and current listings in your area for residential properties, condominiums, recreational and agricultural properties, as well as parking and vacant land.' Below the banner, the text 'Welcome from REALTORS® across Canada' is displayed. Underneath this is a search bar with the placeholder text 'Where are you looking? Try a Neighbourhood, City, Listing ID or Postal Code'. Below the search bar are several dropdown menus: 'Residential' (with a downward arrow), 'For sale' (with a downward arrow), 'Any' (with a house icon), and 'Any' (with a car icon). Below these are 'Lower Price Limit' and 'Upper Price Limit' dropdowns, a 'Listed Since' dropdown with a calendar icon, and a checkbox for 'Open Houses Only'. At the bottom left is a blue 'More Options' button, and at the bottom right is a red 'GO' button.

MLS® Systems in British Columbia

In British Columbia, real estate boards and associations operate and manage their own MLS® systems on behalf of their members. A number of proprietary MLS® systems are used in British Columbia (e.g., MLSlink). Regardless of the MLS® system used, each board or association is responsible for providing the data to its members and ensuring the quality and integrity of the data.

Budget Tracking and Accounting

While spreadsheets can be used to keep track of financial data, most licensees opt for an accounting software package. There are many types of accounting and bookkeeping software packages available; selecting the right one will require a fair amount of comparative research.

Common accounting software packages include QuickBooks, Wave, Zoho Books, and Xero. However, in a complex situation, the assistance of a professional accountant might be needed.

Databases

Having a system to stay in touch with past clients and prospective clients is an integral part of real estate services. Contacts and networks are largely what drive a salesperson's business. Organizing contact information and tracking activity with contacts will help licensees build and maintain the important relationships that are at the foundation of the business's success.

Database software provides a system to organize and manage client contacts. This includes tracking all contact with past, current, and prospective clients. This software allows the user to perform the following functions effectively and efficiently:

- Developing a client or prospect list containing addresses, contact numbers, and other vital information that can be constantly updated by adding, deleting, and changing information
- Maintaining client contact history for future reference
- Recording client information such as type of client, motivation, sales history, birthdays, anniversaries, etc., which can be used for personalizing communications
- Together with word processing software, printing personalized, individually addressed letters to an individual or group of individuals, a feature called a mail merge
- Pre-programming targeted action plans for future communication and automated reminders
- Automating phone dialling
- Varied searching possibilities, allowing customized grouping and targeted marketing

Photo Editing and Marketing

Digital photo editing software programs are useful for editing and enhancing photos used for marketing and advertising purposes. Photo editing software allows the user to edit digital images in many different ways including by cropping the image, adding various image effects, optimizing and exporting photos in a variety of different formats, and adjusting image attributes such as brightness, contrast, and colour.

Publishing programs (e.g., Adobe InDesign) are commonly used for designing both digital and hard copy marketing tools such as brochures, advertisements, eBooks, and mail out postcards.



ALERT

The following is an excerpt from the “Advertising Guidelines” section in the Real Estate Council's Knowledge Base.

Section 41 of the *Real Estate Services Rules* (the “Rules”) states that a licensee must not publish real estate advertising that the licensee knows, or ought to know, contains a false statement or misrepresentation concerning real estate, a trade in real estate, or the provision of real estate services.

...

Photo Enhancing Software

Photo enhancing computer applications make it easy to manipulate photographs in a variety of ways. When using photographs in advertising materials, licensees must use caution so as to not alter or enhance photographs in any way that would misrepresent aspects of the property. While editing out such items as a garbage can or an automobile parked in a driveway would be acceptable, removing nearby power lines or changing any physical characteristic of a property such that it results in a misrepresentation would not be acceptable.

Personal Information Management

Personal information management software (PIM) includes a user's email, contacts, and calendar. In short, PIM is at the heart of the technology for any business. A commonly used PIM application is Microsoft Outlook, although alternative options, such as Apple's apps and Google's apps, are continually becoming more popular. Online information suites, such as Google Apps (an online solution for email, calendar, and contacts), are also growing in popularity.

Among other things, PIM software allows the licensee to organize, send, and receive individual or group emails; schedule activities on a calendar with automatic reminders prior to events; and organize and keep track of client information. When properly used, these programs will help a salesperson to stay organized and to maintain contact with their database.

Customer Relationship Management Software

customer relationship management (CRM) software
a database application that manages the user's contacts, controlling and organizing the information pertaining to each contact

The most common way to organize a database of client information is to employ *customer relationship management (CRM) software*. Database or CRM software applications, of which there are many choices (e.g., Top Producer®, AgentOffice, Maximizer®, Goldmine®, Outlook, Highrise), will help eliminate loss of clientele due to lack of contact. Like a good assistant, they will constantly remind the sales representative when they should get in touch with clients. Thanks to the sophistication and flexibility of searching fields in a database, the options for grouping clients to personalize messages are virtually limitless.

GIS Mapping

Geographic information system (GIS) mapping is a form of computer-based mapping that incorporates several layers of information beyond what a traditional map can supply. The linking of location and data makes GIS a very powerful real estate analysis tool. For example, a licensee could create a data query for a given geographic area, highlighting only properties that fulfill a specific lot size, zoning, sale date, or other criteria. The selected data records can be displayed in a table, on a map, or in both formats.

geographic information system (GIS) mapping
a mapping system that provides several layers of data and information, beyond what a traditional map can offer

Many local governments, provinces, and real estate boards provide publicly available web-based GIS. Commercial providers, such as Google Earth, Bing Maps, and Terra Explorer, also offer various GIS capabilities. Online GIS is now a mainstream application for real estate professionals, lessening the need for firms to undertake the large investment needed to develop an in-house GIS. However, these online GIS applications have limited capability for customized real estate queries and mapping. Many local governments offer more robust GIS queries on a fee for service basis. Real estate offices can also create a crude but effective internal GIS by ensuring sales data has sufficient geographic coding to provide for geographic queries.

Compatibility

When using multiple types of software, one of the biggest challenges is ensuring compatibility across all platforms. Compatibility issues include:

- **Compatibility across operating systems:** Although this is becoming less of a problem than it has been in the past, there are still occasionally issues with operating certain software programs on Apple computers. This issue can also arise in apps (discussed in the next section), where certain apps may be functional on iPhones but not Androids, etc.
- **Compatibility with mobile devices:** Users – including representatives and prospective clients – are increasingly using mobile devices to access programs and information, rather than laptop or desktop computers. Mobile-compatible programs allow for increased flexibility and productivity.
- **Compatibility with other programs:** Technology is supposed to improve efficiency, but all too often, it has the opposite effect. This is particularly true when different systems are not compatible with one another and the same information has to be entered into multiple programs. This redundancy should be avoided by ensuring software programs are compatible with one another as much as possible, which is usually achieved by using products and add-ons from the same software developer.

Apps

Countless mobile applications (apps) exist to help licensees accomplish more when out on the field, including apps that:

- provide access to the MLS®;
- give GPS directions to properties;
- calculate mortgage payments and mortgage affordability;
- create and edit photos and videos;
- take notes for meeting minutes;

- track appointments;
- scan documents;
- draw floor plans;
- convert metrics; and
- produce listing presentations.

New apps are continually being developed and many apps change names over time. Licensees must make a point of staying on top of new relevant apps and their suitability for their businesses.

Video Conferencing

Many licensees have adopted video conferencing software to build and maintain relationships with clients, prospects, and other licensees. There are various platforms available for video conferencing such as Zoom, Facetime, Cisco Webex, Skype, and Google Hangouts. These platforms have allowed licensees to help their clients virtually. While these platforms are highly useful, it is important for licensees to keep in mind that a lot of the information they will be discussing with clients is highly confidential. To avoid unwanted guests in the calls and hacks, brokers must ensure their platform of choice offers unique IDs and passwords to protect their clients' privacy.

Chatbots

AI-powered chatbot systems have lately grown in popularity and are yet another piece of technology disrupting the real estate industry. Some firms offer specialized chatbots for real estate agents. Chatbots can collect data from prospective clients and answer frequently asked questions, among other things. A benefit of these chatbots is that they can operate 24 hours a day. These chatbots integrate with websites and services like WordPress, Wix, Google Analytics, Google Ads, and Facebook Ads.

