



Appraisal Institute of Canada
Institut canadien des évaluateurs

Complaint Resolution Process Guide



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The Appraisal Institute of Canada

AIC MISSION STATEMENT

To promote and support our members in providing high quality property advisory services for the benefit of the public

The Appraisal Institute of Canada (AIC), was founded in 1938 and is the premier real property evaluation association in Canada.

In order to maintain the highest level of excellence in the valuation field, the AIC combines high educational standards with diligent self-regulation.

AIC is a self-regulated professional association with Bylaws, Regulations, standards of practice known as the Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP) and a Code of Conduct.

AIC members are required to adhere to CUSPAP when performing a professional service as defined in CUSPAP.

The AIC will investigate a complaint against an AIC member submitted on the Complaint Form at the back of this Guide.

An AIC investigation is focused solely on adherence to CUSPAP.

The primary goal of the AIC's disciplinary process is to educate the member in order to prevent reoccurrence of similar situations.

1. AIC Standards of Professional Practice

AIC members must adhere to the Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP) when performing a professional service as defined in CUSPAP. These standards are internationally recognized and set out the mandatory ethics and practice standards to which our members must comply.

1.1 The AIC Code of Conduct

AIC Members pledge to conduct themselves in a manner that is not detrimental to the public, the AIC or its Members, or the real property appraisal profession. Members' relationships with other Members, the AIC and the public shall be governed by courtesy, good faith and respect for the AIC and its procedures.

Accordingly, Members shall comply and engage in conduct consistent with AIC Bylaws, AIC Consolidated Regulations and AIC Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP).

1.2 Professional Standard Documents

CUSPAP: Canadian Uniform Standards of Professional Appraisal Practice provide the compulsory requirements for professional appraisal/valuation services.
<http://www.aicanada.ca/about-our-profession/cuspap/>

Bylaws: AIC Bylaws set out the rules of the Institute as approved by the Board of Directors and approved by Industry Canada. <http://www.aicanada.ca/wp-content/uploads/By-Laws-2014-06-07-English.pdf>

Regulations Governing Professional Practice: The AIC's Consolidated Regulations regulates the professional practice and complaint resolution processes.
<http://www.aicanada.ca/aic-consolidated-regulations/>

2. Complaint Resolution Process

2.1 Focus of an AIC Investigation

An AIC investigation is focused solely on adherence to CUSPAP.

The Complaint Resolution Process is not intended to:

- act as a court of law,
- be a mechanism for financial compensation,

- order the refund of monies or appraisal fees,
- award damages,
- enforce contractual agreements,
- give legal advice
- arbitrate the final opinion of value, or
- to coincide with or be complementary to any third party matter outside of the AIC process.
 - For example: mediation, litigation, negotiation, financing, etc.

2.2 The Complaint Resolution Process

1. The **Director**, Professional Practice receives Complaint Forms. The complainant will be sent a letter acknowledging receipt of their complaint. If the Complainant has submitted a signed Consent Form, the Director will provide a notice of outcome. *.(See sections 3.2, 4, and 5.2)*
2. The complaint is referred to the **Counsellor**, Professional Practice for initial review and potential resolution *(see section 4)*.
3. If the complaint is not resolved by the Counsellor, it may be referred to the **Advocate**, Professional Practice for further administration.
 - This could include:
 - Resolution *(see section 4)*
 - Referral to the Investigating Sub-Committee for further review and investigation
 - Requisition of an Adjudicating Sub-Committee hearing
 - If an Adjudicating Sub-Committee hearing is requisitioned, the Advocate, Professional Practice will present findings and recommendations for sanctions to an Adjudicating Sub-Committee Hearing Panel. The member has the opportunity to reply to allegations of breaches to CUSPAP.
4. The **Adjudicating Sub-Committee Hearing Panel** will deliberate on the findings and order any resolution *[see section 4]* it deems to be appropriate to address any breaches to CUSPAP.
 - The Adjudicating Sub-Committee Hearing Panel decision can be appealed by either the Member or the Advocate, Professional Practice.

