

**IMPORTANT**

This form must be completed by persons or partnerships whose files could be reviewed and analyzed by the Licence Issue and Maintenance Committee (the "Committee") following a declaration to the effect that they have been subject of a civil conviction, a tax-related judgment, or an administrative judgment.

SECTION II – PART 1 – NATURAL PERSON

Part 1 must be completed if a **natural person** has filed a declaration with the OACIQ stating that in the past five years, apart from any family-related matters, the person has been ordered to pay more than \$15,000 in a civil proceeding. For example (for information purposes only): a contractual dispute, a civil liability claim, an employment-related dispute, etc.

This part can be completed for the following applications:

- Application for issuance – Real estate broker licence
- Application for issuance of a licence – Real estate agency – Natural person
- Information update

SECTION II – PART 2 – NATURAL PERSON OR LEGAL PERSON OR PARTNERSHIP

Part 2 must be completed if a declaration has been filed with the OACIQ stating that a **natural person OR a legal person**:

- a) In the last five years, has been the subject of a tax-related judgment. For example (for information purposes only): a civil judgment rendered by a court following a dispute with the tax authorities (Revenu Québec or the Canada Revenue Agency), such as the dismissal of an action, the confirmation or determination of a tax assessment, an order for damages, or the authorization of a legal hypothec, a seizure, and so forth; **or**
- b) Has been the subject of a decision or a sanction issued by an administrative tribunal or a provincial or federal government body. For example (for information purposes only): the RBQ, CPTAQ, Commission des transports, Commission municipale, TAQ, TAL, TAMF, Revenu Québec, Canada Revenue Agency, AMP, CNESST, CCQ, CRTC, FINTRAC, etc. Examples of sanctions (for information purposes only): a fine, an administrative monetary penalty, a seizure, a legal hypothec, etc.

This part can be completed for the following applications:

- Application for issuance – Real estate broker licence (**for yourself and the legal persons under your control**)
- Application for issuance of a licence – Real estate agency – Natural person (**for yourself and the legal persons under your control**)
- Application for issuance of a licence – Real estate agency – Legal person or partnership
- Information update

Please complete this form for each judgment, sanction or conviction and provide the required documents, if applicable:

- Copy of the judgment ordering payment of an amount exceeding \$15,000 in a civil proceeding
- Copy of the tax-related judgment
- Copy of an administrative court judgment
- Decision to impose any other sanction by a provincial or federal government body

If you no longer have the documents in your possession, please contact the body that imposed the sanctions or the clerk's office of the court where the case was heard. For any document that has been destroyed or is no longer available, please provide a written notice to that effect from the body that imposed the sanctions or the clerk's office of the court where the case was heard. **Please send any new information or documents related to your declarations immediately.**

You must provide all requested documents and information, unless already in the OACIQ's possession; otherwise, your licence application will not be processed, or where applicable, following information update, your licence will be suspended. Include any additional information on a separate sheet if necessary. Please note that you are responsible for the answers contained in this declaration even if it has been completed by another person. Any misrepresentation will result in the revocation of your licence.

IT IS IMPORTANT TO COMPLETE THE FORM LEGIBLY. Should your file be submitted to the Licence Issue and Maintenance Committee, the latter will review all the documents, including the answers provided on this form, which constitute observations.

Note that you will be informed of the date on which your file will be examined by the Licence Issue and Maintenance Committee, and you will have the opportunity to submit your remarks.

SECTION II – DECLARATIONS (continued)

4. In your opinion, is there a link between this conviction and real estate brokerage activities?

Yes No *If not, explain why there is no link between this conviction and real estate brokerage activities.*

[Redacted area for question 4]

5. Explain why public safety would not be compromised by this situation if you had to engage in real estate brokerage activities.

[Redacted area for question 5]

6. Were you an OACIQ licence holder on the date of the civil judgment?

Yes No

7. If you are already the holder of a licence issued by the OACIQ, section 10 of the *Regulation respecting broker's and agency licences* stipulates that you must immediately send the OACIQ any change to information or documents required under the *Real Estate Brokerage Act* or this regulation. If the judgment in the civil matter dates more than a few days, why did you not inform the OACIQ immediately?