Virtual Tour Software for Showings/Appraisals/Inspections

Another piece of technology that has risen in popularity, especially during the COVID-19 pandemic, is virtual tour software. Appraisers and lenders have used this video technology together with the homeowner to do the interior inspections and verify property valuations. Software (e.g., iStaging, Tourwizard, My360, Roundme, EyeSpy360) can create 360-degree virtual tours from panoramic shots in a short period of time. The end product is compatible with devices such as smartphones, tablets, virtual reality headsets, and computers. Additionally, many of these tools allow the tour to be shared among multiple viewers at the same time.

Virtual tour software has enabled licensees to create an experience that mimics a real showing. For example, licensees can now take a client through a house room-by-room and stop to point out features that are important to that specific potential homebuyer. For example, during the tour, the agent can linger in the showcase bathroom or the kitchen.

Virtual tour software is also being used to conduct virtual neighborhood walks, to allow clients to understand the feel without having to leave their homes.

Licensees must take care to ensure security and privacy while using such platforms. For instance, licensees should create a password for meetings and only send the password to meeting attendees. Furthermore, platforms such as Zoom have an "Enable Waiting Room" feature when creating a meeting; this is an additional measure that helps prevent unintended attendees from joining by placing them in a virtual waiting room, to be put "on hold" prior to being granted approval by the meeting host.

Technological Devices

Most licensees will require a laptop or desktop computer, a smartphone, and access to a scanner, printer, and photocopier (or an all-in-one device that performs all of these actions). Tablets are also frequently used when out in the field.

Beyond these devices, there are other technological tools available that can enhance the quality of service provided to clients. A few examples are discussed in the following subsections. In some cases, individual licensees will acquire these tools on their own. Other times, the brokerage will purchase these devices and licensees within the brokerage can rent or borrow them out.

DSLR Cameras

Photography is a major component of marketing any property. Although cameras on smartphones are continually improving, the quality is incomparable to photos taken on a digital single-lens reflex (DSLR) camera by a skilled photographer. Given the importance placed on photographs, it is usually worthwhile to invest in a DSLR camera. DSLR cameras are also capable of recording high quality video.

DSLR cameras come with automatic settings that can be easily used by any amateur photographer, but the best photographs are produced when more advanced features, such as aperture, shutter speed, and ISO, are manipulated. These skills can be acquired by reading websites and books, taking photography classes, and through trial-and-error.

Alternatively, many representatives prefer to hire professional real estate photographers to capture images of properties. In these situations, it may not make sense to invest in an expensive DSLR camera that will not be used, but it is still a good idea to have a basic digital camera available.

Drones

Aerial photography and videography provide a unique way to capture the visuals of a property and are especially desirable when marketing a property on acreage, with exceptional views, with water frontage, etc. Not all properties photograph well from the ground; drones (also called unmanned aerial vehicles, or UAVs) allow real estate marketers to capture properties and their surroundings from the sky. The use of drones has largely replaced photography from helicopters, which is an extremely expensive way of capturing aerial photos and videos.

The regulations surrounding the use of drones are continually evolving as the technology becomes more commonplace. Before using a drone to photograph or take video of properties, a licensee should ensure they are complying with Transport Canada rules and privacy laws. Failure to do so may result in disciplinary action from the BC Financial Services Authority (BCFSA) or civil lawsuits from property owners.

When hiring a professional to take drone photographs or videos, licensees should ensure that they are up-to-date on the legal landscape and have the appropriate insurance and permits needed. For drones weighing between 250 grams and 25 kilograms, Transport Canada requires all pilots to pass an online aviation knowledge test. Additionally, an in-person flight review is required to fly in controlled airspace, over bystanders, or within 30 metres of bystanders. Drone pilots must carry valid certificates and only fly marked drones registered with Transport Canada. A Special Flights Operations Certificate is required to fly a drone weighing over 25 kilograms. Local bylaws and provincial statutes may also exist that apply to drone users.

Drones equipped with cameras could also breach the privacy rights of neighbouring property owners. Licensees operating drones should be aware that under BC's *Privacy Act*, individuals have the right to sue others for violating their privacy. Before listing and advertising a property, it is recommended that homeowners inform neighbouring property owners and seek their permission to take photographs and videos from drones.

Drones (and the many accessories that go with them) can be expensive tools and users should be properly trained on these devices to avoid costly crashes. Alternatively, there are professional service providers that can provide drone footage for registrants.

360° Cameras

Cameras with the ability to film 360-degree virtual reality tours of a property are becoming increasingly common and affordable. This technology offers users an interactive way to preview a property prior to actually visiting it. This can offer a better sense of a space, capturing rooms that are difficult to photograph and providing a clearer look at a property's layout. These cameras can also be used to give a tour of a neighbourhood or a larger acreage with multiple buildings, presenting a more detailed context to a property than can otherwise be provided.

There are numerous types and models of 360-degree cameras offering varying levels of quality and presentation (e.g., some allow the user to scan from left to right on a continuous panoramic plane, while

others allow the capability to look up, down, and around in addition to side-to-side movement). Many offer compatibility with virtual reality goggles (e.g., Google Cardboard) for a fully immersive experience.

REAL ESTATE LICENSEE WEBSITES

More than ever before, buyers and sellers are using the internet to prepare themselves for potential real estate transactions. For example, according to the National Association of REALTORS®, the first step for home buyers across all age groups is to go online to look at properties. Websites are the most used information source in the buying process for home buyers of all ages.³

A real estate licensee's personal website can be used to attract potential clients looking for a representative, to share market information, to promote clients' listings, and to communicate credentials and experience. It is a multi-faceted tool that allows the licensee to be present and available 24 hours a day, seven days a week, from any location.

A website is an essential tool that can work either for or against the business. An unprofessional-looking website can instantly turn potential clients away, whereas a well-designed and up-to-date site can potentially secure their business.

Domain Names

The first step to establishing a website is to register an internet domain name. A *domain name* is a name that will be used to direct internet traffic to the website. Ideally, a domain name consists of one or more whole words that are easy to spell, and when combined into the one-word domain name, is easy to remember. It might incorporate the representative's name or keywords pertinent to the local market (e.g., *johnsmithhomes.com*, *seatoskyhomes.ca*).

domain name
the name used to direct internet traffic to a company website

After choosing a domain name, the next step is to register it on a domain registration website. These sites and others like them will allow the user to search to see if the chosen domain name is available. Registering a domain name requires an annual fee to retain the rights to use it.

FIGURE 26.2: Sample Internet Domain Name Registration (www.networksolutions.com)

Designing Your Own Website vs. Employing a Professional

When it comes to establishing a licensee's website, there are two primary options: designing your own or hiring a professional to develop the website.

The primary advantage of a licensee designing their own website is that it is significantly less expensive. It is possible to produce a professional, well-functioning website using an easy-to-use website builder. Consulting online tutorials and how-to books will also help. This option is best for those seeking a relatively simple website and who have the knowledge needed to maintain the website and undertake any troubleshooting, should problems arise. There are disadvantages to note when designing a website. A website that looks like it was built by an amateur can negatively influence the licensee's image in the public. Learning the skills to design and maintain even a basic website can be very time consuming; often, the value of the licensee's time will be greater than the cost of hiring a professional.

³ National Association of REALTORS® Home Buyer and Seller Generational Trends Report 2023.

Alternatively, the representative can choose to hire a professional website designer who can incorporate the licensee's ideas and create a tailor-made website to suit their preferences. The degree of customization a designer is willing to offer will depend on the representative's budget. A professional's expertise in visual design, search engine optimization, and other key elements of websites will ensure that no detail is overlooked. Although most professional designers will be able to design a real estate specific website, it may be worthwhile to look for a designer who has had experience with or who specifically designs websites for real estate brokerages or licensees. The downside to hiring a professional is typically the cost. Some designers will have a set fee for building a website, while others may be able to work with a variety of budgets.

Website Design Considerations

Designing a website requires specialized skills, including creative design, programming, and internet marketing knowledge. As with all marketing in real estate, never compromise quality for quantity; when embarking on website design for the first time, it is better to start with fewer pages of good quality content and simple, easy-to-navigate design than numerous pages of inferior content and complicated design.

