

B R O K E R

PROFESSION

THE POWER TO DO MORE

THE CONTINUING EDUCATION PROGRAM

WHAT YOU NEED TO KNOW

Core Content: concrete examples

Specialized Content: various options to reflect your reality

A mosaic of training options for a multitude of realities

Thank you to all those who participated in the implementation of the MCEP

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COLUMN

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COLUMN

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EDITOR

Organisme d'autoréglementation du courtage immobilier du Québec

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The advertisements published in it are intended for real estate brokerage professionals. They are not the expression of any opinion, position or action of the OACIQ, whose main mission is to protect the public, according to the Act.

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BETWEEN US

TRAINING FOR EXCELLENCE



Do you engage in a physical activity? I'm no athlete, but we should stay in shape: I run, I go to the gym. This makes me feel confident and competent.

When you think about it, continuing education works very much in the same way: it helps us stay competitive, to have confidence in our skills and knowledge so that we can inspire trust, and therefore better play our role with our clients. It's probably why many professions have a mandatory continuing education program for their members.

Imagine how reassuring it is for the public to know that brokers must now complete a continuing education program. It is a kind of quality assurance for your clients, who will know that when they do business with a real estate or mortgage broker, they can count on the services of a knowledgeable expert who will make all the difference in a transaction, thereby justifying their choice of dealing with a broker as well as the compensation paid to him.

I can already hear some of you saying: a mandatory training program? Wow, that should be fun... You know what? It will be fun. Great fun, in fact. The kind of fun you won't want to do without once you've experienced it. Because training, whether it's your mind or your body, makes for a healthier lifestyle.

With the [Continuing education program](#), which is the result of discussions between all the players in the field, you are being invited to embrace a healthier professional lifestyle. For better, and only for better. Because regardless of what you choose to learn, you will be choosing excellence.

Train hard!

A stylized, handwritten signature in black ink, consisting of a large, sweeping 'S' followed by a few trailing lines.

Serge Brousseau

Chairman of the Board of Directors
OACIQ

PASSING OF FRANÇOIS PIGEON

A TRIBUTE TO AN EXCEPTIONAL MAN



François Pigeon, a key figure in the history of the OACIQ, passed away on February 3, 2015 at the age of 74. Passionate about real estate, Mr. Pigeon spent over 40 years practising brokerage, working to improve the practice and putting structures in place to advance the profession. Today we would like to share with you the life and work of this man who has left his mark on the Québec real estate brokerage landscape.

AT THE BEGINNING

In 1963, just one year following the adoption of the first *Real Estate Brokerage Act*, a young François began his real estate career with Trust Prêt et Revenu. At the time, the market was very different and the majority of brokers' activities centered on the management of properties rather than their sale or purchase. Present at a time of fertile change, he was entrusted with various mandates, such as developing real estate brokerage services and making mortgage investments for his employer, which was also a trust company.

INVOLVED IN THE PROFESSION

Anxious to get really involved in the field and help shape the real estate brokerage environment, in 1970 François got himself elected to the Board of Directors of the Corporation des courtiers en immeubles de la province de Québec, the forerunner of the OACIQ.

From 1972 to 1974, he was Chair of the Corporation, which became the Québec Real Estate Association (QREA) in 1972, then returned to a directorship from 1975 to 1978. Motivated by the challenge of a new post, François left the QREA board to chair the Chambre immobilière de Québec, known as the Chambre d'immeuble de Québec at the time, for a period of two years.

In 1986, François accepted a new challenge as Chair of the Québec Real Estate Indemnity Fund (FICI). He remained there until 1990, before returning to his post as Chair of the Québec Real Estate Association. During his QREA chairmanship, Mr. Pigeon also accepted to sit on the ACAIQ Board of Directors from 1992 to 1993.

Throughout these prestigious assignments and mandates, his brokerage career soared. From a young real estate broker, he came up the ranks of the profession, acting successively as Director of Sales and Vice-President for Trust Prêt et Revenu. In 1992, he was offered the post of Vice-President of Sales, Quebec City region for La Capitale Maître Courtier inc.'s real estate services. He only stayed in this position for one year, as 1993 had quite a surprise in store for him.

A NEW ACT, A NEW ORGANIZATION

The coming into force of the *Real Estate Brokerage Act* in 1994 marked an important turning point for real estate and mortgage brokerage. A new organization was created to bring together and oversee Québec's 18,000 real estate brokers and agents. With a mission that included overseeing brokerage activities and protecting the public, the ACAIQ opened its very first Syndic position... which it offered to François, who gladly accepted, embarking on a new chapter of his professional life. He remained in this post until 2005, at which time he took a well-deserved retirement.



Mr. Pigeon and his wife, Mrs. Denise Paré, at the unveiling of the François-Pigeon space in the OACIQ premises, on June 8, 2012, in honor of his outstanding contributions.



Mrs. Paré and Mr. Pigeon with Robert Nadeau, President and CEO of the OACIQ, at the ceremony of June 8, 2012.

I HOPE TO SELL WITHOUT A BROKER IS BACK!

After the resounding success of 2014, real estate partners are back on the air with their “I hope to sell without a broker” campaign.

The first results of the advertising campaign show once again its effectiveness:

- Web campaign: more than 15 million Web impressions as at April 5 (predictions were 5.6 million)
- Over 14,000 viewings of the ad on YouTube (in French and English)
- More than 22,000 visits to the thinkbroker.ca microsite as at April 6



The OACIQ, the QFREB and real estate boards are proud to join forces – and buying power – once again to promote the services of real estate brokers to the public.

A STRONG MEDIA PRESENCE

Every effort has been made to give the campaign visibility. Since March 9, you have been seeing it on TVA, SRC and CFCF and on Bell Media channels. Still supported by the thinkbroker.ca site, the campaign is very present on the Web and for the first time on many radio stations such as Rouge, 98.5, CJAD and CHOM.

We invite you to share the new version of the message on your social networks. You have access [to all downloadable advertising items](#) in Synbad. Your participation will further reinforce the power of the message and at the same time the promotion of the quality of your services.

Note that this campaign, which was intended in 2014 to make sellers aware of the potential pitfalls of selling their home without the help of a broker, encouraged one out of every two viewers to use the services of a real estate broker, according to a Léger survey conducted last fall. This survey confirms that Québec consumers appreciate the message as they find it humorous, clear, simple and realistic.

The OACIQ is proud to be part of this offensive, which is sure to continue sowing doubt in the public's mind as to the wisdom of selling a home without the help of a broker.

IN THE END, I DIDN'T SELL!

I HOPE I DIDN'T MAKE ANY MISTAKES

HERE IS THE CAMPAIGN VIDEO

I FILLED OUT THE PAPERWORK

I FINALLY RECEIVED AN OFFER

I LOWERED MY PRICE

I BEGAN GETTING NERVOUS

I WAITED

I WAITED

I WAITED FOR POTENTIAL BUYERS

I PLACED AN AD ON THE INTERNET

I DECIDED ON THE PRICE OF MY HOUSE



FOR SALE
**WITHOUT A
BROKER**

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DPMM
Dale Parizeau
Morris Mackenzie

PRESENTS

AGENCY 007

What would you risk by asking a car or home insurance quote to DPMM?
Currently on your screens – dpmm.ca/oaciq

Details and conditions on dpmm.ca/oaciq

TO BETTER INFORM CONSUMERS

THE OACIQ TEAMS UP WITH **PROTÉGEZ-VOUS.CA**

Our primary mission is public protection, and we are always looking for new ways to carry out this mandate. And because informing consumers is one of the main ways in which we do it, a collaboration with *Protégez-Vous* seemed an obvious fit!

We are very pleased to announce that in 2015, the OACIQ is now a content partner of *Protégez-Vous*.¹ This new collaboration will help us increase awareness of real estate and mortgage brokers, their services, the protection mechanisms they offer, and the OACIQ.

WHAT DOES THE PARTNERSHIP INVOLVE?

Throughout the year, information capsules created especially for consumers based on our popular *Buyer's Guide* and *Seller's Guide* will be disseminated on the *Protégez-vous* web platform. Banking on the large number of internet users – around 700,000 – who browse the platform each month, we hope to reach and inform as many consumers as possible, to demystify certain topics, and to demonstrate once again the added value of doing business with a broker. Over 20 capsules will be published in total over the course of the year.



protégezVOUS

We are convinced that this collaboration will bring more visibility, notoriety and credibility to our profession, to brokers and to the Organization, due to the solid reputation enjoyed by *Protégez-Vous*, which has become a top reference when it comes to consumer information.

For your own benefit and for that of your clients, we encourage you to [sign up here to receive Protégez-Vous newsletters](#).

¹While preserving its independence and objectivity, Protégez-Vous publishes on its website partners' articles that aim at informing and advising consumers on various issues that affect them closely. The OACIQ is one of the content partners of the [Protégez-Vous.ca](#) website.



NATIONAL
HOME SHOW 2015

THE OACIQ ANSWERS QUESTIONS FROM THE PUBLIC

Each year the OACIQ makes considerable efforts to inform the public about its mission and the advantages of doing business with a broker, and a good place to do this is without a doubt at home shows and exhibitions. This year, we met with consumers at the National Home Show.

