

ORGANISME D'AUTORÉGLÉMENTATION DU COURTAGE IMMOBILIER DU QUÉBEC POLICY ON ADDITIONAL TRAINING

SECTION I

MOTIVES AND PURPOSE

1. This policy on additional training is rendered necessary by the rapid and constant evolution of the professional skills and knowledge required to carry on the activity of real estate and mortgage broker and agency executive officer. Its purpose is to define the framework in which additional training activities recognized in accordance with section 50 of the *Regulation respecting the issue of broker's and agency licences* must be completed by holders of licences issued by the Organisme d'autoréglementation du courtage immobilier du Québec ("the OACIQ" or "the Organization").

The purpose of additional training activities is to protect the public by enabling brokers and agency executive officers to gain, maintain, update, improve and perfect the skills and knowledge relating to the practice of their professional activities.

This Policy does not prevent the OACIQ from exercising any other power conferred by the *Real Estate Brokerage Act* and its regulations relating to additional training required of all or some of the brokers or agency executive officers. This is in accordance with the OACIQ's mission, which ensures public protection in the area of real estate brokerage and brokerage related to loans secured by immovable hypothec.

2. In this Policy, the following definitions apply:

"Provider": trainer, organization or education establishment able to offer an additional training activity in accordance with the *Regulation respecting the issue of broker's and agency licences*.

"CEU": continuing education unit equivalent to one hour of an eligible training activity, the duration of which is set by the Organization in accordance with the *Regulation respecting the issue of broker's and agency licences*.

SECTION II

ADDITIONAL TRAINING REQUIREMENTS

3. A licence holder must complete a sufficient number of training activities relating to the activity of broker to accumulate a minimum of **18 CEUs** per two-year cycle, including 6 core content CEUs for mandatory training activities provided by the OACIQ, in addition to 12 elective CEUs, in core or specialized content.

A licence holder who has the "Certified AEO" or "AEO" title must complete training activities relating to the activity of broker, including 6 core content CEUs for mandatory training activities provided by the OACIQ, in addition to 18 elective CEUs, in core or specialized content, for a minimum of **24 CEUs** per two-year cycle.

The licence holder shall choose from accredited training activities that best suit his needs. However, he is required to complete the mandatory training activities of the Organization.

The current cycle shall begin on May 1, 2017 and end on April 30, 2019.

The CEU obtained by a licence holder during a cycle and exceeding what is prescribed in this section cannot be carried forward to a subsequent cycle.

4. The licence holder cannot be granted CEUs for the same training activity, more than once within the same cycle, even if the selected language is different.

The licence holder who completes a short version of a training activity, while he has already completed its long version, will be awarded continuing education units for the training offering the most CEUs only.

The licence holder who completes a short version of a training activity, while he has already completed its longer version, will be awarded continuing education units for the training offering the most CEUs only.

5. The training activities recognized by the OACIQ fall into the following categories and cover subject-matters identified in section 49 of the *Regulation respecting the issue of broker's and agency licences*.

CORE CONTENT

Any training activity whose primary aim is to protect the public and allow brokers and agency executive officers to acquire, maintain, update, improve and perfect the skills required in a real estate or mortgage brokerage transaction, and related to at least one of the following topics:

- General or special legal rules set out in the *Real Estate Brokerage Act* and its regulations;
- The content, use and drafting of contracts and forms relating to brokerage transactions described in section 1 of the *Real Estate Brokerage Act*;
- Ethics and conduct of brokers and agency executive officers.

SPECIALIZED CONTENT

Any training activity whose primary aim is to protect the public and does not meet the definition of eligible topics in the Core content category, but whose aim is to develop the knowledge, skills or abilities required in a real estate or mortgage brokerage transaction, and related to at least one of the following topics:

- General or special legal rules that apply to brokerage transactions described in section 1 of the *Real Estate Brokerage Act*;
- Any legislative or regulatory reform, other than the *Real Estate Brokerage Act*, that may affect the activities of brokers and agencies;
- Any material, physical or environmental consideration that may affect the object of a brokerage transaction described in section 1 of the *Real Estate Brokerage Act*;
- Management of professional activities of brokers and agency executive officers;
- Assessment of the value of an immovable or enterprise;
- Assessment of the quality and construction features of an immovable;
- Financial implications of transactions described in section 1 of the *Real Estate Brokerage Act*;
- Financing of transactions described in section 1 of the *Real Estate Brokerage Act*.



6. Any person who is issued a licence by the OACIQ during the cycle must complete training activities provided by the Organization, for a total of 6 core content CEUs (see section 3 of this Policy). He must also complete training activities of his choice, in core or specialized content, totalling the number of CEUs required under the table of Calculation of CEUs to be earned based on the date the licence was obtained.

Notwithstanding the above, any person who meets the conditions set out in paragraphs 3 and 4 of section 1 of the *Regulation respecting the issue of broker's and agency licences* must complete additional training activities in order to accumulate the total number of CEUs required for the current cycle, as specified in section 3.

