

1. Position No. 81201	2. Descriptive Working Title MANAGER COMPLIANCE CASE		3. Present Classification EXCLUDED MGMT
4. Branch LICENSING & CONSUMER SERVICES	5. Department COMPLIANCE	6. Proposed Classification	Date February 2018 Revised April 2021
7. Position No. of Supervisor 81026	8. Descriptive Work Title of Supervisor DEPUTY REGISTRAR, COMPLIANCE		9. Classification of Supervisor EXCLUDED MGMT

SCOPE OF THE ORGANIZATION

The British Columbia Housing Management Commission (BC Housing) is a crown agency of the provincial government and is responsible for delivering a range of housing programs for British Columbians. BC Housing works in partnership with the private, non-profit and co-operative sectors, Indigenous communities, provincial health authorities and ministries, other levels of government and community groups to develop a range of housing options. New housing is created across the housing continuum, from supportive housing for the homeless to affordable rental and owner-purchased housing for middle income British Columbians. BC Housing also has responsibilities related to licensing of residential builders, home warranty insurance, and research and education to improve the quality of residential construction and consumer protection. BC Housing's annual budget in 2020/21 is \$1.6 billion, with approximately 117,616 households benefitting from affordable housing programs in over 300 communities across the province.

In delivering on our strategic direction and mandate, BC Housing is also committed to working in partnership with Indigenous peoples to embrace and implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission of Canada (TRC): Calls to Action. BC Housing is also committed to taking action towards the goals of equity, diversity, inclusion and belonging in the work we do, involving employees, our partners and the people we serve through our programs and services. BC Housing's commitment to sustainability is reflected in our livegreen Housing Sustainability plan.

In 1998 the Province passed the Homeowner Protection Act with a mandate to increase consumer protection for homebuyers and help bring about an improvement in the quality of residential construction in British Columbia. The Licensing and Consumer Services Branch is responsible for licensing residential builders and building envelope renovators province-wide, administering owner builder authorizations, and monitoring the performance of the third-party home warranty insurance system underwritten by the private sector. The Branch is also responsible for the planning, development, monitoring and delivery of security and emergency services for BC Housing through its Security & Emergency Services department.

POSITION SUMMARY

Reporting to the Deputy Registrar, Compliance, the Manager, Compliance Case is responsible for coordinating the efficient day-to-day workflow of compliance investigations, ensuring files are handled in accordance with Licensing & Consumer Services (LCS) policy and process and the intent of the Homeowner Protection Act (the Act) and its regulations. He/she/they provides full supervision to the Compliance Analysts and functional leadership to the Compliance Investigators. The position manages the more complex, sensitive, high risk compliance files in accordance with the duties of the Compliance Officer as specified in the Act, and reviews investigations, develops and recommends strategic solutions to complex cases, and provides support to the Deputy Registrar and Registrar regarding Compliance Order appeals, suspension/cancellation of Licences and Owner Builder Authorizations, issuance of Monetary Penalties, and/or the laying of charges under the Act and its regulations. The incumbent develops and fosters strong working relationships with stakeholders, and facilitates opportunities for initiating new ways of working effectively with stakeholders in accomplishing business objectives.

MAJOR RESPONSIBILITIES

1. Coordinates the efficient workflow of compliance investigation activities; assesses workload requirements, assigns files, and ensures files are handled in accordance with LCS policy and process and the intent of the Act and its regulations
2. Provides functional leadership to the Compliance Investigators. Creates an environment that allows for a supportive and progressive attitude among staff, and promotes improved performance through counselling and coaching and by ensuring that all staff is provided with information and training necessary for the conduct of their assigned investigations. Provides insight/input to the Deputy Registrar, Compliance, regarding performance of Compliance Investigators, and has input into hiring, promotion and demotion decisions. Participates on selection panels and in the resolution of grievances. Assists the Deputy Registrar, Compliance, to determine level of resources required to fulfill operational requirements.
3. Manages and coordinates the staffing of compliance tip line (phone/ email), including responding communications when required to ensure consistent messaging.
4. Prepares and provides monthly Compliance Statistics Reports to Deputy Registrar, Compliance, for review. Reports issues in Compliance metrics and provides recommendations for resolution.
5. Participates with the Deputy Registrar, Compliance, in defining the requirements for a province-wide compliance program in accordance with the Act and its regulations, and provides input and support regarding the design and development of compliance strategies, policies and programs. Provides recommendations regarding operational practices, processes, systems, standards and performance measures and monitors their application to ensure the compliance function is delivered efficiently and effectively in accordance with BC Housing's mandate
6. Manages a caseload of compliance files of a more complex and sensitive nature and those of higher risk. Determines appropriate investigative methods given the nature of the file, exercises discretion in performing risk management assessment of potential instances of non-compliance and in the handling of potentially sensitive situations; determines appropriate compliance/enforcement tools, including when to pursue compliance/enforcement actions, voluntary compliance techniques and/or administrative penalties and judicial remedies. Prepares and issues Compliance Orders to persons in violation of the Act and its regulations. Ensures all activities related to files are properly documented within the LCS LIMS Database and prioritized according to LCS Branch priorities.
7. Reviews more complex Information Letters drafted by Compliance staff to ensure it is the proper compliance tool to be used in the given situation and the letter is comprehensive, self-explanatory and well-written. Reviews and endorses letters to the Real Estate Council of BC regarding real estate licensee misconduct identified in the course of an investigation. Reviews and recommends the use of enforcement letters for production of documents under the enforcement provision of the Act during the course of an investigation.
8. Follows the rules of evidence when conducting investigations, maintains detailed records of all field work, including maintaining detailed and meaningful field notes, taking written statements, and procuring digital images of sites visited. Records all field notes and digital images on the Licensing Database in a timely, precise and comprehensive manner. Briefs the Deputy Registrar, Compliance, on matters relating to ongoing investigations, including citing statute and policy violations, reporting on builders being investigated and presenting detailed analysis and documentary evidence of the violations. Develops and recommends strategies and solutions to resolving specific cases and provides support to the Deputy Registrar, Compliance, and Registrar for Compliance Order appeals, suspension/ cancellation of Licences and Owner Builder Authorizations, issuance of Monetary Penalties, and/or the laying of charges under the Act and its regulations.
9. Provides support in pursuing court-ordered enforcement of compliance orders and monetary penalties, and in extreme cases, injunctions, stop work orders, and/or laying of charges under the Act. Assists BC Housing legal counsel as necessary in dealing with various legal cases related to the Act, and provides both written and oral testimony in quasi-criminal and civil proceedings.

