

# Real Estate Council of Alberta News

## BROKER UPDATE ON CRIMINAL RECORD CHECKS

11 October 2006

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As of October 1, 2006, new applicants for licensing must provide the Real Estate Council of Alberta with a certified criminal record check.

### What is a certified criminal record check?

A certified criminal record check is a fingerprint-based criminal record search performed by the Royal Canadian Mounted Police (RCMP) Civil Fingerprint Screening Services in Ottawa for non-criminal purposes, which may include employment or volunteer work, adoption, immigration and citizenship applications, and name changes.

Applicants for a certified criminal record check submit fingerprints and personal information to the RCMP. Please note that the local police station must use **form C-216C** when taking the fingerprints. The application and fingerprints must be submitted to the RCMP Civil Fingerprint Screening Services in Ottawa, which then performs a search against a central repository of Canadian criminal records.

### Why does RECA require a certified criminal record check?

As the regulator, the Real Estate Council of Alberta has a responsibility to verify the identity and background information of individuals who apply for a licence to ensure only competent, ethical practitioners are licensed. Those who apply for licensing consent to the collection of a certified criminal record check by the Real Estate Council of Alberta.

### Will the RCMP keep a copy of the fingerprints?

The RCMP is not authorized to keep civil (non-criminal) fingerprints or copies of the certified criminal record check results. All original documents are returned to the applicant with the results certified on the fingerprint form.

### What does RECA do with certified criminal record check information?

The Real Estate Council of Alberta uses certified criminal record check information only for the purpose of determining suitability for licensing under the Real Estate Act. The certified criminal record check is held in confidence by the Real Estate Council of Alberta and is not disclosed to other parties.

Fingerprints and certified criminal record checks are not retained by the Real Estate Council of Alberta beyond conclusion of the licensing decision and appeal period. RECA is committed to protecting privacy and individuals' personal information and supports the *Protection of Personal Information Act*. RECA has thorough policies governing the use and security of industry members' personal information.

The Real Estate Council of Alberta's *Privacy Policy, Practices & Procedures* are available at [www.reca.ca](http://www.reca.ca). For more information about the policies above, please contact our privacy officer (phone: (403) 228-2954, toll free: 1-888-425-2754, e-mail: [communications@reca.ca](mailto:communications@reca.ca)).

### Can an individual with a criminal record be licensed?

The existence of a criminal record does not necessarily disqualify an individual from being licensed. Where a criminal record exists, the Real Estate Council of Alberta will review the individual's suitability for licensing. If an individual submits a false declaration concerning a criminal history, the Real Estate Council of Alberta may cancel any authorization issued with no reimbursement of fees.

### When should a new applicant apply for a certified criminal record check?

Early! New applicants should apply when they begin their licensing course. A certified criminal record check can take **4-6** months to complete. A request for a certified criminal record check must be made to the Royal Canadian Mounted Police (RCMP) before applying for a licence with the Real Estate Council of

Alberta (RECA).

If for any reason the certified criminal record check is not received by the time the individual applies for a licence, they will be expected to demonstrate that they requested the certified criminal record check a reasonable amount of time before applying.

**Someone who wants to register with my brokerage has not received a certified criminal record check yet. Can they be licensed before it arrives?**

Those who have not yet received a certified criminal record check from the RCMP Civil Fingerprint Screening Services when they apply for a licence must provide the following information to the Real Estate Council of Alberta along with their applications:

- a. a copy of the request to the RCMP - Civil Fingerprint Screening Services (which demonstrates the request was made a reasonable amount of time in advance of applying for a licence)
- b. a copy of the postal or courier receipt
- c. a criminal record check based on legal name and date of birth (available from local police services and RCMP detachments) - **please note that this can take up to a month to obtain**

If the individual satisfies the other licensing requirements, a licence may be issued on the condition that the certified criminal record check be received by RECA by a specific date and found to be satisfactory on review.

**What should you do once you receive your certified criminal record check from the RCMP?**

Send the original certified criminal record check you receive from the RCMP to the Real Estate Council of Alberta. Please retain a copy of the certified criminal record check for your records. The certified criminal record check will be reviewed to ensure there are no discrepancies between the information it contains and the information you previously provided to the Real Estate Council of Alberta as part of your original licensing application.

**How does an individual apply for a certified criminal record check?**

1. Obtain a full set of fingerprints from the local police on form C-216C. *Note : Depending on the police jurisdiction, a fee may be required. Fingerprints are not retained by the police or RCMP.*

2. Request a certified criminal record check from Royal Canadian Mounted Police (RCMP) - Civil Fingerprint Screening Services. The application must include the following documents and information checklist (keep copies of these documents to provide to RECA):

- a. full name, date of birth, gender, mailing address, phone number, fax number, e-mail address
- b. reason for a certified criminal record check (i.e. licensing by the Real Estate Council of Alberta for employment)
- c. original fingerprint form C-216C
- d. processing fee of \$25 (subject to change) by certified cheque or money order payable to the Receiver General for Canada

*Note: Credit card payment is not accepted.*

3. Send the Royal Canadian Mounted Police (RCMP) - Civil Fingerprint Screening Services all of the relevant documents by mail or courier (keep copies of the postal or courier receipt to provide to RECA).

- a. by courier

RCMP Civil Fingerprint Screening Services  
National Police Services Building, Loading Dock #1  
Information and Identification Services  
1200 Vanier Parkway, Ottawa, ON K1A 0R2

- b. by mail

RCMP Civil Fingerprint Screening Services  
PO Box 8885, Ottawa, ON K1G 3M8

For more information: [www.rcmp-grc.gc.ca/crimrec/finger\\_e.htm](http://www.rcmp-grc.gc.ca/crimrec/finger_e.htm)

**If someone used to be licensed and now wants to return to the industry, does he/she need to get a certified criminal record check?**

Those who have been out of the industry (e.g. unregistered) for less than one year are not required to provide a certified criminal record check.

Those who have been out of the industry for more than one year and have not previously provided a certified criminal record check must provide a certified criminal record check with their licence application.

Those who have been out of the industry for more than one year but less than three years and have previously submitted a satisfactory certified criminal record check:

- . do not need to submit a certified criminal record check, but
- . must submit a criminal record check by name and birth date.

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