The National Association of Realtors® reports that home buyers most often visited properties that they had initially found online, with buyers indicating that they found photos (85%) and detailed property information (80%) to be very useful in their property search.⁴ Figure 26.3 provides a detailed breakdown of the value of website features to home buyers, broken down by generation.

FIGURE 26.3: Value of Website Features

	AGE OF HOME BUYER						
	All Buyers	24 to 32	33 to 42	43 to 57	58 to 67	68 to 76	77 to 97
Photos	85%	87%	85%	85%	83%	75%	60%
Detailed information about properties for sale	80	81	78	79	80	66	57
Real estate agent contact information	53	41	50	54	55	47	52
Floor Plans	49	49	49	44	50	39	40
Virtual tours	39	37	41	36	40	29	27
Pending sales/contract status	36	39	40	34	31	27	25
Detailed information about recently sold properties	35	35	39	30	35	30	23
Neighborhood information	31	30	35	26	32	23	24
Interactive maps	28	32	36	26	24	17	11
Videos	27	26	27	27	29	17	23
Information about upcoming open houses	13	14	17	13	13	8	6
Virtual open houses	11	10	10	11	13	8	6
Virtual listing appointment	9	10	11	9	9	7	2
Real estate news or articles	6	4	6	6	6	5	6

Finally, ensure that the website is compatible with mobile devices. Nearly three quarters (73%) of home buyers conduct a mobile search in the purchasing process.⁵ Websites that are not mobile compatible will be penalized in search engine results that originate from mobile devices – in other words, if someone is searching for a representative from their phone, the website may not appear high in the results if it is not mobile compatible.

Building the Website's Content

Most professional website designers are not experts in real estate sales or the local market. While they will create the template and the features of the website, it is usually up to the licensee to populate the website with content.

Some real estate websites can be automatically populated with generic real estate content. It might be tempting to leave the prefabricated material on the website, but this is not advisable. The website will get lost in a sea of thousands of other websites with the exact same content, word for word. Instead, seize the

⁴ National Association of REALTORS® Home Buyer and Seller Generational Trends Report 2023.

⁵ Ibid.

opportunity that the website provides: create original content that showcases the licensee's expertise, shares valuable information with potential and existing clients, and drives people to hire the licensee as their real estate representative.

The following subsections discuss some of the topics that a licensee may wish to include on their professional website.

Introduction

Visitors to the website might not know who the licensee is; a short biography provides the opportunity to share that information. The representative may list qualifications and experience as a real estate professional, highlighting strengths and explaining what a client can expect when working with the licensee. This is also an opportunity for the representative to share some personal background: how long they have lived in the area, community involvement, and special hobbies that will help the licensee to stand out.

Testimonials

The representative can provide evidence of their success as a real estate licensee by including testimonials from satisfied past clients. The ongoing collection of testimonials from previous transactions will help the licensee learn from each experience and will also help in marketing their expertise.

Local Expertise

A website can be used to share information pertaining to the licensee's area of expertise, whether it is the geographical area in which they are located or a type of property that they specialize in. In building this section, the representative should consider what information they might share in an introductory meeting with someone who is interested in the local area, but has little experience or knowledge themselves. Examples of content in this section include information on local demographics, a write up on schools, and descriptions of neighbourhoods in the area.

Current Information

This section includes relevant information that pertains to real estate in the local area, such as current mortgage rates and recent real estate transaction trends. This section should be updated regularly so that visitors can come to rely on the website as a virtual information centre. As an added bonus, keeping information recent will provide visitors with the incentive to return to the website.

Buyer and Seller Guides

First time buyers and sellers often use the internet to find a licensee to engage in their property purchase or sale. The licensee may want to provide these buyers and sellers with guides that will help them understand the process of a real estate transaction. For example, a glossary of real estate terms can help make the process seem less intimidating. Links to guides from organizations such as the Canada Mortgage and Housing Corporation (CMHC) can also be provided.

Current Listings

A website offers the opportunity to market current listings to gain additional exposure. A licensee's personal business website will likely allow more room for additional information that does not fit on an MLS® form, providing the opportunity to include detailed descriptions.

The licensee might also be able to share listings other than their own, which will generate additional traffic to the website. Sales representatives should check with the local real estate board for information on how to link local MLS® listings to their website.

Sales and Accomplishments

A section showcasing the licensee's successful property sales will provide concrete evidence of their real estate experience. Readers can use this section to get an idea of the representative's expertise. This section should include photographs and details of the sold properties.

Blogs

A *blog* is a discussion or informational website that is regularly updated with posts sharing opinions, news, links, or other types of content. Posts are usually displayed in reverse chronological order, meaning the most recent post appears at the top of the website.

blog

a discussion or informational website that is regularly updated with posts sharing opinions, news, links, and other types of content

A real estate related blog provides an excellent venue for sharing important and relevant content with visitors to the licensee's website. Blogs can attract new viewers to the website, increasing the representative's online exposure. Regularly updated blogs provide incentive for readers to return to the website often, keeping the licensee and their business at the top of a visitor's mind. Blogs can also help with the search engine optimization of a website, further discussed in the next section.

In order to achieve these benefits, a blog must be properly implemented. Services exist that will automatically update a blog when a new listing is posted or a new sale is recorded, but these bits of information are unlikely to attract potential clients to the website. Instead, the blog should be used as a method of communicating interesting information to existing and potential clients. Consider what information they might like to know, such as:

- upcoming events in town;
- tips for understanding frequently used real estate forms and contracts;
- recent market news combined with the licensee's own anecdotal observations;
- changes in legislature affecting real estate in the province or local area; and
- home décor and maintenance tips.

Ideas for topics can be found in the local newspaper, a favourite real estate website, or even questions and conversations brought forth by clients or other industry professionals.

The best blogs are those that are updated regularly. Researching and writing a blog post can be time consuming. If a licensee finds it difficult to maintain a blog, this task can be contracted out to an assistant, a freelance writer with real estate knowledge, or to a professional content production company.

Contact Information

While a website might provide useful information and tools for existing and potential clients and customers, its primary purpose is to attract business. As such, the licensee's contact information must be easy to locate on the website. If a visitor to the website has to search for the contact information, they will likely lose interest and look elsewhere for real estate services.

Podcasts

Podcasting is a platform that allows for the sharing of audio content. Licensees can record and broadcast their thoughts, interviews with guests, and insights into industry news. It is a newer content marketing channel that has been growing rapidly in popularity, especially because of the ease of creating a podcast for the content creator. Production equipment can range from simply using a mobile phone to professional studio settings.

Search Engine Optimization

In order for a licensee's website to be an effective tool for their business, it needs to be easy to find. *Search engine optimization*, frequently shortened to SEO, is the process that affects how easily a website can be found in organic (unpaid) results on search engines (e.g., Google).

search engine optimization (SEO)
the process that affects how easily a website can be found in organic results on search engines

Optimized websites appear towards the top of the list when certain keywords are typed into a search engine. Search engine optimization employs various methods to help ensure that a particular website will appear towards the top of relevant searches, which translates into more visits to the website.

Search engine optimization is a key component of marketing a website. There are several methods used in SEO, some of which can be implemented with relative ease, others requiring the services of a professional with extensive SEO knowledge. Using relevant keywords throughout the website, including original content, and regularly updating the website are some ways to improve a website's search engine performance.

Web Analytics

Many real estate professionals invest a significant amount of time and money into their professional websites; therefore, they should ensure that these resources are being properly allocated.

Web analytics refers to the measurement, collection, analysis, and reporting of data pertaining to how visitors are using a website. Web analytics can provide information such as how many people are visiting the website and whether they are first-time visitors or returning visitors. The information from web analytics allows the website owner to pinpoint where its visitors reside, what medium they use to access the website, and how long they spend on each web page. Analytics can provide details including the precise words people typed into a search engine that lead them to the website.

web analytics
the measurement, collection, analysis, and reporting of data pertaining to how visitors are using a website

Web analytics provide very important insight. It is a good idea for a licensee to review their web analytics regularly, as they can provide information to improve the website and the business. For example, if many of the website's visitors come from a particular geographical area, this might provide a good indication of where the licensee should be targeting other forms of business marketing. Statistics regarding the page visits to certain properties listed for sale can be useful to share with the sellers of the properties, demonstrating the representative's efforts to increase the exposure of their property.

