



APPLICATION FOR OBTAINING AN OPINION FROM THE LICENCE ISSUE AND MAINTENANCE COMMITTEE

IMPORTANT

This form is intended for individuals or partnerships wishing to obtain an advance opinion from the Licence Issue and Maintenance Committee (hereinafter referred to as "the Committee") before they begin the process of obtaining a broker's or agency licence issued by the Organisme d'autoréglementation du courtage immobilier du Québec (OACIQ).

The Committee may refuse to issue a licence, or impose restrictions or conditions thereon if the individual or partnership applying for the licence:

- 1° has held a licence that has been revoked, suspended or made subject to restrictions or conditions by the discipline committee or by a body in Québec responsible for overseeing and monitoring real estate brokerage, or by such a body in another province or State;
- 2° has made an assignment of property or has been placed under a receiving order pursuant to the Bankruptcy and Insolvency Act;
- 3° has previously been convicted by a court of, or has pleaded guilty to, an offence (penal or ethical) or a criminal act which, in the opinion of the OACIQ, is related to the performance of a broker's or agency's activities;
- 4° has been assigned a tutor, curator or adviser;
- 5° has, before May 1, 2010, violated a provision of the *Act respecting the distribution of financial products and services* while carrying out brokerage activities related to loans secured by immovable hypothec.

Regarding your application, the Committee will ensure to give its opinion on the decision it could make if you apply for a licence. Note that the Committee's opinion does not constitute a decision within the meaning of section 37 of the *Real Estate Brokerage Act*. Therefore, you have no right to appeal this opinion.

Furthermore, the Committee may re-examine your case when a licence issuance application is submitted and render a decision based on the facts presented and circumstances prevailing at that time. This means that in some cases, the final decision could differ from the preliminary opinion issued.

STEPS TO FOLLOW

1. Fill out the appended form, attach the requested documents and pay the applicable fees
2. If necessary, send any additional document or new information to the Organization without delay

PROCESSING OF THE FILE BY THE OACIQ

Please note that any delay in submitting a document will result in a delay in the processing and examination of your file. Upon receipt of the duly completed form, you will be given written notice of the date, time and place of the Committee meeting. You will be invited to make written or oral representations and submit any document you deem relevant to the opinion that will be rendered. The Committee will then proceed to study and analyze your case.

OPINION OF THE LICENCE ISSUE AND MAINTENANCE COMMITTEE

When the Committee has completed the study and analysis of your case and has rendered its opinion, you will be notified of this opinion.

Please note that, in accordance with the *Real Estate Brokerage Act* and its regulations, the OACIQ verifies the qualifications of all individuals or partnerships applying for a licence.

RESERVED FOR THE OACIQ

RECEIPT STAMP

SECTION V – DECLARATION AND SIGNATURE (CONTINUED)

2. Are you currently or have you ever been a member of a body in Québec or in another province or state, responsible for overseeing and monitoring real estate brokerage?

Yes No

If yes, please provide the following information:

a) Name of body _____

b) Country _____ c) Province/State _____ d) Member No. _____

3. If you answered yes to question 2, has your licence, certificate or permit ever been revoked, suspended or made subject to restrictions or conditions by this body?

Yes No *If yes, please provide the decision or judgement.*

4. Have you ever declared bankruptcy, i.e. have you ever made an assignment of property or been placed under a receiving order pursuant to the *Bankruptcy and Insolvency Act*?

Yes No *If yes, please complete and send the "Form to be completed in case of bankruptcy", available on the OACIQ's website, along with the required documents.*

You must mention any conviction or guilty plea, even those for which you received a discharge or a record suspension (formerly called "pardon").

5. Regardless of the time elapsed since your conviction, have you ever pleaded guilty to a criminal offence, or been found guilty of such an offence by a court in Canada or elsewhere?

Yes No

If yes, please complete and send the "Form to be completed in case of conviction", available on the OACIQ's website, along with the following documents:

a) *Information (Indictment)*

b) *Written judgement or, if it is not available, record of proceedings of guilt and sentence*

c) *Audio recordings of hearing on guilt and sentence, if the conviction is less than 10 years*

d) *Pre-sentencing report, if available*

6. Except for a violation to the Highway Safety Code and municipal by-laws, have you pleaded guilty to a penal offence, or been found guilty of such an offence by a court, in Canada or elsewhere, pursuant to a provincial or a federal law or any other applicable legislation?

Yes No

If yes, please complete and send the "Form to be completed in case of conviction", available on the OACIQ's website, along with the following documents:

a) *Statement of offence or indictment*

b) *Written judgement or, if it is not available, record of proceedings of guilt and sentence*

c) *Audio recordings of hearing on guilt and sentence, if the conviction is less than 10 years*

7. Have you ever pleaded guilty to, or been found guilty by a court, in Canada or elsewhere, of a breach of ethics?

Yes No

If yes, please complete and send the "Form to be completed in case of conviction", available on the OACIQ's website, along with the decision or judgement.

8. If you were authorized to carry out brokerage activities in connection with loans secured by immovable hypothec under the *Act respecting the distribution of financial products and services*, have you ever violated a provision of this Act or the regulations thereunder?

Yes No

If yes, please complete and send the "Form to be completed in case of conviction", available on the OACIQ's website, along with any available document.

SECTION V – DECLARATION AND SIGNATURE (CONTINUED)

9. Have you been assigned a tutor, curator or adviser?

Yes No *If yes, please provide the supporting judgement.*

10. Have you ever filed an application to obtain an advance opinion from the Licence Issue and Maintenance Committee?

Yes No

11. Have you ever been the subject of a decision by the Licence Issue and Maintenance Committee?

Yes No

PRIVACY PROTECTION

The information collected in this form is necessary to allow us to process your request. You must provide all the information that is requested.

The OACIQ protects the privacy of all personal information provided, in accordance with the applicable legislation. Only OACIQ staff may access this information, and only to the extent required by their role. This information will be used exclusively for purposes of application of the *Real Estate Brokerage Act*, CQLR, c.C-73.2, and its regulations. It can be used for other purposes, in the cases prescribed by law. It may be transferred to other individuals or organizations only to the extent authorized by law, or with your consent.

The information and records that the Organization has on you are kept at its head office. Subject to certain reservations, the law authorizes you to access and request corrections to this information.

I declare that all the information contained in this application is accurate and I understand that any misrepresentation will result in the revocation of my licence. **I agree to notify the OACIQ immediately of any changes to this information.**

X

SIGNATURE

Date:

YEAR			

MONTH	

DAY	

SECTION VI – PAYMENT OF FEES

Please fill out the payment form.

To determine applicable fees, please visit the OACIQ's website at: oaciq.com.

Amount due (including taxes):

\$.

File or licence No:

(IF APPLICABLE)

METHOD OF PAYMENT:

debit / Interac

cash

(payable at the OACIQ only)

by cheque

by money order

(to the order of OACIQ)

credit card

(fill in the fields on the right)

Visa MasterCard

- - -
CARD NUMBER

EXPIRATION (MM/YY)

CVV/CVC

The CVV/CVC is a three-digit code located on the back of your credit card.

Name of cardholder (if different from applicant)

X

CARDHOLDER'S SIGNATURE

**PLEASE SEND YOUR PAYMENT AND DOCUMENTS TO THE CERTIFICATION DEPARTMENT, BY MAIL, EMAIL OR FAX,
TO ANY OF THE CONTACT INFORMATION INDICATED AT THE BOTTOM OF THIS PAGE.**

Organisme d'autoréglementation du courtage immobilier du Québec

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