From March 6 to 15, 150,000 visitors made their way to Place Bonaventure, and we were there to meet them with a brand-new booth, a promotional tool and a brochure. Several brokers stopped by to say hello!

To introduce the OACIQ to the public, the booth showcased the wealth of information that the Organization can provide in response to questions from the public, whether they concern the advantages of doing business with a broker or situations they have encountered in the course of a transaction.

Showgoers were encouraged to ask questions, and OACIQ employees were on hand to answer them and direct them to resources such as the [Buyer's Guide](#) and the [Seller's Guide](#), the [oaciq.com](#) website and the OACIQ Info Center.

These 10 days spent meeting and talking with the public certainly helped us drive home the message that the best way to protect yourself in a transaction is to do business with a broker.





TOITS PLATS

HERE IS THE NATIONAL HOME SHOW VIDEO



THE OACIQ ANNUAL GENERAL MEETING
2015

MARK YOUR CALENDAR!



On May 13, 2015, you are invited to the OACIQ AGM 2015, a unique event that will take place under the theme of inspiration at the Boucherville Mortagne Hotel. This event will feature none other than **Ms. Danièle Henkel**, Québec's favourite dragon. Ms. Henkel, a successful businesswoman particularly known for her participation in the *Dans l'œil du dragon* show, will present a motivational and inspiring conference, addressing the entrepreneurship and leadership topics.





Also attend the conference of **Mélanie Turgeon**, 2003 alpine ski world champion and performance coach. She will present a conference that draws a parallel between her life as an athlete and her new real estate broker career.

This annual event, especially designed for you, will also include several exhibitors' stands, a cocktail and of course the AGM 2015, where you can express your views on important issues regarding your profession.

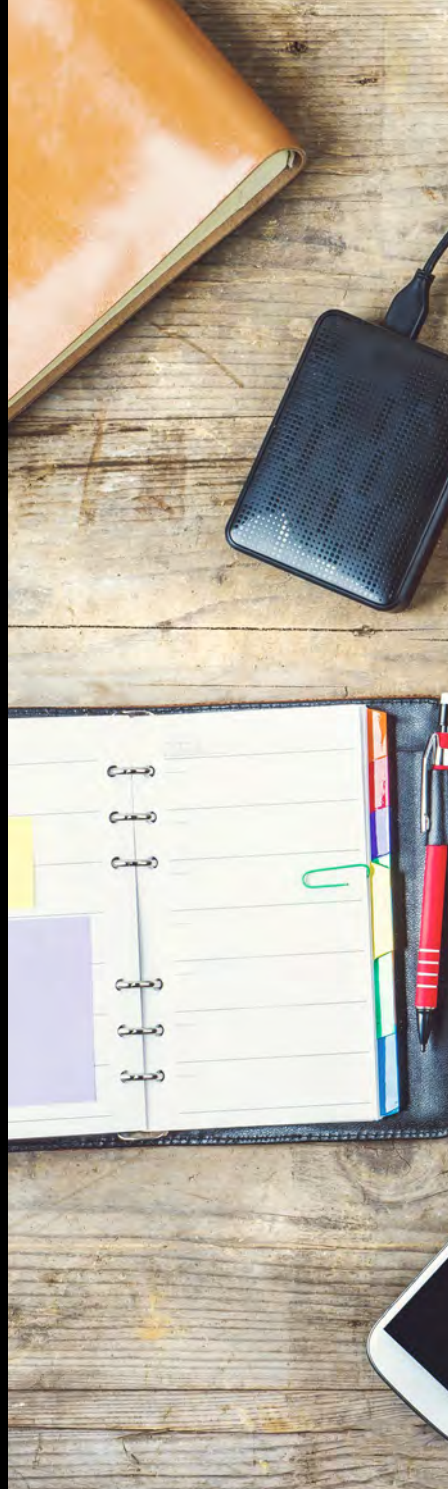
The AGM will start right after lunch time at 1:45 p.m. Are you unable to join us? You can still participate in the meeting via webcast, an option that will allow you to listen, vote and ask questions.

WANT TO ATTEND?

The registration period has already started and spaces are limited! If you have not yet confirmed your attendance, please do it now in just a few easy steps directly in *Synbad*:

1. Visit synbad.com/agm;
2. Select your choices;
3. By clicking the *I confirm my choices* button, you will be redirected to a secure page, where you will have to enter a credit card number to pre-authorize a \$25 payment in case of absence or non-cancellation. This amount will only be pre-authorized, which means that it will appear in the unbilled authorized transactions on your credit card statement.

Look forward to seeing you all there!



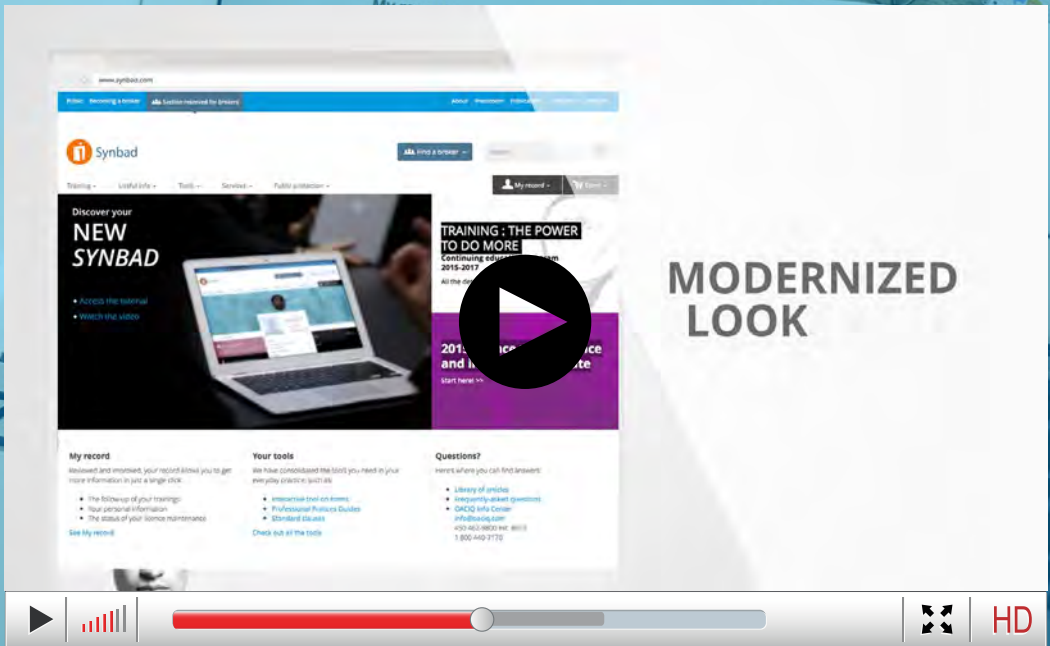


AN OVERVIEW OF THE DAY

7:30 a.m.	<p>Reception and registration Get your badge and enjoy a cup of coffee in the Exhibitors' hall</p>
9:00 a.m.	<p>Words of welcome Serge Brousseau, Chairman of the Board of Directors, and Robert Nadeau, President and CEO of the OACIQ, welcome you.</p>
9:20 a.m.	<p>Danièle Henkel Come discover the career path of this passionate entrepreneur and get inspired by her conference on <i>Entrepreneurship and leadership</i>.</p>
10:35 a.m.	<p>Break Coffee and pastries awaiting you at the Exhibitors' Hall.</p>
11:15 a.m.	<p>Mélanie Turgeon Attend her conference <i>De la préparation à l'action!</i> (From preparation to action!) and see how her experience as a high performance athlete is helping in her career as a real estate broker.</p>
12:15 p.m.	<p>Lunch break Visit Exhibitors' hall where many of our partners are awaiting you.</p>
1:45 p.m. to 4:30 p.m.	<p>Annual General Meeting If you are unable to attend, follow the AGM through webcast in <i>Synbad</i>.</p>
After AGM until 6:30 p.m.	<p>Cocktail and visit to Exhibitors' hall To close the day in a pleasant way, enjoy a drink and chat with our partners.</p>

SYNBAD.COM

A POWERFUL AND EFFICIENT NEW ENVIRONMENT!



In February 2014, the OACIQ launched its new public website, featuring the many advantages of doing business with a broker. A short year later, *Synbad*, the exclusive site for brokers, has also had a makeover, thereby positioning the oaciq.com web portal as the prime reference for consumers, students and brokers.

You have been browsing the new version of Synbad.com for over a month now, and it goes without saying that this new site would not be the same without your valuable input. Rolled out over three months, the beta phase was more than beneficial, allowing everyone to familiarize themselves with the new web environment and its functionalities, and enabling us to collect your feedback in the process. Thanks to your comments, we were able to make the necessary adjustments in order to give you a version of *Synbad* suited to your needs.

