



FORM TO BE COMPLETED IN CASE OF BANKRUPTCY

(Sections 37 and 38 of the Real Estate Brokerage Act)

IMPORTANT

This form must be completed by persons or partnerships whose file could be reviewed and analyzed by the Licence Issue and Maintenance Committee (the "Committee") following a declaration to the effect that they have made an assignment of property or been placed under a receiving order pursuant to the Bankruptcy and Insolvency Act (RSC, 1985, chapter c. B-3).

The *Real Estate Brokerage Act*, R.S.Q. c. C-73.2, ("the Act"), provides that when a person or partnership makes or has made an assignment of property or has been placed under a receiving order, the Committee may decide to impose one of the measures provided by the Act, when public protection warrants.

Depending on circumstances, the Committee may refuse to issue a licence to an applicant, or to issue it by imposing restrictions or conditions thereon. The Committee may also take measures against a licence holder, including suspending or revoking a licence or making it subject to restrictions or conditions.

BANKRUPTCY DISCHARGED IN THE PAST 5 YEARS OR OVER

Please complete this form **for each of your bankruptcies**, if applicable, and provide the following documents:

- Form 84 – Certificate of Discharge, judgment of discharge or any other document proving your discharge.

BANKRUPTCY NOT DISCHARGED OR DISCHARGED WITHIN LESS THAN 5 YEARS

Please complete this form **for each of your bankruptcies**, if applicable, and provide the following documents:

- Notice of Bankruptcy (Form 68, 69 or 70);
- Form 78 or 79 – Statement of Affairs (Non-Business or Business Bankruptcy/Proposal);
- Form 65 – Monthly Income and Expense Statement of the Bankrupt;
- Form 82 or 83 – Report of Trustee;
- Form 80 – Notice of Intended Opposition to Discharge of Bankrupt;
- Form 84 – Certificate of Discharge, judgment of discharge or any other document proving your discharge;
- Any other form or document related to your bankruptcy (opposition motion and decision, request to be allowed to continue despite the bankruptcy and decision, any other decision or relevant document).

If you no longer have the documents in your possession, please contact your Bankruptcy Trustee or Superintendent of Bankruptcy. For any document that has been destroyed or is no longer available, please provide a written notice to that effect from your Bankruptcy Trustee or Superintendent of Bankruptcy. Please send any new information or new document related to your bankruptcy immediately.

You must provide all requested documents and information, unless already in the OACIQ's possession; otherwise your application will not be processed, or 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.

SECTION I – IDENTIFICATION

Mr. Mrs.

File or Licence No.:

Name:

LAST NAME FIRST NAME

Address:

NUMBER STREET APARTEMENT

MUNICIPALITY PROVINCE POSTAL CODE

AREA CODE HOME PHONE NO. AREA CODE CELL. PHONE NO.

Electronic addresses: _____

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SECTION II – DECLARATIONS

1. Details of your bankruptcy:

Number of bankruptcy case:

Date of bankruptcy: YEAR MONTH DAY

2. Please explain the causes of bankruptcy:

3. Is there a link between your bankruptcy and your professional activities? Yes No *Please explain:*

4. What was the source of your income at the time of your bankruptcy?

5. What is the source and nature of all debts appearing on your bankruptcy statement?

6. Are there any individuals involved as creditors in your bankruptcy?

Yes No *If yes, please indicate the name of the creditors and the nature of your relationship with these stakeholders.*

7. Were stakeholders in the real estate or mortgage brokerage field involved in your bankruptcy as creditors? (e.g.: client, other broker, agency executive officer or agency)

Yes No *If yes, please indicate the name of the creditors and the nature of your relationship with these stakeholders.*

8. Were there or is there currently any opposition to your discharge or any notice of intended opposition?

Yes No *If yes, what are they?*

9. Were there or is there currently any procedure authorizing a creditor to sue you despite bankruptcy?

Yes No *If yes, what are they?*

10. If you answered "Yes" to question 9, has the motion been granted? Yes No

11. If you have not yet been discharged, what is the projected date of your discharge? YEAR MONTH DAY

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SECTION II – DECLARATIONS (CONTINUED)

12. What are the conditions related to your discharge, if applicable?

13. Despite your discharge, are there any debts from which you are not released, notably under section 178 of the *Bankruptcy and Insolvency Act*?

Yes No *If yes, what are they?*

14. Have you been an administrator or director of a company that has already gone bankrupt? Yes No

15. Explain why public safety would not be compromised by your situation if you had to engage in real estate or mortgage brokerage activities.

16. If you are already the holder of a licence issued by the OACIQ, section 10 of the *Regulation respecting the issue of broker's and agency licences* stipulates that you must send to the OACIQ without delay any change to any information or document required under the *Real Estate Brokerage Act* or this regulation. If your bankruptcy dates more than a few days, why did you not apprise the OACIQ of it?

SECTION III – DECLARATION AND SIGNATURE

I declare that all the information contained in this application is complete and accurate. I undertake to inform the OACIQ without delay of any change to this information.

X

SIGNATURE

Date:

YEAR			
MONTH			
DAY			

PRIVACY PROTECTION

The information collected in this form is necessary to allow us to process your licence issuance application and your information update. You must provide all the information that is requested; otherwise your application cannot be processed. Any misrepresentation will result in the revocation of your licence.

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*, R.S.Q., 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.

Organisme d'autorégulation du courtage immobilier du Québec

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