

 <b>CONSUMER PROTECTION BC</b>	<b>Individual Licensee Online Search Policy and Procedures</b>	<b>Version:</b> 1.5 <b>Modified:</b> June 9, 2021 <b>Approved:</b> December 13, 2010
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## 1.0 Purpose

This document sets out the policy and procedures related to online licence searches of debt collector, bailiff, debt repayment, home inspector, funeral director, and embalmer licensees. An online search feature is available on Consumer Protections BC's website. This search feature will perform a search on an individual's name and display certain information about the individual if the individual is currently licensed in British Columbia.

## 2.0 Rationale

The *Business Practices and Consumer Protection Act*, and, *Cremation, Interment and Funeral Services Act* requires that all persons who engage in the designated activities of debt collection, bailiff, debt repayment, home inspection, funeral directing, and embalming must be licensed with Consumer Protection BC. Both the business involved, and its employees engaged in these activities, must be licensed. The employee licence search on the Consumer Protection BC website will enable a consumer to determine if an individual is properly licensed to in British Columbia. If the person is not licensed, a message on the search page will encourage the consumer to report the unlicensed activity to Consumer Protection BC. Licensed agencies will also be able to use the search facility to determine the current licence status of prospective employees and whether a new application fee or a transfer fee is appropriate.

## 3.0 Policy Statement

1. The director will make available an online search capability to determine if an individual is licensed to perform debt collection, bailiff, debt repayment, home inspection, funeral directing and embalming activities in British Columbia. The search feature will be available to any user of the website. The function will search Consumer Protection BC's licensing database and display real-time results.
2. The displayed results for a match will include the following information related to the name searched:
  - a. The legal business name of the licensed agency that the individual is licensed with
  - b. The trading name or doing business as (dba) name the agency operates under, if any
  - c. The first and last real name of the individual
  - d. The first and last alias name of the individual, if the individual recorded an alias name at the time of licensing
  - e. The type of licence issued to the subject of the search
  - f. The licence number of the subject of the search
  - g. The current status of the licence. Valid and active licence statuses include "Issued", "Notice", "Dueprt" and "RenSub". All four indicate the individual has a current and active licence
  - h. The expiry date of the current licence

3. No other personal information about the individual will be displayed or made available to the public or industry members about the individual.

## 4.0 Procedures

### 1. Search methods

Searches can be conducted in one of two ways:

- The first will be to enter either the first or last name of the person. Best results will be obtained by entering both names. If a result is not returned, the name should be entered in the alias name fields. In either case, the search results that match the entered name will appear immediately below the entered data. If no match is found, the user will be notified accordingly.
- The second search method is to enter part of or the entire agency name that the individual is associated with. All individuals currently licensed for that employer will be displayed.

## 5.0 Authority

### 1. Requirement for a Licence

Section 143(a) of the *Business Practices and Consumer Protection Act*, and Section 55(1) of the *Cremation, Interment and Funeral Services Act* prohibits a person from engaging in a designated activity unless that person is licensed to engage in the activity.

For the purposes of licensing, Debt Collection and Debt Repayment Regulation, Home Inspector Licensing Regulation and Cremation, Interment and Funeral Service Regulation declare debt collection, bailiff, debt repayment, home inspection, funeral directing and embalming as designated activities.

The above Regulations also require that a licensee display the licensee's licence in a conspicuous location in the place of business.

Taken together, the legislation requires individuals to be licensed and to display their licence to the public as evidence that they are licensed. The online licence search function is considered a more convenient method to determine the licence status of an individual.

### 2. Confidentiality

Section 185(1) of the BPCPA prohibits the director from disclosing information in his possession or under his control to any other person except if the disclosure is for the purposes of administering the Act or regulations.

Advising the public and employers of the licence status of individuals is considered necessary for the administration of the licensing regime established by the legislation. However, this confidentiality provision prevents the director from disclosing any more personal information about an individual licensee other than the individual's name and alias name, if the individual has registered one.