

GENERAL ACCREDITATION PROCEDURE FOR ADDITIONAL TRAINING ACTIVITIES

INTRODUCTION

The Organisme d'autoréglementation du courtage immobilier du Québec (hereinafter the OACIQ or Organization), whose mission is to ensure public protection by overseeing the practice of Québec real estate and mortgage brokers, has implemented a Mandatory Continuing Education Program (hereinafter called the Program) for all licence holders. This Program includes:

- the Policy on additional training of the Organisme d'autoréglementation du courtage immobilier du Québec;
- the General accreditation procedure for additional training activities;
- a fee schedule; and
- the Individual recognition procedure for additional training activities.

Faced with quickly-evolving professional practices and constant change in their field of activity, real estate brokers, mortgage brokers and agency executive officers need access to tools to help them maintain, update, improve and further their knowledge and skills in order to continue fulfilling their duties and obligations.

The purpose of this General accreditation procedure for additional training activities is to recognize training activities within the Mandatory Continuing Education Program. A training activity accredited by the OACIQ allows the licence holder who completes it to receive continuing education units (CEUs) recognized under the Program.

1. CONTINUING EDUCATION UNITS

For a CEU to be recognized, it must represent one hour of eligible training. To be eligible, this one-hour training must meet the recognition criteria.

There are cases where the number of CEUs differs from the actual duration of the activity. For example: in an activity such as a convention or seminar, the periods scheduled for representation, non-eligible topics and meals do not count as training hours.

The continuing education units (CEUs) accumulated by brokers and agency executive officers are entered in their records. They are also published in the Register of licence holders on the OACIQ website and in the licence holder's record on synbad.com.

2. ADDITIONAL TRAINING ACTIVITIES ACCREDITED BY THE OACIQ

By way of this accreditation procedure for additional training activities, the OACIQ wishes to give brokers and agency executive officers access to a range of training activities, in order to cover various aspects and types of real estate or mortgage transactions.



2.1. Eligibility criteria

Before analyzing the content of a training activity, the OACIQ shall verify that the activity meets the following eligibility criteria. To be eligible, an activity must:

- support the OACIQ's public protection mission;
- include an ethics component in compliance with the legal environment of brokerage and agency management;
- include at least one (1) hour of training (no partial CEUs shall be granted);
- contain a learning structure and have education value;
- comply with the OACIQ's position-taking;
- have a clear and direct link with practice and professional development needs in residential or commercial real estate brokerage, mortgage brokerage or agency management;
- be delivered as part of a workshop, seminar, conference or convention, in a classroom, online or webinar setting;
- cover one of the subject matters eligible for accreditation under the Program (see clause 2.4).

2.2. Examples of ineligible activities:

A provider or trainer must have the necessary probity to provide training activities, granting CEUs to OACIQ licence holders.

Based on the seriousness of the charges, a provider or trainer may not be accredited to provide training activities under the Program, especially if he:

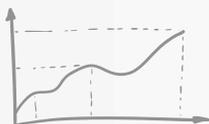
- is the subject of a guilty decision by the OACIQ Discipline Committee or another professional order;
- has been convicted of, or has pleaded guilty to, a criminal or penal act or offence related to his professional activities;
- has been convicted of, or has pleaded guilty to, an offence related to the illegal practice of real estate or mortgage brokerage;
- has been the subject of a decision of the civil court that holds him responsible in a matter related to his professional activities.

2.3. Examples of ineligible activities (non-restrictive)

- Any training activity required to become an OACIQ licence holder;
- Personal growth activity;
- Activity or portion of activity dedicated to the promotion of a product or service;
- Activity that has already taken place and will not be repeated;
- Activity mainly involving internal procedures;
- Activity that does not include educational content, such as a cocktail reception or a study or interest group (board, committee, etc.);
- Activities for which the OACIQ has reserved the right to act as sole provider (see clause 9).