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10. Provides advice consistent with the intent of the legislation and the policy of the LCS Branch to local, regional and provincial government officials, builders, potential builders, homeowners, warranty providers, industry stakeholders, realtors, lenders, lawyers and the general public.
 11. Reviews municipal and regional district building by-laws, interprets the relationship between the Act and its regulations and local bylaws, and provides advice to local building officials, builders, realtors, lenders, lawyers and other interested parties concerning zoning and planning issues as they relate to the Act and its regulations.
 12. Develops, fosters and maintains strong working relationships with stakeholders in order to conduct the duties of the position, remain aware of developments in the industry and convey changes to LCS legislation, policies and processes. Looks for opportunities for initiating new stakeholder relationships and new ways of working effectively with stakeholders in accomplishing business objectives.
 13. Assists the Deputy Registrar, Compliance, in various activities including monitoring workload and file management reports, reporting Compliance results, monitoring the risk levels of certain activities and behavior in the residential building community and making recommendations to respond to changes in the same.
 14. Attends industry-related functions including conferences, consumer/contractor shows and exhibitions for the purposes of communicating current events at LCS, and makes presentations related to LCS matters.
 15. Supervises the work of staff in accomplishing the business activities of the program area. Creates an environment that allows for a supportive and progressive attitude among staff and promotes improved performance through counselling and coaching and by ensuring that staff are provided with information and training necessary for the conduct of their assigned duties. Completes performance evaluations, determines performance issues, and takes disciplinary action, which may include suspension and the recommendation for termination. Has significant input into hiring, promotion and demotion decisions, recommends changes in compensation of staff and authorizes overtime. Resolves grievances up to the second stage of the grievance process. Identifies to senior management appropriate collective agreement wording to serve the employer's interests in achieving operational goals and objectives and may participate on the negotiating committee as a management representative. Determines resources required to fulfill operational requirements, develops staffing plan, and recommends staffing levels to accomplish objectives, including revisions to staffing levels as necessary as operational requirements change.
 16. Performs other related duties that do not affect the nature of the job, including conducting special studies, making presentations and participating in task force, project teams and committee work.

ORGANIZATION

The Manager Compliance Case position reports to the Deputy Registrar, Compliance.

The Manager Compliance Case supervises a team of bargaining unit staff.

QUALIFICATIONS

Education, Experience and Occupational Certification

Bachelor's degree in a relevant discipline such as law, criminology or business administration.

Extensive experience in senior level positions conducting highly complex and sensitive compliance investigations.

Considerable experience in the residential construction industry, including its business practices and the municipal building process. Considerable experience in supervising staff engaged in compliance reviews and investigations.

Or an equivalent combination of education, training and experience acceptable to the Employer.

Knowledge, Skills and Abilities

Core Competencies:

- Personal Effectiveness
- Communication
- Results Oriented
- Teamwork
- Service Oriented

Leadership Competencies

- Alignment & Results
- Team Development
- Relationship Building/Management

Extensive knowledge and understanding of the theories, principles, standards and practices of compliance auditing and investigation

Considerable knowledge and understanding of the *Homeowners Protection Act* and its *Regulations*, and of BC Housing's programs and policies with respect to increasing consumer protection for homebuyers

Considerable knowledge and understanding of the residential construction industry and the municipal building and permitting process in BC

Considerable knowledge and understanding of proceedings in administrative hearings, quasi-criminal hearings and civil court

Proficient in the use of computer applications

Strong analytical, research and problem-solving skills, and the ability to reason through complex issues with containing competing interests

Excellent communication, interpersonal and relationship management skills, ability to work well in communicating with diverse audiences, and ability to exercise sound judgment, discretion, tact and diplomacy in difficult, potentially hostile and confrontational situations

Strong report writing skills, including the ability to prepare and present Compliance Orders, recommendations for the issuance of Monetary Penalties and Reports to Crown Counsel

Excellent note-taking skills and the ability to enter well written, self-explanatory notes within a Licensing Database in a timely manner

Ability to establish and maintain constructive working relationships with various external stakeholders to facilitate the resolution of compliance issues and ensure co-operation and good information flow between offices

Ability to lead, coach and motivate staff in a team setting.

Ability to coordinate a large and diverse case load of complex audits and investigations, assign cases to investigative staff, and provide guidance and advice to staff in the resolution of compliance issues

Ability to manage a diverse caseload of complex, sensitive and high risk cases involving extensive consultation with external parties and stakeholders