Google Analytics is one of the major web analytics providers. It is a free service that can be embedded into a website, allowing the website creator to easily check in on its website statistics. Employing web analytics is a useful way of making the most of a website.

EMAIL MARKETING

Email marketing can be an effective way to communicate with a network, or with one or more segments within a network, all at once. However, email marketing can also be perceived as spam (i.e., unwanted email messages flooding the recipient's email inbox). Following proper protocol will ensure that email marketing tactics are viewed as valuable pieces of information and not as junk mail.

Mailing Lists

One of the best ways to keep clients informed and up to date on items concerning the licensee's business and the local real estate market is through the use of a mailing list. An organized mailing list, complete with the email addresses of the consenting contacts in the licensee's database, is the first step in achieving a successful email marketing campaign. Standard email clients, such as Microsoft Outlook, can provide this type of database. Specified mailing list software or online services will provide even more options to organize a brokerage's database.

Most email database organizers can categorize contacts into one or more segments. Such segments can be customized into categories such as "clients", "representatives", "other real estate professionals", "service providers", etc. Sub-categories can be used to create an even more targeted mailing list. These categories are useful when sending email marketing materials; they allow the sender to direct pertinent information to contacts who will find the information useful and relevant, so that they see the email as valuable information and not spam.

Depending on the type of mailing list software used, it is possible to give clients the ability to self-subscribe to the list or to remove themselves from the list. This can usually be done through a web interface that integrates with the licensee's website. As per the *Canadian Anti-Spamming Legislation*, discussed later in this chapter, the sender must always ask their clients and obtain consent before adding them to a mailing list, and the sender must remove them immediately if they ask to be removed. An email database will need to be maintained regularly, adding in new contacts from business cards collected, updating email addresses, etc.



ALERT

Canadian *Personal Information Protection and Electronic Documents Act* (“PIPEDA”)

The increased ease of accessing information has raised concerns about the privacy of information. Real estate services providers must be aware of the level of privacy that clients expect and are entitled to, and should ensure that confidential information is not displayed in a public medium, such as the internet, without their permission.

The Canadian *Personal Information Protection and Electronic Documents Act* (“PIPEDA”) covers privacy law in the private sector, establishing how a business engaged in commercial activity can collect, use, and disclose information. Alberta, British Columbia, and Quebec have their own provincial privacy laws in place. BC’s privacy law, the *Personal Information Protection Act* (“PIPA”), is discussed in detail later in this chapter.

Newsletters

Newsletters can be used to share market information, real estate tips, and updates about the industry and the licensee’s business. A successful newsletter campaign requires several different elements. First, newsletters should be sent regularly. The goal is to contact the recipients somewhat frequently, but not so often that they are not provided with valuable content. Generally speaking, newsletters should not be sent more frequently than once a week, nor less than once per quarter.

A newsletter should provide compelling content, such as market news, local events, details on relevant legislation changes, and information on new developments. The newsletter administrator might choose to touch on each of these subjects in every newsletter, or the newsletter could instead focus on one theme per edition. Creating a schedule with newsletter topic outlines can help ensure that content is balanced.

The following guidelines are important to keep in mind when sending a newsletter:

- Every newsletter should be carefully proofread prior to being sent off.
- Use a friendly but professional tone and keep messages relatively succinct to keep readers engaged.
- Pictures can enhance the look of the newsletter, but the file size of the newsletter should be kept small so that receiving the message is not difficult.
- Respect the privacy of recipients. Never include a person’s email address in a message for others to read. Instead, use the BCC: (blind carbon copy) field when sending emails to multiple clients. Mailing list software will do this automatically.
- When using mailing list software, ensure that responses to the mailing list emails will only go to a specified address and not to the whole list.
- Provide an option for subscribers to opt out of receiving future newsletters if they are no longer interested.

Manually designing email newsletters can be time consuming and tedious. Email marketing software (e.g., Mailchimp) allow licensees to set up a simple campaign to automatically email leads through what is called an “email drip campaign.” An email drip campaign operates by sending out emails on a predetermined schedule. This is highly effective in constantly reminding customers about the business. Through services like Mailchimp, emails can also be automated based on date (e.g., reaching out to people on birthdays or anniversaries) or behaviour-based automations, or to re-engage with old customers. Some email marketing software providers (e.g., Campaigner) offer extensive sets of features including auto-response, email segmentation, engagement scoring, geolocation, and purchase behavior. Some programs integrate with Adobe Analytics, Facebook, Google Analytics, Salesforce, and Twitter, among others.



ALERT

Canada's Anti-Spam Legislation

The purpose of Canada's Anti-Spam Legislation (CASL) is to protect consumers' privacy, deter deceptive forms of spam, and give consumers greater control over their receipt of electronic messages. Spam, also known as junk email, is mass distributed and unsolicited email. It has become a large and growing problem for email users as it clogs up email accounts and is often difficult to discern from legitimate email messages.

As professionals who are typically active in promoting themselves electronically, licensees must be careful to comply with the provisions of CASL.

CASL regulates the transmission of commercial electronic messages (CEMs), which are defined as electronic messages that, having regard to the content, links, and contact information provided, would reasonably be interpreted as encouraging participation in a commercial activity. This is quite a broad definition, encompassing not only emails but also text messages and sound or image messaging; moreover, expectation of profit is not required for a message to be deemed a CEM.

Every CEM must:

- 1. Be sent with the recipient's express or implied consent to receive such messages**

Express consent, which can be received in writing or orally, can be obtained by issuing a clear and simple request for consent, stating the purposes for seeking consent, the identity and contact information of the organization, and the fact that the recipient may withdraw consent at any time. Note that consent cannot be assumed in an express consent request (e.g., a box for a recipient to give express consent cannot be pre checked by the sender). Moreover, express consent requests are themselves potentially unsolicited CEMs; therefore, these requests can only be sent to recipients who have expressly or impliedly agreed to receive such messages.

Implied consent exists where the sender and recipient have an existing business or non-business relationship within the past two years, or where the recipient's email address was conspicuously published or disclosed to the sender without an indication that unsolicited CEMs are unwelcome.

- 2. Include clear identification and contact information**

The CEM must identify the sender, the company, and, if applicable, the name of anyone else on whose behalf the CEM is sent. Additionally, the CEM must include the sender's mailing address and a phone number, email address, or web address of the sender or of the person on whose behalf the CEM is sent.

- 3. Provide a no cost unsubscribe mechanism**

The CEM must contain an unsubscribe mechanism that is free of cost to the recipient and can be easily performed.

An important exception to CASL's restrictions on unsolicited CEMs for licensees to note concerns third party referrals. If a licensee has been referred to a potential client or business partner, and the person making the referral has an existing relationship with both the person they are referring and the person they are referring to, the licensee is allowed to contact that potential client or business partner, as long as the CEM identifies who made the referral, indicates that the message is a result of that referral, and includes an unsubscribe mechanism. It must also include the standard identity and contact information required of CEMs generally.

The maximum administrative penalty for contraventions of the Canadian Anti-Spamming Legislation is \$1,000,000 for an individual and \$10,000,000 for any other legal entity, including a business. In order to avoid liability for breach of CASL, licensees should do the following:

- keep a log indicating how, when, and in what form (express or implied) consent has been obtained for each party on a mailing list;
- maintain an accurate and current list of consenting recipients;
- add clear "opt in" statements on websites and application forms to obtain express consent for CEMs;
- add an unsubscribe option to all current CEMs and quickly remove recipients who request to be unsubscribed from receiving future CEMs;
- create procedure manuals and policies for compliance with CASL, and appoint a person to oversee compliance in the office; and
- review the CASL FAQ (<https://crtc.gc.ca/eng/com500/faq500.htm>).

Email Advertisements

Email can be used to advertise a new listing to potential buyers, among other things. An email advertisement for a new property should highlight the property's attributes, include a photograph or two of the property, and provide a link to a website with additional information.

People can get irritated if they receive too many email advertisements, particularly if the advertisement is of no interest to them. Targeted advertisements are sent to segments within a mailing list that have consented to receiving such emails and who would be interested in the type of property displayed in the advertisement. For example, a mailing list may be subcategorized into "neighbourhood A town homes" – that way, a new listing of a town home located in neighbourhood A would only be sent to people interested in such properties. A contact can be placed in multiple subcategories.