2.4. Eligible training subject matters

- To be eligible under the Program, the training activity must deal with at least one of the subject matters referred to in section 49 of the *Regulation respecting the issue of broker's and agency licenses*, including:
- General or special legal rules that apply to brokerage transactions described in section 1 of the *Real Estate Brokerage Act* (R.S.Q., c. C-73-2);
- Any legislative or regulatory reform that may affect the activities of brokers and agencies;
- Content, use and drafting of contracts and forms relating to brokerage transactions described in section 1 of the *Real Estate Brokerage Act*;
- 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*;
- Ethics and professional conduct of brokers and agency executive officers;
- Management of the 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*.



3. ANALYSIS OF TRAINING ACTIVITY

3.1. Deadline to submit an application for accreditation

An application for accreditation of a training activity must be submitted to the OACIQ at least ninety (90) days before the activity.

3.2. Analysis criteria

The OACIQ will analyze the activity based on the following criteria:

- Eligibility of the application;
- Content of the activity and relevance to public protection;
- Clear and direct link with the practice of residential or commercial real estate brokerage, mortgage brokerage or agency management (may have a link with several fields);
- Skills that the training activity will help develop;
- The training title must clearly reflect its content;
- Expertise, experience and qualifications of each trainer or provider on the activity's topic;
- Quality of the documentation or training materials;
- Compliance with the additional training activity's stated objectives;
- Accuracy of the information imparted;
- Thoroughness of the mechanism ensuring the imparting of up-to-date information;
- Duration of the activity versus its stated objectives.

Before making a decision regarding the application for accreditation, the OACIQ reserves the right to request attending a pilot training session.

The final decision will be taken and forwarded to the provider after determining if the content, duration of the activity and the trainers, organizations or educational establishments are qualified to deliver the training activity covered by the general application for accreditation.

3.3. Categories

As stipulated in section 3 of the Policy on additional training of the Organisme d'autoréglementation du courtage immobilier du Québec, 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 mandatory training activities provided by the OACIQ totalling 6 core content CEUs, in addition to 12 elective CEUs, in core or specialized content.

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

The licence holder must choose, among recognized training activities, those that best suit his needs. However, he is required to complete the mandatory training activities of the Organization.

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;
- Content, use and drafting of contracts and forms relating to brokerage transactions described in section 1 of the *Real Estate Brokerage Act*;
- Ethics and professional conduct of brokers and agency executive officers.

SPECIALIZED CONTENT

Any training activity that does not meet the definition of eligible topics in the Core content category, but whose aim is to protect the public and 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*.

Also in this group are topics related to the subject-matters listed above, such as those dealing with the improvement or perfecting of skills and knowledge relating to the activity of broker.



3.4. Documents to be submitted with the application for accreditation

For each activity to be accredited, the Continuing Education Department will examine the application if the following information and materials are provided:

- Duly completed application for accreditation;
- Payment of analysis fee (This fee is not refundable whether or not the training activity is accredited);
- Detailed training plan;
- Objectives of the activity;
- Training documents;
- Training activity updating process;
- Information on each trainer (name, contact information, curriculum vitae, where appropriate, consents required for verifications, OACIQ or professional association licence number, if applicable);
- Contact information of the educational establishment, if applicable;
- Email and mailing addresses of the applicant for follow-up purposes;
- Date or number of times the activity will be delivered;
- Billing address;
- Name of person in charge of billing.

3.5. Application processing time

The applicant shall be informed of the decision by email within approximately sixty (60) days following receipt of the duly completed application for accreditation, including all documents listed under clause 3.4 of this procedure. Should the decision not be sent within sixty (60) days, temporary accreditation could be granted.

Please note that any application that is not completed by the provider within 30 days of receipt or for which the last correspondence from the OACIQ has received no response shall be closed. All documents received shall then be destroyed. No refund shall be issued.

4. MONITORING OF ACCREDITED TRAINING ACTIVITIES

4.1. Updating of the accredited training activity

It is the provider's responsibility to make sure that the information imparted to the learners is up-to-date and complies with current laws and regulations each time the accredited training activity is delivered.

4.2. Changes to a training activity

Any change made to a training activity, other than an update (e.g. new article number), must be approved by the Organization before the training activity is delivered again (see the *Request for modification of a training activity* form), failing which accreditation may be revoked. Fees may apply.