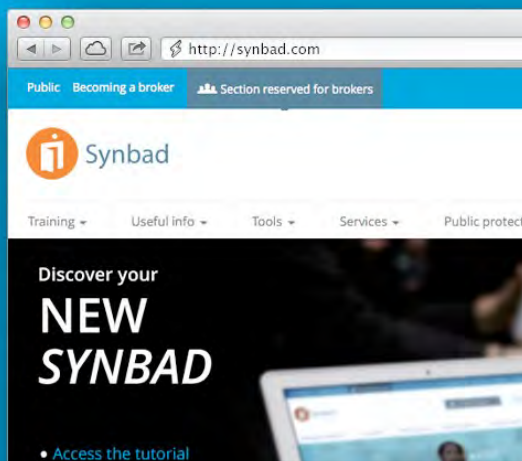
WHAT'S NEW

The purpose of all the improvements made to the new Synbad.com was to make the content more accessible, to facilitate your daily tasks and to give you a more powerful and current tool. If you haven't already done so, please take a few minutes to familiarize yourself with these new functionalities:

- Visit the [home page](#) regularly: it contains the latest news, whether it's articles published in your *Pro@ctive* newsletter, upcoming education activities, or important reminders issued by the OACIQ.
- Need information in a hurry? Simply type a key word in the search engine, which is now more powerful.
- The new *Library of articles* will allow you to find articles on a particular topic with one click.

- All the [FAQs](#) (Frequently-Asked Questions) have been grouped, allowing you to find answers to all your questions in one place. In addition, each FAQ has its own search engine.
- Find everything you need to know about the [Continuing education program](#) on a single page and view the list of training activities available, according to their relevance to your field of practice.
- The [My record](#) tab has undergone several changes in order to give you more latitude, i.e. more sections that you can modify yourself, such as your personal information or your photo. A chart will help you track your progress with regards to the [Continuing education program](#).

We are convinced that this fresh new approach will help you even more in your daily practice and that you will appreciate the extent of the new features. And that's not all: We will continue to optimize Synbad.com as time goes on, in order to better meet your needs and keep up with cyberspace trends. Your comments are always welcome at info@oaciq.com!



cellcom

RIVE-SUD



ALL YOUR SERVICES UNDER ONE ROOF

Deal with THE telecommunications experts:

- Exclusive and competitive mobility offers for OACIQ licence holders
- Best Internet and TV service on the market - Bell Fibe
- Service center for warranties & external repairs

Our offers are exclusive and only available at Cellcom Rive-Sud

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A SUSTAINABLE AND PROFITABLE SOLUTION FOR REAL ESTATE BROKERS



Mr. Marc-André Pilon and Mrs. Claudie Tremblay

In February we announced that an agreement had been signed between the OACIQ and Centris® to provide access to electronic forms via the InstanetForms® platform for the next three years. We asked Claudie Tremblay, Deputy Chief Executive Officer of the OACIQ, and Marc-André Pilon, Chairman of Centris® Management Committee, to explain the advantages of this agreement in the current context of evolving professional practices.

According to the two executives, the agreement confirms not only the growing popularity of electronic forms, as measured by an OACIQ survey (see the following page), but also the excellent collaboration between the two organizations, which builds on the success of a previous agreement which expired on December 31.

“By renewing this agreement, the OACIQ and Centris® are assuring the profession and the public that electronic forms will keep pace with their needs,” commented Centris® Management Committee Chairman Marc-André Pilon.

“The partnership between Centris® and the OACIQ can only be beneficial for brokers,” confirms OACIQ Deputy Chief Executive Officer Claudie Tremblay.

A WINNING SYNERGY FOR ALL

The solid expertise of each partner in this agreement guarantees that brokers will get a high-quality product, adapted to their activities and to technological advances. Adds Mr. Pilon: “Centris® is very close to its brokers, to whom we offer a full training session on InstanetForms® that includes tutorials, webinars, practical workshops, in-class courses and agency trainings; all these are much-appreciated by brokers. We keep a very close eye on the evolution of specialized software across Canada and the U.S.”

On the OACIQ side, “our working groups and practitioners in the field help us ensure that forms are constantly adapted to our practices,” notes Mrs. Tremblay. “In addition, we integrate any new disciplinary and ethical regulatory provisions governing the use of forms in transactions on an ongoing basis.”

This means that electronic forms and the platform that hosts them are quality products that are continually updated. For the OACIQ's Deputy Chief Executive Officer, "it is because of the synergy, the combination of the two sets of expertise that InstanetForms® is a mature, quality product that meets the transactional needs of brokers."

INSTANETFORMS®: USE THEM, YOU'LL LOVE THEM!

The majority of Québec brokers already know and appreciate the quality of InstanetForms® forms. "In January, we counted over 9,000 different users," comments Mrs. Tremblay.

In addition, in a *Pro@ctive* newsletter published last fall, the OACIQ asked you to take a survey on your use of electronic forms. More than 300 of you responded. The results show the growing use of electronic forms in brokers' practices:

- 89% of respondents said they use the forms;
- most use them because they are quick and efficient, i.e. for their practicality;
- 80% of users estimate that they use fewer paper forms;
- 97% recommend the InstanetForms® tool to their colleagues.

"Obviously, the great majority of users appreciate the time gain, accuracy and professional look that the forms bring to their transactions, as well as the greater ease of management," sums up the OACIQ's Deputy CEO.

They also appreciate the flexibility of OACIQ electronic forms on the InstanetForms® platform, which you can access in Lite or Pro versions, depending on your degree of familiarity with the tool. Experiencing problems? "Centris® offers technical support via its telephone assistance centre, available seven days a week," reminds the Chairman.

If you haven't yet tried electronic forms, it's time. With everything now going digital, electronic forms are quickly becoming the standard in real estate. To date, out of a total of 52 forms, 29 are only available in electronic format.

Another good reason: in order to help all its members familiarize themselves with electronic forms, the OACIQ will continue to make them available free of charge until June 30, 2015, for both real estate board members and non-members. After that date, the cost of electronic forms will be cheaper than that of paper forms.

For more information, [consult the webinar and tutorial offers on Centris® portal](#).

WHAT BECOMES OF PAPER FORMS?

Because of the growing popularity of electronic forms, and in an effort to protect the environment, in coming years forms will gradually become available in electronic format only via the InstanetForms® platform. Consequently, the cost of paper forms is likely to increase as the quantities produced continue to decrease.

START USING THEM NOW!

Would you like more information on [OACIQ electronic forms on InstanetForms®](#)? Many resources are available to you. To find out more about forms, standard clauses and proper professional practices for using them, contact the [OACIQ Info Center](#) or view the [Interactive tool on forms](#) in *Synbad*.

To learn how to use electronic forms on InstanetForms®, or for any technical question, contact Centris® by email at info@centris.ca or by phone at 1-877-762-5264, option 6; or view the [recorded tutorials](#) or [register for webinars offered on Centris® portal](#).

**BY RENEWING
THIS AGREEMENT,
THE OACIQ AND
CENTRIS ASSURE
THE PROFESSION AND
THE PUBLIC THAT THE
ELECTRONIC FORMS
WILL EVOLVE IN LINE
WITH THEIR NEEDS.**



THE POWER TO DO MORE

CONTINUING EDUCATION: ALL FOR ONE AND ONE FOR ALL!

It is now a done deal: the Mandatory continuing education program is here. What exactly is this program? What does it bring to the profession? How will it meet the needs of each individual? Here is what you need to know.

THE POWER TO DO MORE



EVERYTHING YOU WANT TO KNOW ABOUT THE NEW CONTINUING EDUCATION PROGRAM

Our profession is changing. You see it in your daily work and in your dealings with your clients and colleagues. Brokerage is not what it used to be, and there is no doubt that it will continue to evolve in coming years.

In order to continue meeting your clients' needs, the environment in which you work today requires you to adapt and keep up to date on what's going on in your field. You made it very clear during the 2014 consultation tour: the new professional reality must include training.

The Mandatory continuing education program (MCEP), which comes into effect on May 1, has been especially designed and developed by and for the profession as a whole. To talk about it and give you a better understanding of what it contains and represents, we met with Robert Nadeau, President and Chief Executive Officer of the OACIQ, and Patricia Piuze, Vice-President, Professional Development, OACIQ.

A COMMON DECISION

There are several reasons why the Program is being implemented, but it is important to note that it stems from a desire on the part of the profession's stakeholders to maintain and develop their skills on an ongoing basis in order to strengthen their credibility in the eyes of the public.

This desire was manifested during the consultations held with the profession as a whole, our partners and the public between February and May 2014. (See the box "[The result of a broad consultation.](#)")

Although these talks were facilitated by the Organization, it was the entire community which, observing how the profession has evolved, agreed on the need to act in order to guarantee consistency in the services rendered to clients.

"During these discussions, it became clear that real estate and mortgage brokerage has now reached this stage in Québec, and this Program is truly one for the whole profession," notes Mr. Nadeau.

"The outcome is a winning one for everybody," he adds, "because if consumers know that they will be better served by brokers, they will be more likely to use their services."

The objectives of the program, states Patricia Piuze, Vice-President, professional development, are clear and simple: "to maintain and develop the skills of each broker, in order to increase credibility and public trust."

PROGRAM OUTLINE

Here is a brief outline of the Program:

- Between May 1, 2015 and April 30, 2017 (the first two-year reference period), each real estate or mortgage broker will be required to accumulate at least 18 continuing education units (CEUs).
- 18 CEUs equal approximately 18 hours.
 - Although there are some exceptions, one CEU is usually equivalent to one hour of training.
 - Therefore each broker must complete at least 18 hours of eligible training during each two-year cycle.
 - A minimum of six CEUs must come from eligible programs in the Core Content category.
 - The rest (12 CEUs) may be obtained from the list of training activities accredited by the OACIQ in either category.