If a contact gets annoyed, they will likely opt out of receiving future emails, which could include other emails that they would have found helpful. Consider combining several new listings into one email to avoid sending too many individual emails, which could be perceived as spam.

Short Messaging Service (SMS)

Another form of marketing is through Short Messaging Service, or SMS. SMS comes preinstalled on every smartphone and there is no need for extra configuration, so even the less tech-savvy customers can receive advertisements. SMS marketing does not support images, video, or other popular communication media – it is limited to short text messages only. If a text contains too much information, the target will likely perceive it to be spam.

Social Media

Social media consists of virtual communities and networks that allow participants to communicate, interact, create, share, and exchange information and ideas. Certain social media platforms, such as Facebook, Instagram, and LinkedIn, appear to have withstood the test of time (for now), while others quickly fade in and out.

When used properly, social media can provide real estate professionals with opportunities to interact with their networks, to establish new contacts, to attract new staff members, to maintain existing relationships, to promote their business, and to distribute market information. It can increase exposure and help keep the licensee at the top of clients' minds. However, improper use of social media can waste a significant amount of time and can create an unprofessional image. Social media channels that are rarely used or updated can have a negative effect on a client's perception of the sales representative's business.

social media
virtual communities
and networks that allow
participants to communicate,
interact, share, and exchange
information and ideas

Using Social Media Effectively

With so many social networking platforms, real estate professionals can spend hours each day updating their various social media accounts without seeing any real benefits in their business. Licensees can avoid this outcome by establishing a well-planned social media strategy. Licensees should create clear business goals: is the goal to create awareness of the business, to generate sales, or to improve customer loyalty by strengthening existing relationships? Licensees must determine how they will use social media to achieve these goals.

A licensee should not feel obligated to participate in every social media platform; instead, they should focus on a few platforms that will best allow them to interact with existing and potential clients and customers. The licensee must understand the market that they are trying to reach and determine how that market uses social media. The platforms used by the target market are the same ones that should be used by the licensee. Social media can be thought of as a way of maintaining existing contacts and creating stronger connections.

A licensee should set aside regular, predetermined times for updating social media profiles. They should stick to the schedule and not spend too much time browsing through these websites. The following tips will help a representative establish a successful social media strategy:

- Maintain separate accounts for personal and professional use. Business accounts should not overlap with personal ones.
- As always, proper grammar and spelling are essential.

- Maintain a friendly but professional tone. Social media is about creating and maintaining authentic connections, so the “human touch” aspect is important – but never forget that actions, words, and images reflect directly on the licensee’s business.
- Take advantage of the opportunity to create dialogue. Interact with other users and respond to questions and comments. Initiate conversations and discussions.
- Establish authentic ties with other local businesses by following them and recommending them to the business’s network, when appropriate.
- Use a social media organizer (e.g., HootSuite) to stay afloat of social media activities. These offer a centralized system to update various accounts, schedule posts, and to stay up to date on recent account activity (e.g., new followers).
- Maintain a consistent image across social media platforms (and the website), which should tie in with the licensee’s overall branding strategy.
- Understand the strengths of the social media platforms used in the business. If the audience across all platforms is the same, avoid posting the exact same message to each different platform.

Social Media Sites

Though many social media sites exist, there are a few larger players that licensees might find helpful in executing their social media strategies.

Facebook

Facebook allows individuals to create accounts to share photos, videos (both live and pre-recorded), status updates, and links to websites they find interesting, among other things. Facebook users can connect to one another and can communicate with each other, publicly or privately.



Licensees can create “Pages” to promote the business; individuals can subscribe to the business’s page, receiving updates and notifications sent forth by the business. A licensee’s page should include contact information, including a link to the main website. The page should be updated regularly with interesting links and news, posts showcasing properties, alerts of a new blog post, and other messages that a reader might find interesting.

LinkedIn

LinkedIn is a social networking website geared towards professionals. A profile page essentially reads like a resume, where other people in the industry can see a user’s past and current work experience.



A LinkedIn profile should highlight the user’s professional experience and can be used to maintain links to existing contacts and to establish new connections. Profiles indicate areas of professional expertise. Individuals can recommend a user and provide references that others can view. LinkedIn can also be used to share status updates, links to websites, market news, original content, etc.

Twitter

Twitter provides a platform to send out short messages and pictures or video clips. Twitter can be used to share and find news, to provide links to interesting articles and websites, and to converse with followers, with other businesses, or with any other Twitter users. Hashtags are used to indicate keywords pertaining to a message (e.g., #realestate, #VanRE); individuals can search these keywords to explore messages being posted about that particular topic.



The best Twitter accounts provide purposeful and relevant content, adding value to followers’ Twitter feeds.

Instagram

Instagram is a photo and video sharing application. Viewers can add to the conversation by commenting on a photo or video that is posted or by tagging another user who they think might be interesting in the content – or they can simply signal their appreciation of the photo by clicking on “like” below the photo. As with Twitter, Instagram uses a hashtag system to categorize keywords associated with images. Instagram’s “Stories” feature provides another avenue for sharing photos and videos, typically on a short-term basis, where the posted content disappears automatically after 24 hours. A “Live” feature also allows a user to stream live video content while interacting with anyone viewing the stream.



continued next page

YouTube

YouTube is a video-sharing platform where users can submit their own videos, which can be made available privately or publicly. Licensees can use YouTube for a variety of purposes, including property tours, sharing business news, profiling team members and neighbourhoods, creating how-to videos, etc. The most successful real estate related YouTube videos are succinct, with a professional production quality.



WhatsApp

WhatsApp is a text and voice messaging app that can be used on both computer and mobile devices. It allows users to make one-on-one and group calls through Wi-Fi and cellular data. It is highly popular and is just behind YouTube and Facebook in monthly users. While WhatsApp has not been a monetized platform for a long time, it is beginning to allow businesses to showcase advertisements. Ads on this platform will cover the entire screen of a smartphone and allow users to find out more information about the advertiser by swiping up.



Social Media Metrics

Social media metrics will help determine whether or not a social media strategy is achieving its goal, whether that goal is building awareness, sales, or loyalty. Each platform offers different sets of data that might or might not be relevant to the salesperson's business. A licensee should establish which parameters align with their goals and focus on these metrics; for example, if the goal is to increase awareness of the licensee's business and to build new contacts, they should track the number of new followers gained across social media platforms. Determining which metrics are relevant to the business and its goals prevents paralysis by analysis.

The results of a social media strategy will not always be easy to measure and will not usually materialize instantaneously. Social media requires a long-term commitment and regular participation. Patience and persistence are the keys to success.

! ALERT

The following is an excerpt from the "Advertising Checklist and Sample Advertising" section in the Knowledge Base.

(vi) Internet/Social Media Advertising

One of the primary purposes of the BCFSAs advertising rules is to ensure that consumers accessing a licensee's advertising are aware that they are dealing with a real estate licensee and know the name of the brokerage with which that licensee is engaged. This is particularly important for internet and social media advertising given the worldwide exposure of this advertising medium.

Just as in print advertising, the name of the brokerage must appear in a prominent and easily readable form on all internet and social media advertising vehicles, including each individual page, e-mail, online discussion group or bulletin board, etc.

For social media advertising, licensees must include the name of their related brokerage on their profile screen. Using Twitter or Facebook as examples, only the licensee's main profile screen is required to contain the name of the licensee's related brokerage. It is not required that each tweet or post contain the name of the brokerage. The rationale is that once a licensee's profile has been accessed, the name of the brokerage is displayed and it is known that the individual is a licensee. It is the site visitor, with that knowledge, who then chooses whether to follow the licensee's tweets or asks to become a friend or follower, going forward. This is rather like licensees introducing themselves to a consumer at an open house; they identify themselves as a real estate licensee and present a business card with the name of their brokerage displayed. Licensees do not have to reintroduce themselves at each subsequent meeting if the consumer decides to maintain contact with them, as the consumer already knows, via the first introduction, with whom they are dealing.

