

October 6, 2025

BC Ministry of Forests  
PO Box 9049 Stn Prov Govt  
Victoria, BC V8W 9E2  
Sent by email: EngageHCA@gov.bc.ca.

Re: Association of Interior REALTORS® Response to the Heritage Conservation Act Transformation Project

The Association of Interior REALTORS® appreciates the opportunity to provide feedback to inform the priorities of the BC Ministry of Forests as it relates to the Heritage Conservation Act Transformation Project (HCATP).

We are a professional association representing 2600+ professional REALTORS® that live and work across the interior region of British Columbia. Our submission reflects the position of REALTORS®, managing brokers across the interior of British Columbia, and is aligned with other real estate boards and associations across the province.

From the onset we would like to state that the Association of Interior REALTORS® supports the provincial government efforts to advance reconciliation as an essential element of social and economic development in BC. We also appreciate the amount of work undertaken to date by the Ministry and the Joint Working Group on First Nations Heritage Conservation (JWGFNHC).

The following outlines our concerns with proposed amendments and highlights some of the challenges we have identified during the consultation process. We have made policy recommendations or proposed alternatives where applicable.

### **Lack of Extensive Industry Consultation**

The Ministry of Forests has been consulting on the Heritage Conservation Act Transformation Project since 2022. Notably, the consultation efforts have been woefully insignificant with both the private sector, and the local municipalities who will be carrying the onerous and administrative burden of many of these changes will bring. Our Association was only brought into the consultation 3 years after the process began at the third phase of the project in August 2025, a few short months before beginning the legislative drafting process. While the Ministry has extended the consultation deadline to November 14<sup>th</sup>, we believe that the Ministry should pause or extend the consultation process further and have industry, and municipal stakeholders involved with the legislative drafting process to ensure that unintended consequences are caught early and brought to

attention beforehand. Further industry specific education and newly developed educational materials are also needed.

### **Mandatory Archaeological Data Checks at Time of Sale**

The Association of Interior REALTORS® is strongly opposed to mandatory archaeological data checks at time of sale as we believe this policy would impose significant additional liability on the REALTORS® transacting property, will confuse consumers (many of whom do not understand the need for Archaeological checks), and will significantly delay the conveyance of property. Requiring all property transactions to be delayed by a conservatively estimated minimum of six to twelve business days is considerably onerous and bureaucratic for REALTORS®, municipalities, and consumers alike.

REALTORS® in the interior already complete archaeological data checks when transacting land in areas that are known to contain Indigenous heritage sites and those near historically significant waterways such as the Kootenay, Fraser, and Thompson Rivers. A need for mandatory check on every transaction is both unnecessary and untenable.

#### *Recommendations*

1. Do not proceed with Mandatory Archaeological Data Checks at time of sale for residential properties. Do not mandate archaeological data checks for residential property conveying.
2. Work with LTSA to create an AutoProp Data layer for REALTORS® as an alternative for Mandatory Archaeological Data Checks. Have areas with heritage significance depicted on AutoProp, a subscription-based property information service accessible only to real estate professionals and allow that to satisfy the archaeological data check requirement.

### **Lack of Available Archaeologists and Increasingly Long Timelines**

During Phase 3 of the consultation for the Heritage Conservation Act Transformation Project, when asked about the lack of available archaeologists for data checks, the Ministry made it clear that there is insufficient funding available for the program, and no plan to hire additional staff to manage the increased workload of the archaeological data checks. When asked for further details about staffing and timelines for mandatory archaeological data checks, the Ministry stated that the six to twelve business day estimate is based on current workload projections, rather than the significantly increased workload that these changes would generate.

We are concerned that proceeding without hiring additional staff and archaeologists in advance will result in the six to twelve business day target being entirely missed, with significantly longer wait times in practice. For example, take Kamloops, a city of 100,000

where the responsibility for archeological data checks already falls on a few scarce professionals (some of whom are permanently contracted to the Tk’emlúps te Secwepemc). In September 2025 Kamloops and District had 440 new listings, and 222 homes were sold, averaging 11 per day (excluding weekends), with the ten-year average of annual detached homes sold in the province being 45,000. 11 properties per day already represents a full workload for the available local archaeologists, even before accounting for commercial and industrial property transactions. Simply put, we believe the Ministry of Forests does not have enough staffing or archaeologists available to make mandatory archaeological data checks feasible within the estimated timeframe or in a cost-effective manner.