WHY A MINIMUM OF 18 CEUs

The number of CEUs required (18) was established based on the consultations held during the year and the recommendations that were made.

"The average from all the comments is 18," notes Mrs. Piuze. "We also analyzed the mandatory continuing education programs of other professional orders to compare, and 18 CEUs is within the norm for a program with parameters such as ours."

TWO TRAINING CATEGORIES

During the consultations, the profession insisted on the need for the Program to be flexible and adapted to the individual development of each broker.

“At the same time, it was requested that everyone should have up-to-date information concerning the Act, the regulations, ethics, clauses and forms. By creating two categories, we address both concerns,” explains Mrs. Piuze.

DIVERSE TRAININGS, CERTIFIED QUALITY

The education activities available (which you can view on the Continuing education page *Synbad*), are designed and delivered either by the OACIQ or by an outside provider. This can be an organization, a board, an educational establishment or a financial institution, for example, as long as the provider has been accredited by the OACIQ.

The provider or the firm that designed the activity, or a third party that oversees it, can apply for accreditation.

For more information, see the document [*General accreditation procedure for additional training activities*](#).

When the Organization receives an application for accreditation for a training activity, it analyzes the activity based on specific criteria.

To be eligible, an activity must, among other things:

- include at least one hour of training dedicated to learning;
- have educational value;
- have a clear and direct link with the practice and with professional development needs;
- be delivered as part of a workshop, seminar, conference or convention, in a classroom, virtual or webinar setting;
- cover one of the subject matters eligible for accreditation under the Program (see [*the definition of Core Content and Specialized Content*](#) in the next article).

The Organization then examines the activity for accuracy, quality, duration, and relevance of the information conveyed. It also ensures that trainers, organizations or establishments are qualified to deliver the training activity to be accredited. The final decision is made by the OACIQ Board of Directors.

Even after a training activity has been approved, the OACIQ continues to monitor its content to make sure it is regularly updated by its provider.

THE POWER TO DO MORE

To learn more about the criteria, see the [General accreditation procedure for additional training activities](#).

HOW TO CHOOSE

The range of training activities accredited as well as those offered by the OACIQ is evolving at the same pace as the profession, which means very quickly! Already, more than 50 activities totalling 142 CEUs are available. How to choose among such abundance?

Patricia Piuze, Vice-President, Professional Development, advises: "Since the training offer is always changing and growing, be on the lookout and attend those trainings which interest you, based on your needs. Each person's experience is different, and everyone works in their own region, area and field of practice. This program should enable each broker to find what he or she needs."

To help you choose, "a relevance index is available for each course, indicating if it is appropriate to your field of practice. More tools will be added in 2015 to help you narrow down your selections, among all the products available, to those best suited to your needs," adds Mrs. Piuze.

HOW TRAINING HOURS ARE TABULATED

For the education activities offered by the OACIQ, the current process will remain the same. You don't need to do anything except sign the attendance sheet at the beginning and end of each session.

HOW TO TRACK YOUR PROGRESS AND THE NUMBER OF ACCUMULATED CEUs

You can track your progress and the number of CEUs you have accumulated and the time remaining in the reference period at any time by checking *My record* in *Synbad*. As well, agency executive officers will be able to view their brokers' training records in *Synbad*.

In addition, says Mrs. Piuze, "we will be in touch regularly, including by email, to help you make sure your 18 CEUs are obtained and tabulated in a timely manner."

You think you could accumulate more than 18 CEUs in the next two years? So much the better! "All these new skills will show everyone that you are serious about providing a broad and comprehensive expertise to your clients. And that is an asset that no one can take away from you," explains Mrs. Piuze, adding that "the goal of continuing education is to train regularly, so if you accumulate your units quickly so you can forget about it, you're missing the point!" The Program is set up for only 18 CEUs to be accumulated during the reference period. The OACIQ is looking into a form of recognition for brokers who complete additional training activities.

COSTS

During the consultation, the issue of training costs was raised many times. "Costs are a legitimate and understandable concern," noted President and Chief Executive Officer Robert Nadeau.

This is why "the education activities developed and delivered by the OACIQ will be available at very reasonable and competitive rates," states Mrs. Piuze. In addition, a discount will be available to real estate boards and agencies that order OACIQ trainings for their members or their teams.

"THE FUTURE OF OUR PROFESSION BEGINS WITH COMPREHENSIVE AND CONTINUING EDUCATION, IN ORDER TO KEEP US AT THE CUTTING EDGE."

Robert Nadeau,
President and Chief Executive Officer

In such cases, the OACIQ will send one of its certified trainers to facilitate the education activity selected, in English or in French, on the client's premises (subject to a minimum number of participants). "We even have trainings in webinar format for teams in remote areas who wish to have a private course," adds Mrs. Piuze. As far as accredited trainings go, a vast array of options will be available at a range of prices. You will be able to choose from all accredited activities, allowing you to take the cost factor into account, among other things, before you sign up. "When you buy a product, you can choose the least expensive, or the most expensive.

Both options are legitimate and depend on a number of factors (your needs, your means, your tastes). The same thing will apply to the training offer," notes Mrs. Piuze.

"THINK ABOUT YOUR TRAINING NEEDS, THEN MAKE A LIST OF TOPICS THAT INTEREST YOU AND ON WHICH YOU WOULD LIKE TO LEARN MORE."

Patricia Piuze, Vice-President,
Professional Development

YOUR TRAINING IS AN ASSET YOU SHOULD PROMOTE!

You attended a training activity on a specific problem that interests you? Be sure to let your clients know!

"One of the reasons for creating the MCEP is to reinforce the credibility and skills of brokers in the public's eyes," comments Mr. Nadeau. In fact consumers will be encouraged to view the register of brokers to find out which training activities they have completed. This will serve to illustrate your expertise and highlight the competitive advantage of doing business with a broker for your clients.

This is why we encourage you to promote the training activities you have completed, making sure you follow the rules outlined in the *Advertising Guide for real estate and mortgage agencies and brokers*. To this effect, see Chapter 3, page 36 of this Guide: "Basic rules regarding advertising, the soliciting of clients and representations."

YOU HAVE QUESTIONS? WE HAVE ANSWERS!

Visit the [FAQ on the MCEP](#).
If you're still not sure, contact an information agent at the OACIQ Info Center at info@oaciq.com or by phone at 450-462-9800 or 1-800-440-7170.

OTHER RESOURCES AVAILABLE TO YOU:

- [MCEP page](#) in *Synbad*;
- [Training Policy](#) ;
- [General accreditation procedure for continuing education activities](#).

For further details, see the [Message from the Chairman of the Board of Directors](#), Serge Brousseau, and the columns on [mortgage brokerage](#) and [commercial real estate brokerage](#).

THE RESULT OF A BROAD CONSULTATION

In response to a desire expressed by the profession in the fall of 2013, and to provide Québec real estate and mortgage brokers with a training program that truly meets their expectations while aligning with the role of the OACIQ, a broad consultation was held from February to May 2014.

The OACIQ consulted the public and the profession's stakeholders. We met and had discussions with people who represent you, such as your real estate boards and banners, the Québec Federation of Real Estate Boards and many others, in order to gather as many viewpoints as possible.

THE OBJECTIVES OF THE PROGRAM ARE CLEAR AND SIMPLE: "TO MAINTAIN AND DEVELOP BROKER SKILLS IN ORDER TO INCREASE CREDIBILITY AND PUBLIC TRUST."

Patricia Piuze, Vice-President,
Professional Development

At the same time, an analysis of the programs offered by several organizations similar to ours gave us a good idea of the criteria needed for a successful continuing education program.

THE POWER TO DO MORE

In addition, from April 14 to May 30, 2014, all brokers were invited to take part in an online discussion forum and a survey on the topic.

You will find all the details in section 2 of the [Consultation on the Mandatory continuing education program report](#) in *Synbad*.

WHO MUST PARTICIPATE IN THE MCEP?

All brokers and agency executive officers must meet the requirements of the MCEP. However, the OACIQ has provided for certain accommodations.

SPECIAL CASES

We encourage anyone with a special status to read question 3 of the [FAQ](#) in *Synbad*, which deals with this topic, or to contact the OACIQ Info Centre by email at info@oaciq.com or by phone at 450-462-9800 or 1-800-440-7170.

Special cases might include:

- new broker;
- broker whose licence is suspended;
- broker in the midst of an acquired rights period;
- broker whose licence is revoked;
- broker absent or on leave for illness, accident, or family/parental reasons.

We encourage you to read additional content on the MCEP in this issue:

- [Column on mortgage brokerage](#);
- [The choice is yours!](#);
- [Column on commercial real estate brokerage](#);
- [The opinion of stakeholders](#).

THE CHOICE IS YOURS!

Of the minimum 18 CEUs which you must accumulate in a two-year period, i.e. by April 30, 2017, at least six must be from the *Core Content* category. The other 12 may be selected from either the *Specialized Content* or *Core Content* categories. The choice is yours!