An acceptable Facebook page includes the following:

- A clearly displayed brokerage name
- The name of the licensee
- The team name (if applicable)
- The name of the personal real estate corporation (if applicable)

continued next page



ALERT, *continued*

- A qualifying statement about any claims (e.g., “Top selling real estate team”)
- A qualifying statement about any promotions (e.g., “List with us and we’ll donate \$2000 to a charity of your choice”)

The same rationale applies to a video blog posted on a licensee’s website. Provided that the name of the licensee’s brokerage is prominently displayed and easily readable on the website where the video is posted, it is not required that the licensee include the name of their brokerage on each blog segment. However, if a licensee posts a video blog on any other website, such as YouTube, the name of the brokerage must be in the title or description of the video.

An acceptable YouTube page includes the following:

- A clearly displayed brokerage name
- The team name and a description of the team (if applicable)
- A qualifying statement about any claims (e.g., “Top selling real estate team”)
- A qualifying statement about any promotions (e.g., “List with us and we’ll donate \$2000 to a charity of your choice”)

See the “Advertising Checklist and Sample Advertising” section in the Knowledge Base for examples of acceptable Facebook and YouTube pages.

Guidelines for Common Online and Social Media Websites

Facebook: Profiles have limited characters but the name of the brokerage/personal real estate corporation/team can be displayed as a graphic in the cover photo. Better yet, a Facebook page has unlimited characters so it is easy to comply and have the page look very professional. If you are, in any way, using Facebook to advertise, your page and profile must include the name of your brokerage. If you do not want the public (or BCFSAs) to scrutinize your Facebook page, be sure your privacy settings are set appropriately.

Twitter: The Twitter bio section has room for your name plus that of your brokerage, or you can include your brokerage name in the background of your Twitter page. You do not have to add the name of your brokerage to each tweet.

YouTube: On the “Your Channel” section of YouTube, you can put your brokerage name in the “About” section. On the “YouTube” video page you can put the name of the brokerage/personal real estate corporation/team in three areas – the “Title,” “Description,” or in the intro to your video.

Craigslist and Kijiji: The name of your brokerage must be prominently displayed and easily readable on any Craigslist and Kijiji posting.

Foreign Language Publications: Translations of brokerage names into other languages is not acceptable. The licensee name of the brokerage/licensee/personal real estate corporation/team must be reflected as registered by BCFSAs.

Pinterest: Should you post any photos on Pinterest that have to do with the real estate that you are marketing, you should include your brokerage name on the photo itself to avoid a contravention if, for example, your photo is re-pinned on another person’s board.

QRL Codes: It is important to ensure that the name of your brokerage is prominently displayed and easily readable on the link that is provided by the QRL code.

...

Current and Accurate Information

Listing information must be kept current and accurate. Licensees must ensure that when listings have expired, they are immediately removed from websites. Similarly, if property information changes during a listing period, the information posted on websites should be changed accordingly.

Licensees should not advertise other licensees’ listings directly on their own website without permission from the listing licensee and if this permission is given, should not alter any of the listing information without approval of the listing licensee. If linking to an outside database of available properties, it should be clear to consumers which listings are the licensee’s and which are not.

The BCFSAs are hopeful that these advertising guidelines will be of assistance to licensees. Licensees that are members of a real estate board should check with their local board for any specific advertising requirements that are in addition to the BCFSAs’ guidelines.

TECHNOLOGICAL RESOURCES

While several of the previous sections have focused on technology as a marketing tool, technology also presents resources to help a real estate professional in other ways. For example, the internet provides access to a wealth of information that can expand a real estate licensee's knowledge or that can be used to provide a better service to clients. The opportunities for using technology and the internet to better a representative's business are virtually limitless.

Property Research

In addition to searching for specific properties on the MLS®, a licensee may need to access a variety of sources for additional information that may affect consumers' decisions to buy or sell. For example, licensees may need information from:

- www.bconline.gov.bc.ca. A consumer fee-based site that provides access to government databases such as the Corporate Registry, the Personal Property Registry, and the Manufactured Homes Registry.
- www.ltsa.ca. The Land Title and Surveying Authority of British Columbia (LTSA) provides access to land title documents through the myLTSA system.
- www.landcor.com. A fee-based consumer site providing real estate analysis intended for financial institutions, appraisers, licensees, home buyers, and sellers.
- Local municipal websites, which can provide property-specific details on matters such as zoning, building and development guidelines, property variances, etc.

There are various websites that can provide excellent information and since sites change frequently, licensees will need to find the websites that provide the information that they need.

Mapping

Mapping allows a licensee to identify where properties are located within a specific neighbourhood. Geographic information system (GIS) mapping incorporates several layers of information beyond what a traditional map can offer. GIS maps can provide details on the lot size and dimensions, zoning bylaws applicable to the parcel, ownership details, etc. These maps are useful tools for real estate professionals, allowing them to access many different types of geographical data in one centralized location. Some GIS applications are intuitive to use, while others require more advanced skills to sort through hundreds of layers and labels. If a licensee has access to GIS mapping in the area they work in, they should invest the time to learn how to access information that is relevant to their clients and business.

There are various other levels of mapping available both online and as proprietary software. Basic online mapping services, such as Google Maps (maps.google.ca), are available to the public. Many cities, municipalities, and regional districts offer some form of online mapping. Licensees should take the time to visit the relevant websites in their area to familiarize themselves with the available options.

An example of a detailed web-based mapping function is provided by the City of Vancouver's VanMap system (<https://maps.vancouver.ca/portal/apps/sites/#/vanmap/>). The VanMap system is a GIS map that provides an accurate map of street names, neighbourhoods, intersections, property lines, property dimensions, zoning information, crime data, and sewer and water mains in the city of Vancouver.

Another helpful mapping program is called SimplyAnalytics (simplyanalytics.com). This program incorporates demographic data with geographical maps at the city level. For example, a user could generate a map of Vancouver showing the age of the population broken down by specific age groups. This program is helpful when performing market research, undertaking advertising projects, or providing clientele with demographic information of prospective neighbourhoods.

Subscriber Email Newsletters and News Alerts

Many licensees subscribe to email newsletters offered by various real estate and industry related websites. The publisher of the newsletter controls the content and will generally send an email version of the newsletter on a regular basis (e.g., daily, weekly, or monthly).

The popular newsletter *Legally Speaking*, published by the British Columbia Real Estate Association (BCREA), comments on important legal issues and happenings in the real estate industry. Members of local real estate boards can subscribe to *Legally Speaking* at www.bcrea.bc.ca/news-and-publications/publications/legally-speaking.

Another way to receive up-to-date information is to subscribe to news alert services. News sites like *news.google.com* allow registered users to request that alerts be sent to their email address whenever there is news that contains any or all of a number of preset keywords, which are established by the subscriber. For instance, a user could request to be notified by email whenever the terms “Real Estate”, “Vancouver”, and/or “BC” appear in the news. The news alert service will then send an email with a link to a news story that is published containing the corresponding keywords.

Networking

The internet offers many opportunities to connect with other people, even beyond the social media options previously discussed. Since real estate trading services is a business that relies on contacts, it can be beneficial to take advantage of online opportunities to build up a network. For example, participating in real estate-specific online forums can connect a licensee to real estate professionals in other areas, which can result in referrals. Licensees who belong to a national brokerage can explore the websites of offices in other cities; sending these representatives emails can forge new relationships, building a mutual referral system.

Data Protection and Backup

Protecting computer data is critical to a licensee's business. It is important to have some form of backup (data storage) for business and client information. Hardware and software can be replaced relatively easily, but when the data created using those programs is lost, it translates into a loss of time and income. Lost data can be irreplaceable.

The key to successful data backup is to remember the following mantra: “back up early, back up often”. The importance and sensitivity of the data will determine just how early and how often to make backups, but the more intentional a licensee is about backing up, the less likely they are to experience accidental data loss.