[Redacted area for question 7]

SECTION II – PART 2 – NATURAL PERSON OR LEGAL PERSON OR PARTNERSHIP

8. Details relating to the tax-related judgment/administrative judgment/sanction issued by an administrative tribunal or a provincial or federal government body:

Court file number, if any:

[Grid for court file number]

Date (tax-related judgment/administrative judgment/sanction):

[Grid for date with labels DAY, MONTH, YEAR]

9. Describe the causes and circumstances of the case:

[Redacted area for question 9]

10. Where applicable, have the sums or fines imposed been fully paid?

Yes No N/A

11. In your opinion, is there a link between this tax-related judgment/administrative judgment/sanction and real estate brokerage activities?

Yes No *If not, explain why this tax-related judgment/administrative judgment/sanction is not related to real estate brokerage activities.*

[Redacted area for question 11]

12. Explain why public safety would not be compromised by this situation if you or the legal person or partnership had to engage in real estate brokerage activities.

[Redacted area for question 12]

SECTION II – DECLARATIONS (continued)

13. Since the tax-related judgment/administrative judgment/sanction, have you taken any rehabilitation steps?

Yes No *If so, which ones? If not, why?*

14. Were you performing your work at the time of the tax-related judgment/administrative judgment/sanction?

Yes No

15. Have you or the legal person or partnership been holding a licence issued by the OACIQ at the time of the tax-related judgment/administrative judgment/sanction?

Yes No

16. If you or the legal person or partnership are already holding a licence issued by the OACIQ, section 10 of the *Regulation respecting broker's and agency licences* stipulates that you must immediately send the OACIQ any change to information or documents required under the *Real Estate Brokerage Act* or this regulation. If the tax-related judgment/administrative judgment/sanction dates more than a few days, why did you not inform the OACIQ immediately?

SECTION III – CONSENT, DECLARATION AND SIGNATURE

I CONSENT TO THE COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

The OACIQ protects the privacy of information it collects in accordance with the applicable legislation and its personal information governance policies. The OACIQ collects your personal information via this form. This personal information is necessary; it is required by the *Real Estate Brokerage Act* (CQLR, c. C-73.2) and its regulations for the issuance of OACIQ licences. This information will be used for the following purposes:

- Verification of your identity.
- Processing of your application for OACIQ licence issuance or maintenance to ensure that your application meets the conditions set forth in the regulations.
- Criminal record check.
- Keeping of the OACIQ Register of licence holders.

Where applicable, your personal information may be used to oversee your practice by OACIQ staff members or committee members whose duties so require.

To check your criminal record, the OACIQ may disclose your personal information to private companies specialized in background checks.

In some cases prescribed by law, your personal information may be used for purposes other than those described above or disclosed to third parties without your consent.

Right of access and correction

Subject to certain reservations, the law authorizes you to access your personal information. You may request corrections to your personal information held by the OACIQ if it is inaccurate, incomplete or equivocal, or if the collection, release or keeping of the information is not authorized by law.

Consequences of refusal

This collection of your personal information is necessary to process your OACIQ licence issuance application. In the event that you withdraw your consent to the collection, use or disclosure of your personal information, the OACIQ will not be able to receive or process your application.

Consent

I CONFIRM that I have read and understood the information regarding the collection, use and disclosure of my personal information.
I consent to the collection, use and disclosure of my personal information.

I DECLARE that all the information contained in this form is accurate and I understand that any misrepresentation will result in the revocation of my licence. I authorize third parties to disclose to the OACIQ, and to any person it may mandate, personal information regarding my criminal record. **I undertake to notify the OACIQ immediately of any change to this information.**

X

SIGNATURE

Date:

DAY	MONTH	YEAR							

**Please sign the form AFTER
completing ALL the sections.**

Organisme d'autoréglementation du courtage immobilier du Québec

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