This situation is comparable to the implementation of the BC Energy Step Code, when industry had raised concerns about the number of Certified Energy Advisors in the province, and their capacity to conduct the energy modelling necessary for the roll out of the Step Code. This concern is not only related to the total number of archaeologists, but also to their geographic distribution, with the challenge becoming increasingly noticeable the more rural or northern the community is.

*Recommendations*

1. Do not proceed with Mandatory Archaeological Data Checks at time of sale until there are enough archaeologists available to deal with the heavily increased workload that the current staff will not be equipped to handle.

**Associated Costs with Archaeological Data Checks**

As mentioned previously, the Ministry has stated there are no plans to increase the staffing or funding capacity to manage the additional demand for mandatory archaeological data checks. Currently these checks are free, however, if fees are introduced in the future to address the significant increase in volume, it will have negative consequences on the housing market, once again increasing liability for REALTORS®, and shifting the additional costs onto consumers.

*Recommendations*

1. When drafting legislation, government must include reasonable guarantees that Archaeological Data Checks will remain free and accessible for the foreseeable future.

**Misalignment with the Provincial Government’s Housing Goals**

British Columbia is currently facing a housing affordability crisis. The Provincial Government’s proposed solution is to accelerate the creation of additional housing supply in order to restore affordability. Several major pieces of legislation have been introduced by

the Ministry of Housing and Municipal Affairs in order accelerate the approval and development of new housing projects.

One of the most significant concerns with the Heritage Conservation Act Transformation Project is the unintended consequences these changes may have; outcomes that are the exact opposite of the Ministry of Housing and Municipal Affairs goals of acceleration. The downturn in new housing starts is already a concern to many in both government and organized real estate, and mandatory archaeological data checks for every land transaction in the province risks slowing development to a halt.

### **Intangible Heritage Values Definitions and Case-By-Case Designations.**

The Association of Interior REALTORS® understands the need for the addition of indigenous intangible heritage values into legislation; however, without clear and publicly available definitions of what intangible heritage values mean in practice, potential purchasers and property owners will face significant uncertainty. Clear definitions and public education sessions are needed in advance to prevent confusion, and the unintended consequence of stalled housing starts.

#### *Recommendations*

1. Create guidance documents and provide education and training on what intangible heritage values will look like in practice, and how it will affect potential homebuyers, developers, and existing property owners.
2. Hold more stakeholder engagement sessions on what the case-by-case designation process will entail. Further consultation is required on how the implication analyses will be conducted and how impacted parties will be consulted.

### **Essential Actions to Mitigate the Risks Associated with the HCATP**

If the Ministry chooses to go forward with the Heritage Conservation Act Transformation Project without considering feedback and suggested changes coming from industry groups such as ours the following are recommendations we believe cannot be ignored:

#### *Recommendations*

1. Slow and Phased implementation of the Heritage Conservation Act Transformation Project where the changes are allowed to be given a “real world” test before full implementation.
2. Focus on creating all-encompassing educational materials to compliment the legislation and ensure that the Ministry can provide education sessions to assist impacted parties such as REALTORS®, Developers, and Municipal Governments in adapting to these changes.



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3. Any legislative or regulatory requirements anticipated for REALTORS® should be reviewed by the BC Financial Services Authority (BCFSA) as well as ourselves and the province's other real estate boards/associations ahead of time.
4. Do not proceed with Mandatory Archaeological Data Checks at time of sale until there are enough archaeologists available to deal with the heavily increased workload that the current staff will not be equipped to handle.

The Association of Interior REALTORS® appreciates the Ministry of Forests' work and supports its reconciliation efforts. We welcome continued dialogue and would be pleased to participate in future consultations or working groups.

Thank you for all that you do and taking our concerns into consideration. If you have any further questions or queries regarding this important topic, please to reach out to Seth Scott, Director of Government and Stakeholder Relations at [seths@interiorrealtors.com](mailto:seths@interiorrealtors.com).

Best Regards,

A handwritten signature in black ink, appearing to read "Seth Scott".

Seth Scott  
Director of Government and Stakeholder Relations  
Association of Interior REALTORS®

Copies:

Elizabeth Scambler, Director, Policy and Engagement, HCATP, Ministry of Forests