To properly back up data, the data must exist in two different physical locations. Normally, the primary copy of data will be on the computer hard disk drive. Backing up that data to another location on the same hard disk drive, while helpful in case of accidental deletion or file damage, will do the user little good if the disk is damaged, lost, or stolen. As a result, data will need to be copied to another physical location. This location can be selected from a variety of storage mediums, including a company server, an external hard disk drive, or an online backup storage solution, such as the cloud. *Cloud storage* refers to a model of networked enterprise storage where data is stored in virtualized pools of storage, which are generally hosted by third parties. Cloud storage in programs such as Google Drive means that the user never needs to worry about storing, copying, or backing up documents – they are available wherever the user has internet access. One factor to consider with cloud storage is that a user's data is only as secure as the password they choose. It is therefore essential to select a unique, difficult to guess password to prevent unwanted users from accessing materials that are saved to the cloud.

cloud storage

a model of networked enterprise storage where data is stored in virtualized pools of storage, generally hosted by third parties

In addition, there are software solutions (e.g., CamScanner) that can be useful in creating backups of physical documents. They allow mobile phones to act as document scanners, converting photos of documents from a smartphone to PDFs. Additional features include password protection, the ability to auto upload documents straight to services like Dropbox, and the ability to set expiration dates for document links.

Legal Considerations

The need to back up data files is extremely important from a legal perspective. For important transaction-related data (e.g., documents and client communication), it is advisable to retain hard copies – especially if they contain written notations, signatures, or initials. The issue with some electronic documents and email communications is that verification of authenticity is difficult. Any verification of a dated communication helps to give credibility to a statement or an allegation. However, electronic communication may not stand alone as evidence if there is a question as to the authenticity or origin of communication.



ALERT

The following is an excerpt from “the Real Estate Council’s “Report from Council Newsletter, June 2010.”

Storage and Retention of Electronic Records

There are other issues that should be considered by licensees and their brokerages using electronic technology. The first concern is that many of the companies promoting electronic agreement software are based in the USA and both the production and the storage of the information is subject to different privacy laws, such as the *U.S. Federal Patriot Act*, which may result in disclosure of confidential client information in circumstances that would not be required in Canada. As well, section 25 of the *Real Estate Services Act* requires that a brokerage must keep proper books, accounts and other records in British Columbia. Several Rules may also apply. For example, section 91 of the Rules permits electronic storage of records but requires the prompt transfer to a printed form of any record upon the request of the Council. Since section 92 of the Rules requires licensees to keep records for seven years, the security and accessibility of the storage facility must also be considered when setting up a method of electronic storage within the brokerage. Brokerages may wish to obtain appropriate legal, accounting and IT advice when considering a paperless record keeping system.

ONLINE PROTOCOL

Technology provides a new set of tools, but also comes with its own regulations and protocols. Some of these systems, like etiquette, are generally accepted principals to create a better online experience; others are legally enforceable protocols that can have serious implications. As such, it is important to become familiarized with online regulations and protocol.

Digital/E-Signatures

The internet is growing in its capacity to offer substantial opportunities for global online transactions (e-commerce) in the sale of goods and services, which can be ordered, supplied, and paid for electronically.

In some countries, e-commerce is being accomplished by the use of *digital/e-signatures*. A digital/e-signature is a code that is attached to an electronically transmitted message that, acting like an electronic seal, uniquely identifies the sender. Like a written signature, the purpose of a digital/e-signature is to authenticate or guarantee that the individual sending the message really is who they claim to be and to ensure the integrity of the data (that is, it has not been altered in any way).

digital/e-signatures

an encrypted code, which is impossible to forge, that uniquely identifies the sender when attached to an electronically transmitted message

To be effective, digital/e-signatures must be impossible to forge. Using a technology called cryptography, protecting information is accomplished by encrypting it into an unreadable format. Only those with a secret key or code can decipher the information. Cryptography can be used to protect email messages, credit card information, and corporate data.

In 2000, enhanced security technology resulted in breakthrough legislation that led to the acceptance of digital/e-signatures on legal documentation in the

United States of America. The US enacted federal E-Signature Legislation that endows electronic signatures with the same legal clout as pen and ink agreements.

British Columbia enacted the *Electronic Transactions Act*⁶ (the “Act”) in April 2001. This act is meant to facilitate e-commerce by reinterpreting provincial law so that references in legislation to writing and signatures can be satisfied by electronic equivalents. The purpose of the Act is only to render provincial legislation technology-neutral, and not to compel anyone to use electronic means or make every electronic communication a binding contract. The key features of the Act are:

- When a BC statute makes reference to “written” documents or signatures, it will not exclude electronic documents and signatures merely because they are in electronic form.
- A legally binding contract may be formed by an offer or an acceptance communicated through electronic means, but only if the parties so intend.

Documents “that create or transfer interest in land and that require registration to be effective against third parties” are excluded from the Act. However, other documents that relate to land or land transactions, such as listing agreements and contracts of purchase and sale, are covered by the Act.

⁶ Information on the *Electronic Transactions Act* was supplied by David Spratley, Davis & Company, Vancouver, BC.

The Land Title Survey Authority now requires mandatory electronic filing of most documents to the Land Title Office. When E-filing, land title forms are printed on paper for the parties to execute and their signatures are certified by the lawyer or notary public. However, once executed, the lawyer or notary applies their digital signature to the electronic form and then submits it electronically to the Land Title Office. The electronic document received is deemed to be the original for all purposes.



ALERT

The following is an excerpt from the Real Estate Council's "Report from Council Newsletter, June 2010"

E-signatures, Electronic Agreements, and Electronic Tablets

With commerce becoming increasingly digitized, electronic agreements and contracts have grown in popularity. Some licensees have started to use electronic tablets when providing real estate services. The tablets contain, for example, the electronic version of service agreements and Contracts of Purchase and Sale of real estate. The signature of the buyer and seller may be captured by their signing on the tablet, much like when we sign on a tablet for receipt of delivery of a couriered package or at a credit card terminal. The agreements can be printed or emailed directly from the tablet.

The Council has considered the question of whether electronic contracts are enforceable when the signature of a party to the contract is not signed in ink, known as a "wet" signature.

The Council has concluded that electronic agreements and the use of signatures written onto an electronic tablet can create enforceable agreements, whether these are service agreements or Contracts of Purchase and Sale of real estate, so long as all of the essential elements of a contract are in place, e.g., the parties to the contract are known, the terms of the contract are clear, and the parties have agreed to those terms.

The *Law and Equity Act* requires that a Contract of Purchase and Sale of real estate, in order to be enforceable, must be in writing and signed by the party to be charged or an agent of the party. The courts have expressly supported the view that, while the traditional form of writing is a paper document, the definition does not preclude other forms of expression, including electronic communications.

The reason for the requirement of a signature to a contract is to ensure that there has been acknowledgement and approval of the terms of the contract. The signature need not be in any particular form and the courts have supported both manual "wet" and electronic signatures, and electronic signatures that are password protected, as well as those that are not.

Licensees are reminded that email communications, where the name of the sender may appear, are not sufficient as a replacement for a "wet" signature on a paper contract or an electronic signature captured on a tablet.

Copyright and Sharing Information

Copyright means that no one else can copy, distribute, display, or adapt a specific expression without the copyright owner's consent. This consent may be given for free, for a fee, or on the condition that an appropriate attribution (acknowledgement) is given. Copyright law gives authors, composers, and others who create works of expression certain rights over their creations.

Copyright protects expression, not ideas or facts. For example, information in a telephone book or a weather summary can be freely used. On the other hand, the expression used in an article on mortgages or a creative explanation of sales training is protected by copyright even though the underlying data and ideas are not protected. Copyright law does not prevent a person from quoting something interesting found online. The fair dealing rule allows a person to use an insubstantial portion of a quote for the purpose of research, criticism, or private study. However, if a person wants to use the quote for commercial gain, the fair dealing exception will not apply.

All works of original expression, including those found on electronic media, are protected by copyright as soon as they are created and fixed in a tangible medium. For the most part, once an expression is entered into a computer in a form that can be read on screen or routed to a printer, it is considered fixed in a tangible medium. A copyright notice, the small symbol "©", followed by the year and the author's name is not required, but is recommended to remind people that the author claims a copyright.

If in doubt, it is prudent to ask the writer. As a matter of courtesy when taking an idea, editing, and adding other content to fit a particular marketing requirement, a licensee should always cite the source including the name, publication, and date.

copyright

the concept that no one else can copy, distribute, display, or adapt a specific expression without the copyright owner's consent

Software Copyright

Software piracy is the illegal or unauthorized copying of software programs. Copyright law protects software; even though a user pays a price for software, it is in fact licensed to the user, not an ownership purchase. A software publisher retains the ownership and will ship the software with a licence agreement. The licence agreement contains a fair use clause, which restricts copying the software for friends, colleagues, and making copies for resale.

