

Individual Billing Policies and Procedures

Issued November 20, 2009

The Oakville, Milton
and District Real Estate Board

BILLING POLICIES & PROCEDURES

P 100 DUES/FEES CALCULATIONS

P-101

Fees and dues (OMDREB, CREA, OREA, Teranet and Access Fees [for those who have Access Membership]) are calculated on a quarterly basis.

P-102

Fees for products and courses/events will be on a “pay-as-you go” basis through My Store.

P-103

a) With the exception of fines arising from a Discipline Hearing, any penalties or fines will be charged directly to the individual Member, also through My Store. These will be due and payable at the end of the current quarter or within ten (10) days of being assessed, whichever date comes first. Members will be notified via email that such payment is required.

b) Any outstanding amount payable to the Board by a Brokerage as a result of termination of a Defaulting Member as outlined in Section P-505 and P-506 shall be payable within 10 days of being assessed. Confirmation that such payment is required will be provided to the Brokerage via email.

P-104

Fees/dues for Office Administrators and Licensed Office Administrators will be invoiced to the employing Brokerage who will be responsible for payment.

P-105

Fees/dues for Unlicensed Assistants will be invoiced to the Broker/Salesperson for whom they work.

P-106

Access fees to RAHB and/or where we have an agreement in place with any other Board will be invoiced as part of the quarterly billings for those Members who have ordered this service. Such Access Fees will flow through My Store.

P-107

Access fees are a quarterly commitment which must be paid in advance of the commencement of the subscription period.

P-108

Access Members wishing to terminate their access membership to RAHB must give thirty (30) days notice in advance of the renewal date. No refunds will be given for unused prepaid access.

P 200 NOTIFICATIONS AND PAYMENT SCHEDULE

P-201

Members will be notified two ways that Invoices have been posted for payment:

i) via email to each individual Member. Members will not have the option of unsubscribing from this payment notification email.

ii) via a notification published on the Matrix homepage.

P-202

The series of notifications will be as follows:

a) The first notification that the Quarterly Invoice will be available for payment will be emailed to each Member and Brokerage on the 1st day of the prior month of the new quarter. (i.e., on December 1, 2011 for the payment period January - March 2012).

b) The second message will be emailed on the 22nd day of the payment month to all Members who have not paid their dues and a copy will be forwarded to their employing Brokerage.

c) (i) The third message will be sent out on the first business day of the new quarter to all Members who have not paid their dues and a copy will be forwarded to their employing Brokerage, giving the Member until noon of that day to make payment. Should payment not be received by that time, access to the Board's MLS® system will be suspended and a \$100 late charge will automatically levied against the Member's overdue account.

(ii) A message also will be sent on the first business day of the new quarter to all Managing Brokers/ Brokers of Record who have not paid their invoice, giving the Brokerage until noon of that day to make payment. Should payment not be received by that time, access to the Board's MLS® system will be suspended and a \$100 reinstatement charge will automatically levied against the Brokerage's overdue account.

d) The final message will be sent on the first business day of the new quarter informing the Brokerage of the names of those Members in the office who have not paid and it is the responsibility of the Brokerage to advise the Board of what action they will be taking to resolve the outstanding account.

P 200 NOTIFICATIONS AND PAYMENT SCHEDULE

(Cont'd)

P-203

In the event that payment of amounts owing to the Board by either Brokerages or Members remain outstanding following issue of the series of emails described in Section P-202 above, further measures will be taken as outlined in Section P-500.

P-204

In the event a Member fails to pay the Quarterly Invoice on the date set for payment, access to Matrix will be suspended at 12 noon on the first business day of the new quarter. The Annual Payment Schedule is as follows, with the Dates for Suspension of MLS® System Access to be adjusted annually to reflect the appropriate dates:

Period	Statement Date	Payment Date	Date of Suspension of MLS® System Access for Non-Payment
2012			
January - March	Dec. 1, 2011	Dec. 31, 2011	Jan. 3, 2012 at noon
April-June	Mar. 1, 2012	Mar. 31, 2012	Apr. 2, 2012 at noon
July-September	Jun. 1, 2012	Jun. 30, 2012	Jul. 3, 2012 at noon
October - December	Sept. 1, 2012	Sept. 30, 2012	Oct. 1, 2012 at noon

P300 METHOD OF PAYMENT

P-301

Payment by cheque, debit card, credit card or internet banking is preferred. Cash is acceptable but is not a preferred method of payment.

P-302

Payment of Quarterly Invoices and purchases through My Store may be made by cheque or debit (in person at the Board office) or online by credit card. Members wishing to make advance payments of the Quarterly Dues & Fees may do so by cheque only.