5. The **Appeal Sub-Committee** will hear an appeal of an Adjudicating Sub-Committee Hearing Panel and render a decision.

2.3 Length of an AIC Investigation

An AIC's complaint review is thorough and depending on the nature and complexity of the allegations, an investigation may take months or longer if the matter goes before an Adjudicating and/or Appeal Sub-Committee Hearing Panel.

2.4 Status Reports

In order to protect the integrity of the investigation, updates on the progress of a complaint file through the CRP will not be provided to a complainant.

3. Consent Form

A Consent Form is included in Complaint Form. It is the complainant's option and decision to provide a Consent to the release of your personal information.

The complainant's signature on the Consent Form gives the Appraisal Institute of Canada permission to share the information contained in the complaint submission, including the complainant's name and any information submitted in support of the complaint.

3.1 Consent Form and Confidentiality

Whether a signed Consent Form is submitted or not:

- AIC Regulations ensure that every effort will be made to keep the complainant's identity confidential during the administration of a complaint; however the AIC cannot guarantee anonymity.
- In accordance with AIC Regulations, the complainant's name will be disclosed if the complaint file proceeds to a formal disciplinary hearing.

3.2 Consent Form and Notification of Outcome

Notice of a final outcome will only be provided to a complainant who has submitted a signed Consent Form to the AIC with their complaint.

The amount of information provided in the notice will depend upon the manner in which the complaint was resolved (*see section 4*) and in accordance with AIC Consolidated Regulations.

4. Complaint File Resolution

An AIC complaint may be resolved in one of several ways:

- be dismissed or closed
- through Alternative Dispute Resolution
- by Adjudicating Sub-Committee Hearing Panel decision
- by Appeal Sub-Committee Hearing Panel decision

5. Definitions

5.1 Professional Services

Professional Services may be defined as any one of the following:

- real property appraisal
- appraisal review
- consulting
- reserve fund planning study
- machinery and equipment appraisal

5.2 Professional Practice Sanctions

An AIC complaint investigation may result in the sanctioning of an AIC member. Sanctions include:

Reprimand: A written warning calling the attention of the member to a breach of the Institute's Bylaws, Regulations, Policies and/or CUSPAP

Education: A sanction intended to provide the educational foundation to permit a member to improve their valuation practice. It is completed at the member's expense.

Peer Review: An administrative review conducted in accordance with the AIC's peer review program of a report on a professional service rendered by an AIC member.

Fine: A fine not to exceed \$10,000.00

Censure: A formal written expression of criticism and disapproval for a breach of the Institute's Bylaws, Regulations, Policies or CUSPAP.

Suspension: The suspension of use of a member's designation and/or membership.

Expulsion: A permanent expulsion of the member from the Institute. A member that has been expelled may be considered for reinstatement of membership after a period of five (5) years.

5.3 AIC Participants in the Complaint Resolution

Director, Professional Practice: is the person designated by the AIC Institute to receive complaints and consumer inquiries.

Counsellor, Professional Practice: is the person designated by the AIC to conduct the initial review and investigation of complaints referred by the Director, Professional Practice.

Investigating Sub-Committee: a volunteer sub-committee of experienced real value experts given the task of investigating complaints alleging breaches of CUSPAP that are ethical in nature and/or technically complex.

Advocate, Professional Practice Advocate: a volunteer member who acts as the AIC's representative before an Adjudicating or Appeal Sub-Committee Hearing.

Adjudicating Sub-Committee Hearing Panel: a volunteer hearing panel that considers allegations of misconduct, makes findings, and orders sanctions.

Appeal Sub-Committee Hearing Panel: a volunteer hearing panel designated to hear appeals of an Adjudicating Sub-Committee hearing panel.

5.4 AIC Designations

AACI: The “Accredited Appraiser Canadian Institute” designation is granted to individuals who have completed the AACI program of studies and fulfilled all the professional requirements of the Institute. These members are qualified to offer valuation and consulting services and expertise for all types of real property.