4.3. Validity period of the accreditation

Once granted, the accreditation of a training activity is valid for the duration of the cycle, i.e. until April 30, 2019.

5. ATTENDANCE LIST

The provider shall submit attendance lists and all required documents in the manner indicated by the Organization and keep attendance lists at least two months following the end of the cycle in which the training activity was accredited. The OACIQ may ask the provider to produce its attendance lists. If such lists are not available, the OACIQ will not allocate CEUs to participants.

6. MONITORING AND QUALITY CONTROL OF TRAINING ACTIVITIES ACCREDITED BY THE OACIQ

- For the entire accreditation period of a training activity, a person designated by the OACIQ shall be allowed to attend this activity free of charge for quality assurance purposes. The OACIQ reserves the right to survey participants in any activity provided.
- Training activities shall be evaluated by participants using the appreciation questionnaires provided by the OACIQ or a questionnaire provided by the provider and approved in advance by the Organization.
- The provider undertakes to forward the questionnaires to the OACIQ, at its request, within five (5) days following the date of such request.
- The OACIQ may ask the provider to modify the training if it does not meet the criteria mentioned in clause 2.1 or if it differs from what was submitted at the time of accreditation.
- The OACIQ may ask the provider to change the trainer if he/she no longer meets the criteria mentioned in clause 2.2.

7. UNDERTAKINGS BY TRAINING ACTIVITY PROVIDERS

- The provider recognized by the OACIQ must comply with the rules set out in this Procedure and cannot assign his accreditation to a third party.
- The provider is responsible for making sure the activity offered meets the needs of learners.
- The provider must make sure that the trainer (if applicable) has the skills required to present the accredited activity.
- The provider must make sure that the trainer respects the public, licence holders, the Organization, its mission and employees.
- When completing an application for accreditation of a training activity, the provider must make sure that its trainer(s) (if applicable) provide accurate information concerning their work experience and qualifications and, where appropriate, the consents required for verifications. He must also inform trainers that the OACIQ will validate their eligibility according to the criteria set out in clause 2.2.

- When delivering a training activity, the provider must, among other things, make sure that its trainers:
 - 1° respect the training plan and duration submitted to and previously approved by the OACIQ;
 - 2° impart information in compliance with the *Real Estate Brokerage Act* and the regulations thereunder;
 - 3° act competently;
 - 4° take into account the limits of their skills and knowledge and the means at their disposal;
 - 5° have an attendance list signed by all participants at the beginning and end of the training activity;
 - 6° check that the identity of the persons signing the attendance list matches the signature and that they attended the entire training;
 - 7° have brokers complete an appreciation questionnaire on the accredited training activity.
- The provider is aware that it or any trainer offering on its behalf an accredited training activity may be called upon to explain the content of the provided training activity to various bodies, including the OACIQ Discipline Committee, as a witness.
- The provider shall, within a maximum of seventy-two (72) hours following the training activity, send the attendance list or any document required for the training activity, according to the requirements of the Organization.
- The provider shall keep the attendance lists and the appreciation questionnaires completed by an activity's participants during the entire accreditation period (and the following two months).
- The provider shall not, in any way whatsoever, engage or allow others to engage in advertising that is false or that could mislead the target audience as to the activity it delivers or could be called upon to deliver.
- More specifically, the provider shall not claim or suggest in its advertising that:
 - 1° the content of a training activity it delivers is recognized by the OACIQ, unless specifically authorized to do so by the latter;
 - 2° its trainers have experience or skills that have not been recognized by the OACIQ, if this is not the case.

- The advertising may mention that the training is accredited by the OACIQ and leads to the allocation of continuing education units recognized under the OACIQ's Mandatory Continuing Education Program. Such advertisement shall be used only during the accreditation period and shall use the following wording: **Continuing education activity accredited by the OACIQ.**
- Advertising may indicate that an accreditation application has been submitted to the OACIQ for this training activity. However, it should not mention or suggest that it will be accredited and recognized by the Mandatory Continuing Education Program of the Organization.

