

Inspection

Working in accordance with accepted trade practices instils confidence in executive officers of agencies and brokers, and trust in the members of public who use their services.

Inspection exists to protect this trust. Its purpose is to supervise the activities of OACIQ licence holders, in particular by auditing their records, accounts, books and registers, in order to help executive officers of agencies and brokers comply with the Real Estate Brokerage Act and its regulations.

Inspection Committee

Under the Act, an Inspection Committee is created within the OACIQ. It is made up of executive officers of real estate or mortgage agencies and of brokers acting for their own account. Committee members do not personally conduct inspections, but rather use the services of inspectors.

The Inspection Committee is responsible for overseeing agency and broker practices, including by auditing their records, accounts, books and registers. It also verifies the competency of licence holders.

Where needed, it can require an executive officer of an agency or a broker to successfully attend a course or other education activity.



The OACIQ Mission

The primary role of the Organisme d'autoréglementation du courtage immobilier du Québec is to ensure the protection of the public by the enforcement of rules of professional ethics and the inspection of its licence holders, and in particular by seeing to it that its licence holders pursue their activities in accordance with the Act and the regulations.



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ORGANISME D'AUTORÉGLÉMENTATION
DU COURTAGE IMMOBILIER DU QUÉBEC

The Inspection Department



In support of
executive officers
of real estate or
mortgage agencies,
real estate brokers
and brokers acting
for their own
account

Inspectors

Specially trained for the purpose, inspectors are members of the OACIQ's permanent staff. They hold a real estate broker's licence but are not authorized to practice the profession.

In addition to specific inspection work, inspectors play a support and training role during inspection visits.

They act as a resource for licence holders by facilitating conferences, startup sessions and some of the education sessions offered by the OACIQ.



Notice of Inspection

The licence holder will receive a notice of inspection by fax, email or mail indicating the date and time of the inspector's visit at the establishment.

The executive officer of the agency or the broker acting for his or her own account must be present during the inspection.

In exceptional cases, an inspector may visit an agency or a broker acting for his or her own account without prior notice.

Scope of the Inspection

In accordance with the Act, an inspection covers all aspects of the agency's or broker's practice.

The inspector verifies whether trust account(s), accounting procedures, the keeping of records and registers, and the disclosure of conflicts of interest are properly managed.

The inspector also verifies competency by reviewing brokerage contracts and transaction proposals and auditing the documents on file.

If the inspector notes a violation that can compromise public protection, he may refer it to the Inspection Committee, which will issue any recommendation deemed appropriate, or refer the case directly to the syndic.

Inspection Report

Following the inspection, a report is submitted to the agency or broker acting for his or her own account.

Compliant and non-compliant items are clearly identified and "actions required" specify any corrective action that needs to be taken.

In addition, each inspected broker receives an individual report outlining the corrective action required regarding the drafting of contracts.

Quickly taking the corrective action recommended in the reports allows licence holders to comply with the Act and improve their professional practice.

Inspection Follow-Up

Other actions may need to be taken following the inspection to ensure the executive officer of the agency or the broker complied with any recommendations made by the inspector or any commitments required by the Inspection Committee.

This could involve attending a course or education activity, or organizing an information session with the inspector for all the brokers in the agency. Another inspection could also be scheduled within 12 months.