



# AMBA Code of Ethics

## Ethical Standards

In the best interest of the Association, their Associates and their own business, members will be loyal to the Association and active in its work. They shall willingly share with fellow members the lessons of their experience.

1. Members shall always conduct their business so as to avoid controversies with fellow members, and shall work with honesty, integrity and professional conduct in accordance with the highest moral standard.
2. A member should never publicly criticize a competitor, nor express an opinion of a competitor's transaction unless requested professionally to do so in writing by one of the principals in a transaction, or their lawyer. Any opinion then rendered should be in accordance with accepted professional courtesy and integrity.
3. Except in the normal course of business, members should never seek, without a competitor's consent, information about a competitor's transaction for the purpose of closing the transaction themselves, nor to divert the customers to any other source.
4. When a member accepts an application from another member, the agency agreement of the member who referred the application shall be respected at all times. Should the application for financing come to the attention of the accepting member from another source, or the applicant, without solicitation, offers to apply to the accepting member then the original agency agreement must be honored until expiry. Furthermore, such an application shall not be passed on to a third party without the consent of the original member.
5. In respect to clients, who place their interest in your care, a member must endeavor always to be informed, regarding the law, proposed legislative changes, essential facts or public policies which affect those interests. Members must always conduct their activities in full compliance with all federal, provincial and municipal laws and regulations, the bylaws, the code of ethics of the Association and The Real Estate Act of the Province of Alberta.
6. When accepting work on behalf of a client, members pledge to be fair, to protect and promote the interest of their client as they would their own and to keep all information provided as confidential. Should a member be acting as a principal, lender or agent for the lender they pledge themselves to deal fairly and in the best interests of all parties in the transaction. Members must disclose any perceived conflicts of interest as they may apply.
7. It is the duty of all members to protect the public against fraud, misrepresentation or unethical practices in connection with any financial transaction. A member shall ascertain all pertinent facts concerning each transaction for which they accept an agency so that it will be offered to all parties in the transaction without any known form of deception, error, omission or misrepresentation. Under no circumstances should a



- member knowingly permit themselves to be involved in a transaction, which may be suspected of misrepresentation, fraud or illegality.
8. When an agreement is reached as to the terms of a transaction and after having ascertained and weighed the facts the member shall fully inform each party regarding brokerage fees (for which they shall make a fair charge) and all other expenses for which each is respectively liable. All contracts and agreements to which a member is party should be in writing and shall be complete and exact to the best of their knowledge and ability.
  9. A member when setting a fee shall take into account:
    - a. Time and effort required and spent;
    - b. Difficulty and importance of the matter;
    - c. Whether special skill or service has been required and provided;
    - d. Customary charges of local brokers of equal standing in like matters and circumstances; and
    - e. Amount involved or the value of the subject matter.
  10. If asked for an appraisal of real property members should defer to qualified professionals in that field. Where an opinion on a real estate financing problem is sought, members should never give an unconsidered answer; their counsel constitutes a professional service, which they shall render in writing over their signature.
  11. A member shall, if charged with unethical practice, which charge shall be in writing and signed by the complainant, on demand by the Association, place all pertinent facts before the proper tribunal of the Association for investigation and judgment in accordance with the bylaws of the Association.
  12. As an Association we support the concept of an informed consumer and members shall always provide the client with sufficient opportunity to make an educated, informed and unhurried decision. As such, members agree to completely disclose all facets of a proposed transaction to the consumer.
  13. Members agree to disclose all relevant details in a transaction to all related parties. Furthermore, in the event a member is uncertain as to the relevance of details; the member will include those details with the submission so that the recipient may determine their relevance. Members will not mislead any party nor withhold information,
  14. The member has a duty to hold in strict confidence any information acquired in the course of the professional relationship concerning the business and affairs of his/her client. This authority shall include any co-broker or lender whose use of said information will be solely for the purpose of evaluating or attempting to place a loan for the client.
  15. If a member is a borrower, directly or indirectly through a corporation, and therefore has a personal interest in the property being mortgaged, this must be disclosed to the lender. If a member is a lender and earning a fee in the transaction while acting as a broker in the same transaction, the member shall disclose that he/she is a lender and has an interest in the transaction.
  16. Members agree to practice in strict accordance with the Real Estate Act, rules, bylaws, regulations, code of conduct and other laws that govern trading in mortgage in Alberta.