CRA: The “Canadian Residential Appraiser” designation is granted to individuals who have completed the CRA program of studies and fulfilled all the professional requirements of the Institute. They are qualified to offer valuation and consulting services and expertise for individual, undeveloped residential dwelling sites and dwelling sites containing not more than four self-contained family housing units and as defined under CUSPAP.

5.5 AIC Membership Categories

Practicing Members

These are members whose scope of practice is defined within CUSPAP and who are subject to the AIC's mandatory professional liability insurance program.

AIC Designated Member: Any member holding one of the following designations: CRA, AACI.

AIC Candidate Member: A candidate is working towards attaining a designation. A candidate can prepare reports under the supervision of a designated member as prescribed in CUSPAP. All AIC Candidate Members and their co-signor(s) must be registered in AIC's Candidate Co-signing Registry.
<http://www.aicanada.ca/industry-resources/search-co-sign-registry/>

Non-Practicing Members

These are members that have an interest in the real property valuation profession, but do not directly practice real property valuation.

Student: A student is a member working in the real estate industry sector who is interested in becoming a designated professional. A Student may provide technical assistance to practicing designated members.

Associate: An associate works in the real estate industry sector in some capacity other than real property valuation.

Retired: A retired member is a member in good standing with the AIC but no longer providing professional services as defined under CUSPAP.

AACI (Hon.): This designation is bestowed to identify individuals deemed to be ethically above reproach, and publicly recognized as leaders in business, law, academia, and other professions, and who contribute to the AIC's advancement of the profile, respect, body of knowledge, and advocacy of the valuation profession.

6. Disclaimer

This Guide is for information purposes only. It is not intended to be an authoritative document. Where inconsistencies exist between this guide and AIC Bylaws; Regulations, Policies, and/or CUSPAP, the latter take precedence.

7. Complaint Form

AIC Complaint Submission Instructions

CUSPAP and the AIC Consolidated Regulations are found on the AIC website - www.aicanada.ca.

BEFORE SUBMITTING A COMPLAINT FORM TO THE AIC:

You can contact the AIC to discuss your concerns.

How to Contact the AIC:

Toll free: 1-888-551-5521

Email: info@aicanada.ca

ONCE A COMPLAINT FORM HAS BEEN RECEIVED BY THE AIC

THE AIC WILL:

- review the AIC member's professional practice, report(s) and complete workfile(s) to confirm compliance with Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP)

THE AIC CANNOT:

- act as a court of law
- order the refund of monies or appraisal fees
- award damages
- enforce contractual agreements
- give legal advice
- arbitrate or provide an opinion on a final opinion of value in a report
- coincide with or be complementary to any third party matter outside of the AIC process (For example: mediation, litigation, negotiation, financing, etc.)
- act on an anonymous complaint
- review a report for CUSPAP compliance outside of the Complaint Resolution Process

GUIDE TO COMPLETING THE COMPLAINT FORM:

1. Outline the nature of your concerns about the report and/or the Appraiser's professional conduct.
2. Describe the events surrounding the report.
 - When was the Appraiser(s) engaged?
 - Who is the contact person at the Appraiser's firm (if applicable)?
 - Describe any/all interactions you had with the Appraiser and/or the Appraiser's firm.
3. Include as much documentary evidence as possible. Try to include:
 - A copy of the Appraiser's report
 - Copies of any correspondence between you and the Appraiser(s)
 - Copies of any other documents that you feel may help to explain your complaint

CONSENT

A Consent Form is included at the end of this Complaint Form.

The Consent of release of your personal information is optional and at your discretion.

A signed Consent Form gives the AIC permission to share the information contained in your complaint submission, including your identity and the information submitted in support of your complaint in an unredacted format, if necessary, before the complaint has proceeded to a disciplinary action.