What types of training activities are in each category?

CORE CONTENT

The Program includes in this category the training sessions required for a better understanding of the legal, regulatory and ethical aspects of your activities. More specifically, here is the official definition of core content:

Any training activity whose primary aim is to protect the public and allow brokers and agency executive officers to acquire, maintain, update, improve and perfect the skills required in a real estate or mortgage brokerage transaction, and related to at least one of the following topics:

- General or special legal rules set out in the *Real Estate Brokerage Act* and its regulations;
- Content, use and drafting of contracts and forms relating to brokerage transactions described in section 1 of the *Real Estate Brokerage Act*;
- Ethics and professional conduct of brokers and agency executive officers.

SPECIALIZED CONTENT

The specialized content consists in all other skills and knowledge that are necessary for your transactions, whatever they may be. More specifically:

Any training activity that is not eligible under the *Core content* category, but whose aim is to develop the knowledge, skills or abilities as part of a real estate or mortgage brokerage transaction, and related to at least one of the following topics:

- General or special legal rules that apply to a brokerage transaction described in section 1 of the *Real Estate Brokerage Act*;
- Any legislative or regulatory reform, other than the *Real Estate Brokerage Act*, that may affect the activities of brokers and agencies;
- Any material, physical or environmental consideration that may affect the object of a brokerage transaction described in section 1 of the *Real Estate Brokerage Act*;
- Ethics and professional conduct of brokers and agency executive officers;
- Management of the professional activities of brokers and agencies;

- Assessment of the value of an immovable or enterprise;
- Assessment of the quality and construction features of an immovable;
- Financial implications of transactions described in section 1 of the *Real Estate Brokerage Act*;
- Financing of transactions described in section 1 of the *Real Estate Brokerage Act*.

YOU CAN HAVE A TRAINING ACTIVITY ACCREDITED

If you wish, you may apply to the OACIQ to be granted CEUs for a training activity you have attended and which you deem relevant. You can also ask your agency executive officer to get the training provider to apply to the OACIQ for accreditation.

To find out more about the program's criteria, see the [General accreditation procedure for additional training activities](#).

TRAINING À LA CARTE

Here are some examples of the training activities currently available in each category

EXAMPLES OF TRAINING ACTIVITIES

Activities	CEU	PROVIDER	RELEVANCE *			
			Res.	Comm.	Mort.	AEO
CORE CONTENT			Res.	Comm.	Mort.	AEO
<i>Annex R – Residential immovable and Annex F – Financing</i>	3	OACIQ	3	0	0	1
The simultaneous presentation of several promises to purchase	3	OACIQ	3	3	0	3
Managing trust accounts	4	OACIQ	1	1	1	3
Timelines on forms	3	OACIQ	3	0	1	2

SPECIALIZED CONTENT	CEU	PROVIDER	RELEVANCE *			
			Res.	Comm.	Mort.	AEO
Conformité en matière de lutte au blanchiment d'argent et au financement du terrorisme (Compliance with Anti-Money Laundering and Anti-Terrorist Financing legislation)	3	Déontologie.ca	3	3	2	3
Normes de mesurage BOMA (BOMA Measuring Standards)	3	BOMA	0	3	0	3
Un courtier qui se démarque : au delà du "home staging" (A broker who stands out: beyond the home staging)		France Arcand, Créations & Design	3	0	0	1
Le bail (The lease)	3	Judith Cormier, avocate et médiatrice	3	3	0	1

* Relevance assured

How can you determine if a training activity is relevant to your professional reality? To help you, we have created a relevance index (from "0: Non-relevant" to "3: Perfectly relevant"). Therefore, based on your field of practice and your status (residential, commercial or mortgage brokerage, or agency executive officer), you will know if the training activities in question matches your needs.

THE OPINION OF STAKEHOLDERS



These leaders in the field of real estate brokerage in Québec accepted our invitation to share their views on the Mandatory continuing education program. Here is a summary of their comments.



Patrick Juanéda,

President of the Québec Federation of Real Estate Boards

Mandatory continuing education will have a beneficial impact on the practice of real estate brokerage in Québec, in addition to ensuring better public protection and improving professional standards. Concerted efforts on the part of the industry to achieve higher quality standards will directly help create a positive perception of our profession in the public's mind. By doing business with a real estate broker, who brings added value throughout the entire transaction, consumers will be choosing competence, efficiency and security for the sale or purchase of a property, while minimizing the potential risks associated with this major transaction.



Gilles Langlais,

General Manager, Chambre immobilière de l'Abitibi-Témiscamingue,
Rouyn-Noranda

WHAT DO YOU TELL A BROKER WHO IS UNSURE ABOUT THE IMPORTANCE OF PARTICIPATING IN THE PROGRAM?

We want to be recognized as professionals and we were one of the last remaining organizations without a mandatory continuing education program. With this Program, you and your colleagues will be able to demonstrate that you are striving for excellence via these training activities.

WHAT IMPACT DOES CONTINUING EDUCATION HAVE ON YOUR PROFESSIONAL ACTIVITIES?

Until now, we had to persuade brokers to attend non-mandatory trainings, but we were not always successful, which led to some disparity between brokers. Now, our brokers are coming to us to ask where, when and how they will be able to attend their training activities.



Chantal Legault,

General Manager, Chambre immobilière de l'Outaouais

IN YOUR OPINION, HOW IMPORTANT IS BROKER TRAINING AND DEVELOPMENT TO THE PUBLIC?

Because people are better informed thanks to the internet, brokers must be proactive in their business plan and stay ahead of the game by attending training activities. Continuing education is an essential complement to meet the specific requirements and needs of consumers. Properly trained and alert brokers reflect a more than positive image of our profession!

WHAT ARE THE CHALLENGES AWAITING THE PROFESSION AND HOW WILL THE PROGRAM HELP MEET THESE CHALLENGES?

The real estate industry has really evolved in the last several years. The MCEP is one of the elements that will give brokers the tools they need to diversify their service offer and better meet the needs of their clients. The more training brokers have, the better they will be able to react positively in the face of booming progress in the real estate industry.



Lise Girardeau,

General Manager, Chambre immobilière de la Mauricie

IN YOUR OPINION, WHAT WILL THE PROGRAM BRING TO THE PROFESSION?

Continuing education is essential for brokers to remain current. It's the best way to ensure a service quality standard, and the public will surely see this as a very positive element when they come to choose a broker. Whether it's technology, forms, the law, timelines, etc., brokers will benefit from keeping regularly informed.

In a constantly-changing profession, it is important to provide brokers with diversified training sources that meet their expectations and those of the public. In this era of social media and the internet, the market is evolving very quickly, and continuing education is an excellent way to keep up one's professional skills.

ZOOM ON PROFESSIONAL PRACTICES

Here are a few excerpts from articles recently published by the OACIQ.

QUALITY CONTROL: A STEP THAT SHOULD NOT BE OVERLOOKED

The advent of electronic document management (EDM) has changed work methods and habits of real estate and mortgage agencies and brokers. Clients' documents are now digitized, brokerage contracts and transaction proposals are prepared online and everything is transferred to the EDM of the agency.

Regardless of who is carrying out digitization, whether the broker or agency, a step of this entire process remains of paramount importance: **quality control**. The aim of this step is to ensure that the digitized document is identical to the paper document.

The person in charge of digitization is required to check, for instance, if the electronic document is legible, if it has the same number of pages as the paper document, if no part of the document is truncated or obstructed, etc. Instructions must be established by the agency and be strictly followed to avoid compromising the validity of electronic documents. When the electronic document differs from the source document, digitization must be redone.

For the full text: [Synbad, article No. 124812](#).

CLASSIFIED HERITAGE PROPERTY: THE MINISTER'S RIGHT OF PRE-EMPTION IN CASE OF SALE

Québec's Minister of Culture and Communications has a right of pre-emption, also known as a "right of preference", on any immovable classified as heritage property or situated on a classified heritage site. This means that the Minister may acquire a property by preference over any other purchaser at the price the purchaser is willing to pay. In accordance with the *Cultural Heritage Act*, the Minister must be given notice prior to the sale of such a property so that he may decide whether to exercise this right.

HOW CAN ONE FIND OUT IF AN IMMOVABLE IS A CLASSIFIED HERITAGE PROPERTY?

For the purpose of your verifications, it is useful to know that if the immovable is subject to the *Cultural Heritage Act*, the information may be found:

- On the latest certificate of location;
 - In the Cultural heritage register of Québec;
 - In a letter sent to the owner by the Ministère;
 - In the land register;
 - At the office of the registrar or secretary-treasurer of the municipality concerned.
-

WHAT TO DO WHEN TAKING UP A BROKERAGE CONTRACT IN A CASE LIKE THIS?

When taking up a brokerage contract for an immovable that is classified as heritage property or located on a classified heritage site, the broker must make sure to check Yes under clause D2.6 b) of the form *Declarations by the seller of the immovable* (immovable affected by restrictions of public law) and provide details under clause D14 to the effect that the immovable is subject to the *Cultural Heritage Act*. The information concerning the Minister's right of pre-emption must also appear on the detailed description sheet, so that any prospective buyers and their brokers are duly informed.

For the full text: [Synbad, article No. 124832](#).

