



FORM TO BE COMPLETED IN CASE OF CONVICTION (Penal or ethical offence and criminal act)

Sections 37, 38 and 149 of the *Real Estate Brokerage Act*

IMPORTANT

This form must be completed by persons or partnerships whose file must be reviewed and analyzed by the Licence Issue and Maintenance Committee (the "Committee") following a declaration to the effect that they were convicted by a court, in Canada or elsewhere, of a penal or ethical offence or criminal act, or pleaded guilty to such an offence or act.

Under the *Real Estate Brokerage Act*, R.S.Q. c. C-73.2, ("the Act"), when a person or partnership is convicted by a court of, or pleads guilty to, a penal or ethical offence or criminal act which, in the opinion of the Committee, has a link with the activity of broker or agency, the Committee may decide to impose one of the measures provided for by law, 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.

Please complete this form **for each of your convictions** and provide the required documents:

- If you no longer have the documents in your possession, please contact the Registry 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 Registry of the Court where the case was heard.

Please send any new information or new document related to your conviction 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 APARTMENT

MUNICIPALITY PROVINCE POSTAL CODE

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

SECTION II – DECLARATIONS

1. Details of your conviction:

Court file number:

Date of the offence:

YEAR MONTH DAY

Erase data

SECTION II – DECLARATIONS (CONTINUED)

2. Please explain the causes and circumstances of the offence:

3. If applicable, have you completed serving your sentence / sanction? Yes No

4. If applicable, have you fully paid the fines that have been imposed? Yes No

5. Explain why you do not feel that this offence or criminal act has a link with real estate or mortgage brokerage activities, if applicable.

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

7. Have you been holding a certificate issued by the ACAIQ or a licence issued by the OACIQ at the time of the offence or criminal act?

Yes No

8. If applicable, have you received an absolute or conditional discharge for that offence or criminal act?

Yes No

9. Have you applied for a record suspension (formerly called "pardon") concerning that offence or criminal act?

Yes No

If yes, your record suspension application (formerly called "pardon"):

- | | |
|--|---|
| <input type="checkbox"/> is being reviewed | <input type="checkbox"/> has been refused |
| <input type="checkbox"/> has been accepted | <input type="checkbox"/> has been revoked |

Please provide a copy of a document attesting the status of your application. If you no longer have the documents, please contact the Parole Board of Canada.

10. Has there been any breach of probation, failure to comply with an undertaking, or any other breach related to this offence or criminal act?

Yes No

If yes, please explain the causes and circumstances.

PLEASE ANSWER QUESTIONS 11 TO 14 IF YOU HAVE PLEADED GUILTY TO OR BEEN FOUND GUILTY OF A CRIMINAL ACT.

11. Have you ever received a letter from the ACAIQ or OACIQ Syndic informing you that there was no need to file a complaint against you regarding this act?

Yes No

12. Have you ever been the subject of a disciplinary complaint before the ACAIQ or OACIQ Discipline Committee concerning this act?

Yes No

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SECTION II – DECLARATIONS (CONTINUED)

13. Have you ever been the subject of a decision of the ACAIQ Board of Directors regarding this act?
 Yes No
14. Have you ever been the subject of an advance opinion or a decision by the ACAIQ Decision Committee on Criminal Offences regarding this act?
 Yes No
15. 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 conviction 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'autoréglementation du courtage immobilier du Québec

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