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Real estate board needs to get with the 21st century and embrace open data: Advocates

Earlier this week, Toronto Real Estate Board, through its lawyers, sent a cease-and-desist letter to Shafquat Arefeen, who published a visualization of local housing trends on his personal website.



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Shafquat Arefeen just wanted to make TREB's data easier for people to understand.

By: **David Hains** Metro, Published on Thu Sep 14 2017

Advocates are not happy about the Toronto Real Estate Board shutting down a popular data project.

Shafquat Arefeen, a financial data analyst, published a visualization of local housing trends on his personal website in early July. He used two years' worth of publicly available real-estate data to make the visual, which drew 13,000 pageviews in its first month.

Earlier this week, TREB, through its lawyers, sent a cease-and-desist letter to Arefeen, claiming that the information was proprietary. Arefeen complied with the notice rather than risk legal action.

Coun. Paul Ainslie, who has promoted open data at city hall for four or five years, tweeted he was "speechless," later adding: "It's the 21st century. Get with it."

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Former Ontario privacy commissioner Ann Cavoukian tweeted: "Haven't had the time to review this carefully, but it looks like they're hiding behind privacy."

TREB, a realtor lobby group that represents 45,000 members, has consistently claimed that its information is proprietary and that they cannot share the information without violating privacy restrictions. TREB did not

respond to requests for comment in time for publication.

The Competition Bureau of Canada won a June 2016 tribunal ruling that deemed TREB's restrictions on how members could use its data "anti-competitive."

In response to the shutdown, intellectual-property lawyer Teresa Scassa blogged that: "It is a basic and fundamental principle of copyright law that facts and information are in the public domain."

She added that compilations can be copyrighted, but only the arrangements or selections of the compilation can earn that distinction.

Richard Pietro, founder of Toronto's OpenData Bookclub, was disappointed by TREB's approach.

"What they're representing right now is old-school thinking," he told Metro. "They're encouraging the public to not be engaged."

He advises TREB not to be afraid of their data and was impressed by what Arefeen did with his visualization. The 26-year-old will be the Bookclub's featured speaker at its meetup on Oct. 19.