8. CONFIDENTIALITY CLAUSE

Each of the parties, their representatives and staff undertake to protect the confidentiality of any information that comes to their knowledge as part of the accreditation procedure.

9. UNDERTAKINGS BY THE OACIQ

Once a training activity is accredited by the OACIQ, the latter undertakes, at the provider's request, to post on its website:

- the provider's training activity;
- the number of CEUs allocated;
- the category with which the training is associated; and
- a link to follow for more information or for registration.

The OACIQ may recognize more than one training activity delivered by different applicants that cover the same subject matter, within the same category, and that meet the accreditation criteria.

The OACIQ reserves the right to impose mandatory trainings activities and be their sole provider. The provider acknowledges that these training activities may cover themes and topics addressed in whole or in part in training activities it offers and that are already accredited, and waives any recourse in this regard.

The OACIQ undertakes to enter into the broker's record (on the OACIQ public website and in the broker's record on synbad.com) the relevant information within seventy-two (72) hours following receipt of the digitized attendance list.



10. WITHDRAWAL OF THE ACCREDITATION

The accreditation shall be withdrawn as soon as its validity period expires.

In addition, the OACIQ reserves the right, at any time, to withdraw the accreditation of one or more portions of a provider's accredited training activities in case of default by the latter to comply with the undertakings, obligations or requests hereunder.

Without limiting the generality of the foregoing, the OACIQ shall have the right to withdraw the accreditation in the following cases:

- If the provider fails to submit changes to a training activity to the OACIQ for approval;
- If the content of a training activity is no longer relevant; or
- If the provider or one of his trainers is accredited under false pretences, is found guilty of an offence by the Discipline Committee, is the subject of a decision of a civil, criminal or penal court, which holds him accountable for a matter related to his professional activities, or becomes ineligible for a reason listed in clause 2.2;
- If the evaluations completed by the participants and the OACIQ show an unsatisfactory level of quality.

Once accreditation is withdrawn, the training activity's listing and all related links shall be removed from the OACIQ's website and training calendar. In addition, the provider shall cease, without delay, any advertising to the effect that the training is accredited or leads to the allocation of CEUs recognized under the OACIQ's Mandatory Continuing Education Program, and shall make no representation to this effect or suggesting this.



ANNEX 1

The targeted competencies help brokers and agency executive officers determine which competencies must be mastered in order to act ethically and responsibly in their real estate or mortgage brokerage practice.

The full competency frameworks are available on the OACIQ website:

<http://www.oaciq.com/en/pages/to-prepare-for-the-oaciq-certification-examinations>

Competency in residential real estate brokerage

- Acting responsibly and ethically in one's brokerage practice
- Managing one's professional activities in the real estate field
- Making use of general and special rules of law in brokerage transactions
- Assessing the quality and the various building elements of an immovable
- Estimating the market value of a residential immovable
- Carrying out brokerage transactions pertaining to the sale, purchase, leasing or exchange of a residential immovable
- Distinguishing the basic principles of mortgage financing

Competency in commercial real estate brokerage

- Acting responsibly and ethically in one's brokerage practice
- Managing one's professional activities in the real estate field
- Making use of general and special rules of law in brokerage transactions
- Estimating the asset value
- Carrying out brokerage transactions pertaining to the sale, purchase, leasing or exchange of non-residential immovables, including enterprises
- Performing a financial analysis of a real estate and enterprise project

Competency in mortgage brokerage

- Acting responsibly and ethically in one's brokerage practice
- Managing one's professional activities
- Making use of general and special rules of law in mortgage brokerage transactions
- Being familiar with the basic principles of an asset's market value
- Performing the different calculations related to mortgage brokerage transactions
- Performing a mortgage brokerage transaction

Competency for agency executive officer

- Managing a real estate or mortgage brokerage agency
- Managing the agency in a way that allows it to fulfil its real estate and mortgage brokerage obligations and responsibilities
- Supervising the professional activities of the agency's brokers and administrative personnel
- Advising and assisting brokers in order to foster their professional development
- Collaborating as agency executive officer and ensuring broker collaboration with the various partners