You will be provided with a notice of the final outcome of the complaint process **only if** you have submitted a signed Consent Form with your Complaint Form:

- the amount of information provided in the notice will depend upon the manner in which the complaint was resolved and in accordance with AIC Consolidated Regulations. *(See section 4 and section 5.2 of the AIC's Complaint Resolution Process Guide for types of outcomes and sanctions.)*

CONFIDENTIALITY

Whether the Consent Form is signed or not:

- AIC Regulations ensure that every effort will be made to keep your identity confidential during the administration of a complaint; however the AIC cannot guarantee your anonymity.
- In accordance with AIC Regulations, your name will be disclosed if the complaint file proceeds to a disciplinary action.

TIMELINES

The AIC's complaint review process is thorough.

Depending on the nature and complexity of the allegations, the process may take several months.

STATUS UPDATE REQUESTS

No information on the progress of an investigation will be provided.

A complainant who has submitted a signed Consent Form with the Complaint Form will receive a notice of final outcome once a resolution has been reached.

Please return your complaint to the AIC

By Mail: Appraisal Institute of Canada
403-200 Catherine Street Ottawa, ON K2P 2K9

By email: info@aicanada.ca
By Fax: 613-234-7197

YOUR CONTACT INFORMATION

Name:

Address: (street, city, province, postal code)

Business telephone:

Home telephone:

Email address:

Purpose for Appraisal: (financing, divorce, assessment, etc)

APPRAISER CONTACT INFORMATION

Name of Appraiser:

Address: (street, city, province, postal code)

INFORMATION ABOUT THE APPRAISAL REPORT

Address of property involved: (street, city, province, postal code)

Date of Appraisal:

CONTACT WITH THE APPRAISER

Have you contacted the appraiser regarding your complaint? ☐ Yes ☐ No

If yes, please state date and results of contact:

Is this matter subject of any legal action, filed or pending? ☐ Yes ☐ No

Have you retained a lawyer in this matter? ☐ Yes ☐ No

Do you authorize the AIC to communicate with your lawyer? ☐ Yes ☐ No

If yes, please complete the following:

Name of lawyer:

Telephone:

Address of lawyer: (street, city, province, postal code):

COMPLAINT DETAILS

Please provide:

- details of your concerns
- a statement of the events in chronological order (attach additional pages if required)

My Concerns:

Outline of Events:

YOUR DESIRED OUTCOME

The AIC cannot:

- act as a court of law,
- order the refund of monies or appraisal fees,
- award damages,
- enforce contractual agreements,
- give legal advice
- arbitrate the final opinion of value.

Notwithstanding, these limits, what outcome would you desire most?

COMPLAINT SUBMITTED BY:

Signature

Please Print

DATED at _____ this _____ day of _____ 20 ____.
(City/PROV) (Month)



COMPLAINT CONSENT FORM

AIC File No.: _____

Member Name: _____

Property Identification: _____

I understand that by signing this form, I am:

- giving the Appraisal Institute of Canada (AIC) permission to share the information contained in my complaint submission, as well as my name and any subsequent information that I submit, regarding this complaint.
- allowing the AIC to share that information and my name for the purpose of alternative dispute resolution, investigation, inspection or any discipline proceedings.

I understand that:

- if ordered, the AIC may be required to disclose my complaint submission and any additional information I submit to the AIC, to any other agency, board, commission, association, any government ministry or Canadian law enforcement agency
- I am providing consent to the release of this personal information in accordance with the Personal Information Protection and Electronic Documents Act (PIPEDA) and applicable Federal and Provincial Freedom of Information and Privacy legislation in effect and amended subsequent to my Authorization and Direction.
- as a result of signing this form, I will be provided notice of a final outcome regarding this complaint file.
 - In the event of:
 - an Adjudicating or Appeal Sub-Committee decision:
 - a copy of the decision will be provided
 - settlement by alternative dispute resolution:
 - notice of the nature of the outcome will be provided
 - specific details of the settlement will not be provided

DATED at _____ this _____ day of _____ 20 ____.
(City/PROV) (Month)

Signature

Please Print