7. Training courses or activities completed by a person as a requirement from the inspection or discipline committee, Licence Issue and Maintenance committee or following a voluntary undertaking on the licence holder's part, are not recognized activities under this Policy.

8. Acting as trainer for an additional training recognized by the Organization gives the licence holder the same number of CEUs as the recognized additional training itself up to a maximum of 3 CEUs. However, neither the same training nor the awarding of CEUs as a trainer can be recognized more than once during the same cycle. Therefore, the trainer cannot be granted equivalent CEUs more than once.

The CEUs obtained pursuant to this section fall under the same category as the training provided.

No CEUs will be granted to someone acting as a trainer for a training that is not recognized under the Mandatory Continuing Education Program.

A licence holder who acts as trainer may not be granted more than 3 CEUs per cycle for acting in that capacity.

SECTION III

RECOGNITION OF AN ADDITIONAL TRAINING ACTIVITY

9. Recognition of a training activity by the OACIQ is done in accordance with the criteria outlined in the General accreditation procedure for additional training activity in effect at the time of the application for recognition.

10. A licence holder may submit, in accordance with the criteria outlined in the Individual recognition procedure for additional training activity in effect, an application to be granted CEUs for a training activity that is not already recognized, but which meets the accreditation criteria defined in the *Individual recognition procedure* in effect.

This recognition only applies to the licence holder concerned and is only valid for the cycle during which the activity is held.



SECTION IV

MONITORING METHODS

- 11.** To obtain CEUs, the licence holder must make sure his attendance is acknowledged by the provider for the entire duration of the training, including by signing the attendance sheet at the beginning and end of a classroom training, or by connecting to a webinar or online training activity from beginning to end.
- 12.** Except in the case of an additional training activity recognized under section 10 of this Policy, the provider must enter the CEUs in the licence holder's training record within a maximum period of 10 business days following the training or before April 30, 2019 at 11:29 p.m., whichever occurs first.
- 13.** The licence holder is responsible for ensuring that the CEUs obtained during the cycle have been entered in his training record, and for notifying the provider of any error.
- 14.** The information relating to the continuing education activities completed, and to CEUs obtained by a licence holder and entered in his training record, will also be entered in his record on synbad.com and published in the Register of licence holders.

SECTION V

DISPENSATION FROM TRAINING

- 15.** A licence holder is dispensed from some or all of his obligations to complete additional training activities if he is absent or on leave for at least four (4) consecutive weeks due to illness or accident, or for family or parental reasons. For the application of this section, the causes and terms of such absence or leave are those outlined in V.0.1 and V.1 of Chapter IV of the *Act respecting Labour Standards* (Chapter N-1.1).

The licence holder may obtain a dispensation in accordance with the above paragraph by applying in writing to the Organization, specifying the reasons for the dispensation and submitting a supporting document or a medical certificate.

The Organization shall grant the dispensation for the duration and under the terms outlined in the supporting document or medical certificate.

Should the Organization decide to reject the application for dispensation in whole or in part, it shall notify the licence holder in writing and inform him of his right to submit written comments by the deadline indicated by the Organization.

The Organization shall make a decision on the application and notify the licence holder of its decision.

- 16.** As soon as the situation described in section 15 and which led to a dispensation of indeterminate duration ceases, the licence holder must immediately notify the Organization in writing, and comply with the obligations under this policy by completing the additional training activities needed to obtain the number of CEUs prorated based on the number of full months, remaining or not, during which he was not dispensed of his obligations. The prorated number of CEUs is rounded up to the highest whole number, according to the breakdown specified in section 3.



17. A licence holder is partially exempted from his obligations to take additional training activities if he demonstrates to the Organization that he has successfully completed one of the training programs recognized in an agreement between the Organization and an educational institution, and which deals with the skills that a real estate or mortgage agency executive officer must possess. To be awarded 12 specialized content CEUs, the licence holder must also pass the agency executive officer certification examination. The continuing education units are awarded for the cycle during which the examination was successfully completed. Licence holders who received CEU recognition for an agency executive officer program cannot avail themselves of them.

SECTION VI

DEFAULTS AND SANCTIONS

18. The OACIQ shall send a written notice, ninety (90) days before the end of the cycle, to any licence holder who has not obtained all the **CEUs** required under section 3 or section 6, minus the exemptions he benefits from.

The notice shall indicate to the licence holder:

- 1° the deadline by which he must meet his obligation;
- 2° the sanction to which he exposes himself if he does not meet his obligation by the deadline.

19. At the end of the cycle, if the licence holder is in default, his licence shall be suspended in accordance with section 15 of *Regulation respecting the issue of broker's and agency licences*.

The training hours accumulated following this default may only be applied to the cycle concerned by the default, until such default is remedied by the licence holder.

20. This Policy shall come into force on May 1, 2017.