**ZOOM
ON PROFESSIONAL
PRACTICES**

OPEN HOUSE VISITS: SECURITY FIRST!

Even though the vast majority of open house visits run smoothly, it's better to be cautious, because to be informed by a seller that valuables have disappeared is never pleasant.

Since recent cases have been brought to our attention, here's a reminder of some basic safety precautions:

- Advise the seller to keep **valuables** out of reach of visitors (cell phone, tablet computer, jewelry, etc.) as well as **medication** and **personal documents** (cheque book, passport, etc.);
- Before starting the open house visits, check all the rooms with the seller if possible to make sure that no valuable item has been forgotten;
- It is also recommended to keep a record of visits and ask visitors to identify themselves;
- Finally, never leave a visitor alone in a room.

For the full text: [Synbad, article No. 200600](#).

CO-OWNERSHIP DOCUMENTS: ESSENTIAL DOCUMENTS FOR AN INFORMED DECISION

To answer some questions regarding the co-ownership documents, here are the good practices to be adopted.

Should we make available to buyers' brokers the co-ownership documents such as the co-ownership deed and its regulations (including their amendments), the minutes of co-owners' meetings, the insurance policy of the whole co-ownership and the financial statements?

ZOOM ON PROFESSIONAL PRACTICES

Yes, a good practice for the seller's broker is to make these documents available to buyers' brokers. This is part of his duty of collaboration between brokers and allows drafting a complete promise to purchase without having to make a special request to this effect.

The buyer's broker has a duty to advise his client properly. To fulfill this role, this broker must be able to obtain sensitive information about the co-ownership. Indeed, the answers to many questions of a buyer are found in the various documents produced in the co-ownership register. The same applies, for example, to the financial situation of the co-ownership, the insurability of the immovable or to the important elements set out in the regulations of the immovable (possibility of leasing, presence of animals, etc.). The analysis of this rigorously collated documentation enables a broker to guide the buyer and make an informed judgment regarding the decision to buy or not.

However, it is important to point out that the use of these documents by brokers must be limited to the context of the real estate transaction concerned, i.e., only for drafting a promise to purchase. That's why both the seller's broker and the buyer's broker must take specific security measures to protect the confidentiality of documents.

For the full text: [Synbad, article No. 200493](#).

THE REAL ESTATE BROKER'S RIGHT TO COMPENSATION AFTER THE EXPIRY OF THE BROKERAGE CONTRACT

The OACIQ Info Center often gets calls from selling owners inquiring about the risk of signing a new brokerage contract upon the expiry of the initial contract. They wonder if they are therefore released of their obligation to pay compensation under the first contract.

Everything will depend on the circumstances. Indeed, clause 7.1.3. of different brokerage contract forms edited by the OACIQ provides that, **even after the expiry of the brokerage contract**, the seller undertakes to pay compensation referred to therein, and under certain conditions:

“7.1.3. where a sale takes place within 180 days following the expiry date of this contract with a person who was interested in the IMMOVABLE during the term of this contract, unless, during this period, the SELLER concluded in good faith with another agency or another broker a contract stipulated to be exclusive for the sale of the immovable; or ” (emphasis added)

For the compensation to be paid:

1. The sale should take place within 180 days following the expiry date of the contract;
2. The sale should be made with a person who was interested in the immovable during the term of the contract;

The concept of interested person usually refers to the person who visited the immovable. The broker should have spoken to this person to make him take interest in the immovable. Simply submitting a description sheet to a potential buyer, or giving him the address to pass in front of the property, is not enough to conclude that the person was interested in the immovable.

3. The seller should not have concluded, in good faith, a brokerage contract during this period with another agency or broker.

For the full text: [Synbad, article No. 200602.](#)

PROCEEDS OF CRIME (MONEY LAUNDERING)
AND TERRORIST FINANCING

MAIN OBLIGATIONS OF THE REAL ESTATE AGENCY AND BROKER

This article is an overview of the main obligations arising from the Proceeds of Crime (Money Laundering) and Terrorist Financing Act (hereinafter referred to as the Act) and its regulations. For a full analysis, we refer you to [What you need to know – Real estate](#) page on FINTRAC's website and to different guidelines mentioned therein.

In addition to identity verification¹, under the Act and its regulations, you must also meet the requirements below when acting as a broker for the purchase or sale of a real estate property.

If you are a real estate broker acting on behalf of a real estate agency, the agency is solely responsible for the following:

- reporting of large cash transactions;
- record-keeping, including client identification; and
- development of a compliance program.

In addition, the obligations regarding the reporting of suspicious transactions and terrorist group property are intended for both the broker and the agency.

MANDATORY REPORTS

Under the Act, the following elements must be reported to FINTRAC:

- Suspicious transactions;
- Terrorist group property;
- Large cash transactions.

**ZOOM
ON PROFESSIONAL
PRACTICES**

We will limit our analysis to the concept of suspicious transactions. For more information on all the mandatory reports, please consult the following [guidelines](#), which include, among other things, instructions to complete various forms that should be sent to FINTRAC:

- [Suspicious transactions](#) (guideline 2);
- [Submitting suspicious transactions reports electronically](#) (guideline 3A);
- [Submitting terrorist property reports](#) (guideline 5); and
- [Submitting large cash transaction reports electronically](#) (guideline 7A).

SUSPICIOUS TRANSACTIONS

Among the mandatory reports that must be made to FINTRAC, you must particularly report a transaction made or an attempted transaction when there are reasonable grounds to suspect that it is related to the commission of a money laundering offence or a terrorist activity financing offence.

An attempted transaction is one that a client wants to conduct and took the necessary measures to do so. An attempted transaction includes for example, entering into negotiations or discussions to conduct the transaction and involves concrete measures taken by either you or the client. When you have to send a suspicious transaction report to FINTRAC, you have to take reasonable measures, before the transaction is reported, to verify the identity of the individual who conducted it. This will not apply in the following circumstances:

- if you had already verified the identity of the individual as required by regulations and you have no doubts about that verification;
- if you believe that the verification would inform the individual that you are submitting a suspicious transaction report; or
- if the transaction being reported was an attempted transaction.

For examples of indicators that may help you detect suspicious transactions, please check FINTRAC's guideline.

¹ For more information on identity verification, please read article entitled [Identity verification best practices](#).

For the full text: [Synbad, article No. 200603](#).

THE GUARANTEE FOR NEW RESIDENTIAL BUILDINGS

Any buyer of a building referred to in the [Regulation respecting the guarantee plan for new residential buildings](#) has an unwaivable mandatory guarantee plan.

NEW SOLE MANAGER OF THE GUARANTEE PLAN

With the coming into force of the new Regulation on January 1, 2015, the [Abritat](#) and [Qualité Habitation](#) guarantee plans were placed in trusteeship by the Régie du bâtiment du Québec. The provisional management of Abritat guarantee was entrusted to [Raymond Chabot Grant Thornton](#) firm, which has also been acting as such with regard to the [GMN](#) guarantee plan since 2013. As for Qualité Habitation's guarantee management, it was entrusted to [PricewaterhouseCoopers](#) firm. These provisional managers will ensure that the rights of the beneficiaries of current guarantee certificates, which will expire in the five coming years, are respected.

Since January 1, 2015, Abritat and Qualité Habitation are no longer authorized to issue new certificates to buyers of new residential buildings. The management of the guarantee plan for new residential buildings is now assigned to a non-profit organization, namely the [Garantie de construction résidentielle](#) (GCR); only this organization is competent to issue a certificate of guarantee.

For the name of the guarantee manager with which a building is registered, you should first check the purchase date or the date the construction work of the new building started. If the

sale contract was signed **no later than December 31, 2014** or if the construction work began before that same date, the building is then registered with Abritat or Qualité Habitation. If the signing of the contract or the beginning of construction work took place **on or after January 1, 2015**, the building is then registered with GCR.

On January 1, 2015, new provisions also came into force particularly regarding the indexation of amounts that could be claimed in the guarantee plan (those relating to partial payments, completion of the work, corrections, defects and poor workmanship, relocation, moving and storage) and the increase of the minimum fee to issue a guarantee certificate. For more information on the main regulatory amendments, please visit the website of [Régie du bâtiment du Québec](#).

For the full text: [Synbad, article No. 200498](#).

NEW STANDARD CLAUSE

SENDING OF A NOTICE WITH PROOF OF TRANSMISSION

A new standard clause is now available. It allows parties to a transaction to choose a specific method of transmission for a notice required under clauses R2.2 (72-hour notice), R2.4, P2.4 or L2.6 (seller's notice to the effect that an accepted promise to purchase has been cancelled). This notice ensures that the period for fulfilling the condition starts as soon as the notice is sent (the date and time indicated on the document evidencing the transmission serving as proof) rather than when it is received. [Click here](#) to view the new standard clause "Sending of a notice" in *Synbad*.

The clause specifies that the notice may be sent by email, fax or any other means that provides evidence of the date and time of sending, on the sent document itself (e.g. registered mail).

Although clauses in forms usually stipulate that the period starts when the notice is **received** by the recipient, there are circumstances where, for practical reasons, it may be necessary for a period to start from the **sending** of the notice. It is only in these circumstances that this standard clause should be used.

