

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

For who?

The individual or partnership who intends to apply for a broker's or agency licence with the OACIQ and who:

- has already had his licence 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;
- has already gone bankrupt i.e., has already made an assignment of property or has been placed under a receiving order pursuant to the *Bankruptcy and Insolvency Act* (R.S.C. 1985, c. B-3);
- has previously been convicted by a court of an ethical or penal offence or a criminal act;
- has been assigned a tutor, curator or adviser;
- has, before May 1, 2010, while carrying out brokerage activities in connection with loans secured by immovable hypothec, under the *Act respecting the distribution of financial products and services*, violated a provision of this Act.

Why?

The OACIQ verifies the qualifications of all individuals or partnerships applying for a licence.

In the situations described above, the Committee may refuse to issue a licence or may impose restrictions or conditions thereon if public protection warrants.

For ethical, penal or criminal offences or acts, the committee shall first decide whether they are related to the performance of a broker's or agency's activities.

Following the application, the Committee will ensure to give its opinion on the decision it could make if you apply for a licence. This might save you time and money.

Attention

The Committee's opinion does not constitute a decision within the meaning 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. It will then 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 form, attach the requested documents and pay the applicable fees;
- 2) Fill out the appropriate supplemental form, if applicable;
- 3) Send any additional document or new information to the Organization without delay.

Processing of the file by the OACIQ

Upon receipt of the duly completed form, you will be notified in writing 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 rendered its opinion, you will be notified of this opinion.