

Choosing a Nominee for CPD

Each licensed company must identify who will meet the CPD requirements on its behalf.

BC Housing issues licences to residential construction companies. However, CPD must be taken by an individual. Therefore, each licensed company must identify who will meet the CPD requirements on its behalf. That individual must meet all CPD requirements. CPD points cannot be submitted by more than one nominee.

Who can be a nominee?

You can nominate any individual who is listed as a person in control of the company, including the following:

- The owner of a sole proprietorship
- A partner
- A director or officer of a corporation, or
- A senior manager or employee responsible for construction for the company

For a sole proprietorship, the choice is likely clear, since the owner may be the only person in control of the company and therefore must take the CPD.

In partnerships or corporations there could be many choices. The most common is a corporate partnership, where one of the partners takes the CPD. The partner who is selected as the nominee must be listed on the licence.

In some companies, choosing an employee to be the nominee makes the most sense. The nominee must be a full-time employee or manager of the company. They must be substantively responsible for overseeing the construction of new homes, rather than serving in a limited or administrative capacity. This responsibility is typically held by individuals in roles such as construction manager, vice-president of construction, project manager, or site superintendent. What matters most is the nominee's active and ongoing involvement in managing the construction process.

According to the *Homeowner Protection Act Regulation*, a nominee must be: *an employee or manager of the applicant or the residential builder licence holder who is responsible for managing, arranging for, or performing, or causing to be performed, all or substantially all of the construction of a new home.*

You may be asked to submit evidence to confirm the nominee's employment status and provide information on their role within the company.

Questions

Does it have to be the same nominee every year?

The nominee does not have to be the same person each year if the other criteria for being a nominee are met. It's important to note that if the first nominee earned more than 20 CPD points during the licence term, those extra points earned may not be carried over if a new nominee is selected for the next licence term.

How does an applicant provide notification of nominee selection?

When you complete your new licence application, you must choose your nominee from the list of persons in control of the company. Every year you renew, you will choose who the nominee will be for that licence term.

Can you change nominees during the licence period?

Sometimes companies must replace the initial nominee with another nominee during the licence term. This change can be made through the Licensed Residential Builders Portal. There is no fee required to change a nominee during the licence term if the new nominee is currently listed on the licence as a person in control of the company.

If the new nominee is also a new person in control of the company, you must add this person to the licence, and select them as the new nominee. This can be done by completing a licence amendment through the Licensed Residential Builders Portal, for a \$100 application fee.

The Amending and Updating Your Residential Builder Licence page on BC Housing's website has further details on licence changes.

How should you plan for a possible change in nominee?

To renew a residential builder licence, at least one nominee must earn 20 CPD points. However, we recommend that you identify a second potential nominee to also earn CPD points. This has two benefits:

- It expands the knowledge and skill set of the company
- If the original nominee leaves the company or is unable to fulfill the CPD requirements, this second person provides back-up. The new nominee would then be required to complete all 20 CPD points. **CPD points cannot be split between nominees.**



It's important to remember that CPD points cannot be split between nominees.

Contact Licensing & Consumer Services if you have questions about choosing a nominee for CPD.

Can a nominee claim the same points for multiple licences?

Yes, if the person doing the training holds multiple licences OR is the nominee of a multiple licence holder, and the activity took place during the licence term.

Can a nominee take their CPD points to another company?

No. The CPD points earned by a nominee in one company cannot be transferred to another unrelated company.

What happens when a nominee cannot complete CPD?

If a nominee cannot complete CPD (and the company has no other qualified nominee), the company has failed to meet the licence requirements. As soon as this happens, the company should inform BC Housing's Licensing & Consumer Services branch. The Registrar deals with each situation on a case-by-case basis.