Copy Protection

Copy protection is a method to combat software piracy. Codes or serial numbers are recorded to discourage use on multiple computers. Upon installation, the user is required to enter a serial number or “unlock” code supplied by the publisher. Without the code, the software is unusable.

Software Trials

Most software developers will offer a trial version of their software that is either partially functional or fully functional but will only work for a limited amount of time. This way, a developer can allow a user to see whether an application will be useful before purchasing it.

SECURITY, COMPUTER, AND CONSUMER PROTECTION

Technology-related crime includes unauthorized access of data, identity theft, and virus intrusion. Computer files and programs are constantly being transferred over computer networks and the internet. This increases the chances of receiving an infected file, which can harm a computer system and provide access to the file by an unauthorized party. Rather than avoiding sending and receiving files, which is almost impossible in today’s business world, care must be taken to implement security and computer protection measures to counteract the possible dangers.

Setting a Secure Password

A secure password is one that is difficult to guess or crack. Avoid the use of overly common passwords. In 2021, seven of the top ten most popular passwords were strings of numbers in a row (e.g., 123456, 12345678).

Avoid using easy-to-guess passwords such as your pet or your child’s name. In addition, avoid using the same password across multiple platforms; if one platform is hacked, it will be easier for the hacker to access all your other accounts with this password.

Tips for setting a secure password include the following:

- Longer is generally better. A minimum of 8 characters is recommended.
- Include a variety of character types, including lower and upper case letters, numbers, and symbols. Ideally, these characters should be mixed within the password (i.e., do not just tack on “123” to the end of your password).
- Avoid selecting a password that is a dictionary word or a combination of dictionary words.
- Avoid selecting a password that is a combination of consecutive keyboard combinations (e.g., qwerty, asdf)
- Avoid using obvious symbols to replace letters (e.g., \$ for s, 1 for l, @ for a); these are easily cracked by hackers.

Be careful when setting password reminder questions and answers. If a person is able to answer these typically simple questions, they can easily gain access to your accounts.

Secure password managers are applications that store your passwords across different platforms. This is a good option for those who have difficulty remembering passwords. Do not store passwords in an unsecured file on your phone, on your computer, or on a piece of paper kept close to your electronic devices. Do not share your password with others and be wary of phishing scams. Finally, always log off of your account or device when you are finished.

Viruses and Malware

virus

a segment of self-replicating code planted illegally in a computer program, often to damage or shut down a system or network

A serious and destructive form of computer crime is the spreading of a computer virus. A *virus* is a program or piece of code that is loaded onto a computer without the user’s knowledge. Viruses usually have the ability to propagate from one computer to others through the use of a

local network or the internet (via email contacts). *Malware* (the word comes through the combination of “mal” and “software” – literally, “bad software”) is software similar to a virus but more focused on disrupting the user experience; it usually does not propagate in the same manner but rather is picked up from malicious websites.

malware

a computer program designed specifically to damage or disrupt a system

Source: dictionary.reference.com

All viruses and malware are man-made and developed intentionally to interfere with the regular operation of a computer. Depending on the intent of the programmer, viruses and malware can simply present an annoying message on the computer monitor or can potentially destroy all the data on the computer.

Virus and Malware Protection Software (Anti-Virus Programs)

The most simple, effective, and reliable method of protecting against viruses is to use proven anti-virus and malware software. Anti-virus and malware protection software can be purchased from most retail outlets or purchased over the internet from the manufacturer’s website and downloaded directly to a computer. The software installs easily and choosing the manufacturer’s recommended setup options will automatically check all incoming and outgoing files and emails for virus or malware threats. If a virus or malware is discovered, the infected files can be automatically deleted or fixed. Anti-virus and malware protection programs also include an automatic update feature that instructs the program to download profiles (also called definitions) of new viruses and malware from the manufacturer’s website. The software will automatically connect to the company website and regularly update the files to fix any new virus or malware threats.

Spam

Spam, also known as junk email, is mass-distributed and unsolicited email. It has become a large and growing problem for email users as it clogs up email accounts and is often difficult to discern from other, legitimate email messages. The Canadian Anti-Spamming Legislation (addressed earlier in this chapter) is in place to protect Canadians from spam.

Internet Network Security

Once a user has access to the internet, they are part of a network environment where files and data can flow freely from computer to computer. This increases the vulnerability of having unauthorized users gaining access to a computer. Using passwords and installing a firewall will help protect a computer from unwanted access.

Firewalls

Firewalls are hardware and software boundaries frequently used to prevent unauthorized users from accessing private computers or networks connected to the internet. All data attempting to pass through the firewall is blocked unless it meets a certain criteria of authorization needed to pass through.

firewall

an integrated collection of security measures designed to prevent unauthorized electronic access to a networked computer system

Source: dictionary.reference.com

Hardware firewalls operate on a simple principle that traffic originating outside of the firewall is not allowed through the firewall, unless the traffic originated from within the firewall or the firewall is pre-configured to let certain traffic in. One of the most commonly used hardware firewalls is a small office/home internet router. Small office/home internet routers act as de facto firewalls because of the nature of how they move information across networks. The router is the first line of defence against intrusions.

Most computers now also have various types of software firewalls. Software firewalls more specifically examine and sometimes block traffic going to and from the computer on which they are installed. Often software firewalls will ask the user before they choose to block traffic in case the traffic being sent is related to something the user is trying to do.

Protecting Hardware

Computer theft poses a serious security problem to real estate licensees with confidential and proprietary information stored on their computers. Computer stores sell locking cables to permanently affix the equipment to the desk or table, making it very difficult – but not impossible – to remove the hardware. Given their ease of portability, laptops are more of a challenge to protect; laptops should not be left unattended in public areas.

Freedom of Information and Privacy

The increased ease of accessing information has raised concerns about the privacy of information. Real estate licensees must be aware of the level of privacy that clients expect and should ensure that personal and confidential information is not displayed in a public medium (e.g., online) without their permission. In British Columbia, the *Personal Information Protection Act* (“PIPA”) regulates the way private sector organizations collect, use, keep secure, and disclose personal information. For example, confidential comments about the reason for selling a home must be monitored to ensure that those comments do not end up on the internet, unless authorized by the seller. As well, in order to avoid privacy violation issues concerning posting listing information on the licensee’s website, they should have sellers verify the listing information and give written consent.



ALERT

The following is an excerpt from the “Privacy Information” section in the Knowledge Base.

The *Personal Information Protection Act* (“PIPA”)

In British Columbia, there are laws that protect aspects of an individual’s privacy and information. It is important for you as a real estate professional to understand how privacy applies to you and your clients.

As a real estate professional, you must ensure that you comply with all of the provisions of *Privacy Information Protection Act* (“PIPA”) which outline how you are to collect, use, store, disclose and protect personal information. PIPA defines personal information as any information about an identifiable individual, such as:

- name;
- date of birth;
- income; and
- physical characteristics
- but does not include contact information (for business) or work product information.

In most circumstances, you must obtain an individual’s consent to collect and use their personal information. You must also remember that you can only use their personal information for purposes that a reasonable person would consider appropriate. Documentation containing the personal information must be destroyed, or anonymized, as soon as the purpose for which the personal information was collected is no longer being served by its retention, and retention is no longer necessary for legal or business purposes.

Please visit the OIPC website at for more information.

On or before collecting personal information about an individual, or an organization, you must also disclose to them, verbally, or in writing, the purposes of collecting said information.

RESA, the Real Estate Services Rules and other statutory requirements that apply to real estate professionals and brokerages (for record retention) interact with PIPA, in that they create requirements to collect and retain certain brokerage records, which may include personal information.

The Office of the Information and Privacy Commissioner for British Columbia’s website also has information on when and how to destroy personal information you or your brokerage may collect.

Licensees providing rental/strata management services must also conform to the requirements of PIPA.

CONCLUSION

Technology changes at a rapid pace and real estate licensees need to be familiar with technological products that can help them. Technology will play an important role in communication, promotion, and the real estate transaction. Licensees need to be aware of the BCFSA’s rules and regulations regarding technology and web-based advertising, which can be found in the Knowledge Base’s “Advertising Guidelines” section.