

**FORM TO BE COMPLETED IN CASE OF CONVICTION****Penal 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 an offence or criminal act, or pleaded guilty to such an offence or act.

Under the *Real Estate Brokerage Act*, CQLR, 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 brokerage activities, the Committee may decide to impose one of the measures provided for by law, when public protection warrants.

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 licence application will not be processed, or where applicable, following information update, 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.

IT IS IMPORTANT TO COMPLETE THE FORM LEGIBLY. Should your file be submitted to the Licence Issue and Maintenance Committee, the latter will review all the documents, including the answers provided on this form, which constitute observations.

Note that you will be informed of the date on which your file will be examined by the Licence Issue and Maintenance Committee, and you will have the opportunity to submit your remarks.

SECTION I – IDENTIFICATION

Mr. Mrs.

File or Licence Number:

Name:

<input type="text"/>	<input type="text"/>
LAST NAME	FIRST NAME

Address:

<input type="text"/>	<input type="text"/>	<input type="text"/>
NUMBER	STREET	APARTEMENT

<input type="text"/>	<input type="text"/>	<input type="text"/>
MUNICIPALITY	PROVINCE	POSTAL CODE

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
AREA CODE	HOME PHONE NUMBER	AREA CODE	CELL. PHONE NUMBER

SECTION II – DECLARATIONS

1. Details of your conviction:

Court file number:

Date of the offence:

<input type="text"/>	<input type="text"/>	<input type="text"/>
DAY	MONTH	YEAR

SECTION II – DECLARATIONS (continued)

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

[Redacted area for question 2]

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 N/A

5. In your opinion, is this offence or criminal act related to real estate brokerage activities?

Yes No *If not, please explain why this offence or criminal act is not related to real estate brokerage activities.*

[Redacted area for question 5]

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

[Redacted area for question 6]

7. Since the commission of this offence or criminal act, have you taken any steps to rehabilitate yourself?

Yes No *If yes, which ones? If not, why?*

[Redacted area for question 7]

8. Were you performing your work at the time of the offence?

Yes No

9. 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

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

Yes No N/A

11. 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"):

is being reviewed has been refused has been accepted 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.

12. 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.*

[Redacted area for question 12]

SECTION II – DECLARATIONS (continued)

IF YOU ARE A FORMER HOLDER OF A CERTIFICATE ISSUED BY THE ACAIQ OR A LICENCE BY THE OACIQ. PLEASE ANSWER QUESTIONS 13 TO 16 IF YOU HAVE PLEADED GUILTY TO OR BEEN FOUND GUILTY OF A CRIMINAL ACT.

CHECK THIS BOX if you HAVE NEVER HELD a certificate issued by the ACAIQ or a licence by the OACIQ.

13. 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
14. Have you ever been the subject of a disciplinary complaint before the ACAIQ or OACIQ Discipline Committee concerning this act?
Yes No
15. Have you ever been the subject of a decision of the ACAIQ Board of Directors regarding this act?
Yes No
16. 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
17. If you are already the holder of a licence issued by the OACIQ, section 10 of the *Regulation respecting 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 inform the OACIQ immediately?

SECTION III – CONSENT, DECLARATION AND SIGNATURE

! CONSENT TO THE COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

The OACIQ protects the privacy of information it collects in accordance with the applicable legislation and its personal information governance policies. The OACIQ collects your personal information via this form. This personal information is necessary; it is required by the *Real Estate Brokerage Act* (CQLR, c. C-73.2) and its regulations for the issuance of OACIQ licences. This information will be used for the following purposes:

- Verification of your identity.
- Processing of your application for OACIQ licence issuance or maintenance to ensure that your application meets the conditions set forth in the regulations.
- Criminal record check.
- Keeping of the OACIQ Register of licence holders.

Where applicable, your personal information may be used to oversee your practice by OACIQ staff members or committee members whose duties so require.

To check your criminal record, the OACIQ may disclose your personal information to private companies specialized in background checks.

In some cases prescribed by law, your personal information may be used for purposes other than those described above or disclosed to third parties without your consent.

Right of access and correction

Subject to certain reservations, the law authorizes you to access your personal information. You may request corrections to your personal information held by the OACIQ if it is inaccurate, incomplete or equivocal, or if the collection, release or keeping of the information is not authorized by law.

Consequences of refusal

This collection of your personal information is necessary to process your OACIQ licence issuance application. In the event that you withdraw your consent to the collection, use or disclosure of your personal information, the OACIQ will not be able to receive or process your application.

Consent

I CONFIRM that I have read and understood the information regarding the collection, use and disclosure of my personal information.
I consent to the collection, use and disclosure of my personal information.

I DECLARE that all the information contained in this form is accurate and I understand that any misrepresentation will result in the revocation of my licence. I authorize third parties to disclose to the OACIQ, and to any person it may mandate, personal information regarding my criminal record. **I undertake to notify the OACIQ immediately of any change to this information.**

X

SIGNATURE

Date :

DAY	MONTH	YEAR			

**Please sign the form AFTER
completing ALL the sections.**

Organisme d'autoréglementation du courtage immobilier du Québec

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