COMMERCIAL REAL ESTATE BROKERAGE **WHEN A BROKER LEAVES AN AGENCY**

Sometimes a broker changes agency, decides to act on his own account or retire.

The rules set out in the *Regulation respecting brokerage requirements, professional conduct of brokers and advertising* regarding agency change notices, including sections 24 and 26*, also apply in the commercial field.

When a broker leaves an agency, the client must be informed in writing that he can:

- continue doing business with the broker at his new business place;
- continue doing business with the agency; or
- terminate the brokerage contract.

Since the brokerage contract is concluded with the agency, it's the latter that should logically notify the seller in writing. Otherwise, the notice should be given by the broker. However, the agency is responsible for this choice and the executive officer should provide it in his procedures transmitted to brokers. The important thing is that the client should receive the notice. In this notice, the client is invited to indicate his choice no later than the day of the agency change.

The consequences of the client's failure to reply to the notice are not always the same.

For the full text: [Synbad, article No. 200475](#).

THE MANDATORY CONTINUING
EDUCATION PROGRAM

THE DAWN OF A NEW ERA FOR MORTGAGE BROKERS

“Until now, training options for mortgage brokers who wished to pursue their development were very limited. With the advent of the Mandatory continuing education program (MCEP), they will finally have access to a wider selection of options to update their knowledge and skills and thus become better advisors. It’s about time!”

*MORTGAGE BROKERS ARE
NO LONGER RATE SELLERS;
THEY ARE EXPERT ADVISORS
AND TO PLAY THIS ROLE
EFFECTIVELY IN FUTURE,
THEY WILL NEED DYNAMIC
TRAINING OPTIONS, PROGRAMS
THAT EVOLVE WITH THE REALITY
IN THE FIELD.*

Gilles Bouillon, President of Planiprêt
Hypothèques

Active in the field for some 20 years and involved in continuing education with other bodies, including the Chambre de la sécurité financière, Gilles Bouillon, President of Planiprêt Hypothèques, salutes the arrival of the Program. Having actively participated in the consultations held by the OACIQ in 2014, and as a member of the Working group on mortgage brokerage, he is well familiar with the purpose of the Program and shares a broad outline.

“Continuing education is a fundamental obligation for mortgage brokers, making us better professionals,” states Mr. Bouillon. If you want to remain current and understand the needs of your clients and those of the industry, you must receive training and update your knowledge.” He applauds the arrival of the MCEP, because in his opinion, the purpose of such a program is not to “train just for the sake of training, but rather to keep abreast of regulatory news concerning the profession.”

“What I find interesting about this Program is that it is very flexible; there is a lot of room for training activities that are specific to our reality, offered by providers such as lenders.” While he knows that the selection of training activities will grow with time, Mr. Bouillon is confident that the current offer will please mortgage brokers.

COLUMN

MORTGAGE BROKERAGE

In addition, this mortgage expert feels that the minimum of "18 continuing education units (CEUs) is a reasonable number of hours, especially since one can accumulate 12 CEUs in other fields related to our daily practice," he adds.

He also sees positively the fact that trainings are divided into two categories (*Core Content and Specialized Content*). "The laws governing our industry are changing, so the CEUs linked to *Core Content* are relevant to ensure our profession keeps up to date on regulatory changes."

As for the *Specialized Content* category, he can already see that the training options that will become available down the line (selling basics; how to complete a loan application; logistical tools; money laundering, etc.) will help put all mortgage brokers on an even keel.

CONSUMER EXPECTATIONS

The Mandatory continuing education program is arriving just in time to meet increasing consumer expectations, according to Mr. Bouillon.

"Consumers are looking for competent mortgage brokers." In this context, being licensed by the OACIQ becomes a guarantee of competence for clients. "It's a plus for them, because they know they are doing business with someone who understands their needs and knows how best to advise them."

He estimates that this need for advice is even greater in young people. "They are very connected, very well-informed, but they have little or no training when it comes to family budgeting. They are looking to us for this expertise and education."

In short, concludes Mr. Bouillon, mortgage brokers are no longer rate sellers; they are expert advisors. And to play this role effectively in future, they will need dynamic training options, programs that evolve with the reality in the field. And that is precisely what the MCEP will provide. So it is truly the dawn of a new era for mortgage brokers.



Mr. Gilles Bouillon, President of [Planiprêt Hypothèques](#).

TO LEARN MORE:

- See the [Dossier on the MCEP](#) in this issue;
- Visit the [MCEP page](#) in *Synbad*;
- Visit the [FAQ on the MCEP](#).

Comments, information, suggestions?
Write to use at info@oaciq.com.

IN THE FIELD

BY THE OACIQ INFO CENTER

THE IMPORTANCE OF PROVIDING A SUFFICIENT TIMELINE IN CLAUSE R2.3

This column presents situations that come from actual cases referred to the OACIQ Info Center, as well as concrete examples of things one should and should not do.

The Longpas-Valoin couple have lived in a charming condo for a few years now. One morning in May, they learn that they will become parents in a few months and decide to purchase a larger property. They like a certain property that is for sale in their neighbourhood. They contact the real estate broker, Mrs. Venbiens, whose name appears on the sign placed in front of the property.

Mrs. Venbiens provides them with information about the property and tells them from the onset that she represents the seller and that, as such, she must protect and promote the interests of her selling client. She adds that she can inform and advise them objectively, including by guiding them with the standard clauses to include in their promise to purchase, but that she will not disclose any confidential or strategic information concerning her selling client.



Mrs. Venbiens also tells them that a promise to purchase has already been accepted on the property, conditional upon the sale of the prospective buyer's property. The Longpas-Valoin couple decide to visit the property anyway, and later to present a promise to purchase with the help of Mrs. Venbiens.

This raises the following questions:

WHAT ARE THE TIMELINES TO BE RESPECTED AND THE CLAUSES TO BE COMPLETED TO AVOID JEOPARDIZING THE TRANSACTION?

In clause 6.2 of the promise to purchase, a period of fifteen (15) days is allowed to obtain a copy of the undertaking by a hypothecary lender to grant a loan. In clause 8.1, the period allotted for the building inspection is ten (10) days. Since Mrs. Valoin's cousin has made them a very interesting offer on their condo, which they accepted, and since they will soon be going before the notary to finalize this transaction, they don't have to make their promise to purchase conditional upon the sale of their own property. Mrs. Venbiens must still inform the couple of the need to complete clause R2.3 of the form *Annex R – Residential immovable* and to cross-reference this form in clause 13.1 of the promise to purchase, because there is already an accepted promise to purchase on the property, conditional upon the sale of the prospective buyer's property.

Mrs. Venbiens must also take the time to explain clause R2.3 to them as well as the time period to enter in this clause, **which must be longer than the longest period indicated in their own promise to purchase.**

As we saw, the period indicated in clause 6.2 is fifteen (15) days. In the absence of proof of such an undertaking by a hypothecary

lender, clause 6.3 provides a mechanism by which the seller has five (5) days following the expiry of the period set out in clause 6.2 to take a position. The total period is therefore twenty (20) days.

As for clause 8.1 regarding inspection, the period allotted is ten (10) days. Following the expiry of this period, if the buyer is not satisfied with the inspection, he must notify the seller in writing and give him a copy of the inspection report within four (4) days following the expiry of the ten (10) day period. The promise to purchase becomes null and void upon receipt by the seller of this notification together with a copy of the inspection report. The total period in clause 8.1 is therefore fourteen (14) days.

MRS. VENBIENS REMEMBERS THAT THERE IS ANOTHER PERIOD THAT SHE MUST PLAN FOR IN ORDER NOT TO JEOPARDIZE THE TRANSACTION. WHAT IS THIS PERIOD?

The agent from the OACIQ Info Center explains the following to her: in this case, since the longest period is the one concerning the hypothecary undertaking, i.e. twenty (20) days, an additional period of three (3) days must be added for the 72-hour notice (clause R2.2) and another two (2) days must be added to allow the seller to send the notices to both parties. With this explanation, Mrs. Venbiens concludes that the period entered in clause R2.3 must be at least twenty-five (25) days.

Therefore she explains to the Longpas-Valoin couple that if the seller accepts their promise to purchase, the time periods in which they must fulfill their conditions will begin to run from the acceptance of their promise to purchase. And finally, she mentions to them that as soon as all

the conditions of their promise to purchase are fulfilled (except for the signing of the deed of sale), the seller will take, at his own expense, reasonable steps to obtain cancellation of the first, previously-accepted promise to purchase on his immovable, by sending the 72-hour notice (clause R2.2).

To this effect, Mrs. Venbiens remembers that she can use the form *Notice and follow-up on fulfilment of conditions* and check clause AV4.7 as a means to issue the 72-hour notice to the first prospective buyer, in accordance with clause R2.2.

THE OACIQ INFO CENTER: A wealth of information at your fingertips!

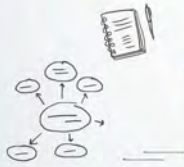
The **OACIQ Information Center** is there to answer all your real estate and mortgage brokerage questions.

The Info Center's agents work quickly and efficiently, processing thousands of requests each year.

Don't hesitate to contact them!