P-303

For the convenience of Members making payments or purchases in person, a kiosk (i.e., a stand-alone computer station) will be available at the Board office.

P400 REFUNDS

P-401

No refunds will be issued for dues paid on a quarterly basis should the Member resign during the billing period.

P-402

Refunds for advance payments will be issued only for any unused quarterly period.

P-403

All refunds will be issued by cheque.

P 500 NON-PAYMENT OF AMOUNTS OWED TO BOARD

P-501

Members attempting a purchase through My Store prior to settling their Quarterly Dues Invoice will have any balance forward included with the total purchase balance owing in the shopping cart. Payment in full (i.e., outstanding dues plus any product/service/ticket being purchased) will be required in order for the new purchase to be processed. No purchase may be made through My Store without also paying any outstanding amounts.

P-502

Fees/dues for Unlicensed Assistants will be invoiced to the Broker/Salesperson for whom they work. Failure of the team leader to pay the amount owing will result in suspension of access to the Unlicensed Assistant and to the Team Leader.

P-503

Access to the MLS® System will be suspended at noon on the first business day of the new quarter for non-payment of Quarterly Invoices by either Brokerages or by individual Members. A late fee of \$100 will be automatically applied to the Brokerage or Member account immediately upon suspension of access.

P-504

Once access to the MLS® System has been suspended, the Brokerage or Member may contact the Board office to request a reinstatement of their access for a two-hour period which will facilitate online payment of their overdue account through My Store. At this time, both the overdue amount and the \$100 late fee must be paid simultaneously. The late fee cannot be removed from the online shopping cart.

P-505

a) In the event of non-payment by either the Member or by the employing Brokerage on behalf of that Member (said Brokerage payment to include the \$100 late fee) of an overdue account within five (5) business days from the date of suspension of access to the MLS® system, the membership in the Board of the Defaulting Member shall be terminated.

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P 500 NON-PAYMENT OF AMOUNTS OWED TO BOARD

(Cont'd)

b) Following such termination of membership, the Brokerage shall provide confirmation to the Board that it is in compliance with the Board By-Law, Article 2, Section 2.02 (b).

c) Following such termination of membership, the Member's listings shall be placed in the name of the Broker of Record at the Brokerage. The Broker of Record will be notified of the listings being transferred into his name via email.

d) If the Member is reinstated, the Board will require an Assignment of Listing Agreement in order to place the listings back into the Member's name.

e) Following such termination of membership of a sole proprietorship, the Member's listings shall be cancelled.

P-506

Notwithstanding Article 3, Section 4.03 of the Board By-Law, upon termination of a Defaulting Member, any amounts left owing the Board (with the exception of the Quarterly Fees and any fines arising from a Discipline Hearing) shall be transferred to the Brokerage account for payment.

P-507

In the event of non-payment by the Brokerage, the following measures will be taken:

a) Access to the MLS® system for the Brokerage (i.e., the individual Broker of Record or Managing Broker, plus any licensed or unlicensed administrative staff that is on the Brokerage account) will be suspended as of noon on the first business day of the new quarter.

b) Email notice will be sent to the Brokerage advising that the outstanding amount must be paid within two (2) business days, failing which all Members associated with this Brokerage will be notified that the Brokerage account is in arrears.

c) In the event that the Brokerage invoice remains unpaid after two (2) business days, a second email notice will be sent to the Brokerage, copied to its Members, advising that should the account remain unpaid after a further three (3) business days, MLS® system access to every Member of this Brokerage will be suspended pending payment of the over due amount.

d) In the event it becomes necessary to suspend MLS® System access privileges to all Members of a Brokerage in

accordance with the preceding Section, the Brokerage will be held responsible for payment of the reinstatement fees which would apply to reactivate MLS® System access for each Member of that office.

e) If after a further period of five business days, the Brokerage fails to remit payment of any outstanding amounts, the Board membership of that Brokerage will be terminated and a notice of such termination will be forwarded to each Member associated with that Brokerage.

P 600 DISPUTED AMOUNTS

P-601

Any amounts in dispute must be paid first and, if after discussion with Staff, the matter remains unresolved, a notice of dispute may be filed with the Board, said dispute to be heard by the Discipline Committee.

P 700 DELIVERY OF ORDERS

P-701

Products/supplies ordered through My Store will be delivered via the Board courier in the Oakville-Milton area as per the regular delivery schedule of Tuesday and Friday. Orders also may be picked up at the Board office.

For more information or clarification, please contact:

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