By email at info@oaciq.com
or by phone at 450-462-9800 or
1-800-440-7170 between 9:00 a.m. and
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CONTINUING EDUCATION PROGRAM > 2015-2017



THE POWER TO DO MORE

"Training makes us feel more secure in our business and with our clients. It also makes us perform better and even more prepared for that special question our client may ask!"



> **JOSIE GAMMIERO**
President, Royal LePage Cité, Laval



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THE LABEL ADOPT IT

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Fonds d'assurance responsabilité professionnelle
du courtage immobilier du Québec

INSURANCE POLICY AMENDMENTS FOR 2015-2016

The Fonds d'assurance responsabilité professionnelle du courtage immobilier du Québec ("FARCIQ") is pleased to present the main changes made to its insurance policy as of May 1, 2015.

These changes were made in an effort to provide coverage that keeps pace with changes in the profession. They are clarifications of certain application terms of the current policy, as well as an enhancement, long-awaited on the part of policyholders, concerning moulds and pollutants.

To fully appreciate the points summarized in this article, we recommend a thorough reading of the policy.

TERRITORIAL SCOPE OF THE POLICY

FARCIQ has introduced a specific framework for the insurance policy in order to mitigate losses arising from legal actions brought before foreign courts and, particularly, to specify the coverage criteria for transactions taking place outside Québec. In order to benefit from the insurance protection offered by FARCIQ, a claim concerning an immovable property located outside the province will have to meet the following requirements:

- be brought before a Québec court;
- be governed by Québec law;
- be based on professional services rendered in Québec; and
- where required, the brokerage transaction must have been completed using OACIQ mandatory form(s).

Agencies or brokers who choose to proceed differently will have to take out a separate insurance policy in the private market.

In addition, to benefit from the insurance coverage offered by FARCIQ for a claim concerning an immovable property located in Québec, the action must be brought before a Canadian court.

This framework is comparable to those of real estate brokerage professional liability insurance funds in other provinces.

DEFAMATION

To clarify the extent of the coverage and the purpose of FARCIQ, in 2006 we added a specific risk exclusion concerning defamation to the insurance policy.



Fonds d'assurance responsabilité professionnelle
du courtage immobilier du Québec

PROPERTY UNDER THE INSURED'S CUSTODY

Damages caused during visits and other activities of this nature will be covered.

However, this coverage does not apply in the case where a broker is entrusted with the monitoring of a seller's residence for an extended period, as this would represent a very different risk than that resulting from the professional activities covered by and described in the insurance policy.

CONCLUSION OF A SETTLEMENT

The current policy states that FARCIO cannot reach a settlement without the prior consent of the insured. This condition is justified due to the personal nature of the claims submitted to the industry's professionals. However, it is tempered by the right of the insurer to undertake the insured's defence and guarantee the sound management of FARCIO's assets. The insured cannot unreasonably withhold his consent. This provision of the policy has not been modified.

However, a new element has been introduced, which now allows FARCIO, under certain circumstances, to reach a settlement without the insured's authorization. Among other things, this easing of rules will allow for a consumer to be compensated more quickly where the

only issue is the payment of the deductible. Where this privilege is exercised by FARCIO, the dispute regarding the payment of the deductible shall be ruled on by an arbitrator, if necessary, and the arbitration fee will be payable by the insurer.

MOULDS AND POLLUTANTS

FARCIO is aware that claims regarding the presence of moulds or pollutants are a real source of concern for its policyholders.

First, it is important to note that the main reason for the absence of coverage for risks related to pollutants and moulds since the creation of FARCIO is that it is impossible to have these major risks underwritten by reinsurance companies. In fact, few or no insurers offer this coverage due to the high risk exposure.

Still, FARCIO wished to improve the coverage in order to protect its policyholders from the risks to which they are exposed in this area. Therefore, starting on May 1, 2015, FARCIO will provide insurance coverage for this type of claim, with a \$25,000 coverage sublimit. This means that defence costs regarding moulds and pollutants claims will henceforth be entirely covered by FARCIO, with a coverage sublimit per insurance period of \$25,000 rather than the normal \$1,000,000 in potential compensation.



Fonds d'assurance responsabilité professionnelle
du courtage immobilier du Québec

Coverage	Current	As of May 1, 2015
Defence costs (lawyers, expert reports, evaluations, etc.)	\$25,000	Unlimited
Insurance coverage and maximum compensation	Not covered (\$0)	Sublimit of \$25,000

This represents a considerable gain for policyholders.

For more information, we encourage you to read the [insurance policy](#).

Remember that FARCIQ analysts are available to answer your questions at no cost. For any question or comment concerning your professional liability insurance, email us at assurance@farciq.com or visit our website at www.farciq.com.

**THE MANDATORY CONTINUING
EDUCATION PROGRAM**

A PROGRAM THAT MEETS THE NEEDS OF COMMERCIAL BROKERAGE

“By having more choices and training providers that offer activities tailored to their needs, our brokers will be more motivated to get trained.”

Mrs. Denise Parent, Director of Administration and Sales at NAI Commercial

In this constantly changing market, ongoing training has become a must for commercial real estate brokers. Thanks to the Mandatory continuing education program (MCEP), these brokers now have access to more training options adapted to their own reality.

That is the opinion of Denise Parent, who has worked as a commercial real estate broker since 1992. Mrs. Parent is very knowledgeable about this highly specialized and diversified sector. As Director of Administration and Sales at NAI Commercial in Montreal, she acts as a resource person for brokers and manages the company’s administrative activities. In fact her broad expertise is often sought out by the OACIQ’s Working group on commercial brokerage.

TRAINING, AN ONGOING NEED

For this seasoned broker, the need to train on a continuing basis is a matter of course.

“Like all professionals, in order to carry out his obligations to the public, a commercial real estate broker must train continuously to keep abreast of changes in his activity sector. This is what will encourage people to entrust their business to him.”

This need for training is particularly important given the increasing complexity of transactions and the pervasiveness of technology. In this environment, adds Mrs. Parent, “the more knowledge and skills a broker has, the better he will be able to meet the expectations of the public.”

COLUMN COMMERCIAL REAL ESTATE BROKERAGE

Because the public expects more from a broker: "Nowadays, a client wants more than a salesman; he wants to do business with a professional who is fully equipped and able to answer his questions." In concrete terms, this means that in addition to having a good market knowledge, the broker, based on his area of activity, should be able to analyze the sale of a property, including the due diligence steps, especially with regards to environment, certificate of location, BOMA measurement standards, leases, financial statements, yield analysis, certification of certain buildings (Leed), site redevelopment projects, custom constructions, etc.

About all these skills, Mrs. Parent feels that "having a good toolbox is very useful during the negotiations, in addition to enabling the broker to keep pace with the profession."

THE MCEP, A PLUS

While continuing education is necessary, managing it within a program such as the MCEP is equally necessary. "The MCEP gives an added value to our profession, by guaranteeing more consistent quality assurance within the profession. In any event," she adds, "many already attend trainings that are not accredited. With the MCEP, they can have them recognized!"

Mrs. Parent also notes that while being better qualified is useful, letting people know is just as important. Now, all training activities completed will appear in each broker's record, says she. "The MCEP sends a clear message to all that our professionals are acquiring all the tools they need to meet their needs."

This veteran commercial real estate broker also salutes the flexibility of the MCEP, which includes Core Content (legal and regulatory basics), as well as Specialized Content (focusing on practical knowledge and skills). Thanks to the latter category, says Mrs. Parent, commercial brokers will be able to attend training activities that are truly relevant to their reality in the field.

She believes that "by having more choices and training providers that offer activities tailored to their needs, our brokers will be more motivated to get trained."

"Brokers constantly have to reinvent themselves, because the market is changing." Now this will be easier to do, because everyone will have to receive training under the MCEP," concludes Mrs. Parent.

FOR MORE CONTENT:

- See the [MCEP dossier](#) in this issue;
- Visit the [MCEP page](#) in *Synbad*;
- Visit the [FAQ on the MCEP](#).

Comments, information, suggestions?
Write to use at info@oaciq.com.

COMING SOON

These are the continuing education activities scheduled until June. [See the Calendar of trainings](#) in *Synbad* for dates.

CORE CONTENT

Continuing education webinars

- La tenue des dossiers et registres – 3 UFC
 - *The keeping of records and registers* – 3 CEUs
 - Le certificat de localisation – 6 UFC
 - *The certificate of location* – 6 CEUs
-

SPECIALIZED CONTENT

Continuing education webinars

- La production intérieure de drogues – 3 UFC
 - *The indoor production of drugs* – 3 CEUs
-

ONLINE EDUCATION ACTIVITIES

- Médias sociaux: Évitez de naviguer en eaux troubles – 1 UFC
- *Social media: Avoid navigating through rough waters* – 1 CEU
- La gestion électronique des documents – 1 UFC
- *Electronic document management* – 1 CEU
- Training on *Synbad* – 1 CEU



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- le Directeur général des élections du Québec;
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- la Régie des rentes du Québec;
- Revenu Québec;
- la Société de l'assurance automobile du Québec.

This can also be done by calling the toll-free number 1-877-644-4545, or by dialling 514-644-4545 for Montreal and 418-644-4545 for Québec City area.





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PROFESSION BROKER?

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