

This document is to serve as a reminder for brokers about the documents that must be included in each record. **It is not an exhaustive list.** Other documents may need to be included in brokerage contract or transaction record, depending on the particulars of the transaction itself.

**Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies**

- Art. 1: *A broker or agency must keep and maintain the registers and records prescribed by this Chapter. Where a broker acts for an agency, the obligations related to the keeping of registers and records are delegated to the agency. The broker must send all the information required for that purpose to the agency without delay.*
- Art. 11: *The record for a brokerage contract contains:*
- 1° *the brokerage contract;*
  - 2° *any document currently or previously used in the performance of the contract, including any document used to demonstrate the accuracy of the information provided; and;*
  - 3° *the content of the record provided for in section 13, where applicable.*
- Art. 13: *The record for a transaction contains the transaction proposal accepted and any other document used to complete the transaction.*

**Regulation respecting brokerage requirements, professional conduct of brokers and advertising**

- Art. 5: *A licence holder must verify, in accordance with generally accepted practice, all information provided to the public or to another holder, and be able at all times to prove the accuracy of the information.*

NAME OF BROKER: \_\_\_\_\_

FILE NO. OR ADDRESS: \_\_\_\_\_

NOTICE GIVEN TO THE BROKER ON \_\_\_\_\_ REMINDER(S), ON \_\_\_\_\_

**TO THE BROKER: Please send without delay or before \_\_\_\_\_, the following documents:**

**SALE – INDUSTRIAL BUILDING – SHOPPING CENTRE – INCOME PROPERTY**

- Content of brokerage contract record, if appropriate
- Proof of identity verification
- Company resolution authorizing the signatory to act
- Registration in the *Registraire des entreprises*
- Document used to describe the immovable (description sheet)
- Transaction proposal
- Due diligence
- Refused transaction proposals
- Any other document pertaining to the transaction, including any correspondence (e.g. invoicing, copy of compensation cheque to broker or agency, confidentiality agreement, etc.)
- Deposit in-trust:
  - Copy of in-trust deposit cheque
  - Copy of receipt issued to depositor for any sum received in trust
  - Copy of the cheque, bill of exchange or transfer slip used for a withdrawal from the trust account
- Disclosure of remuneration agreement or sharing
- Other: \_\_\_\_\_

**SALE OF AN ENTERPRISE**

- Content of brokerage contract record, if appropriate
- Proof of identity verification
- Registration in the *Registraire des entreprises*
- Company resolution (if the seller is a company)
- Transaction proposal
- Document used to describe the immovable (description sheet)
- Any other document pertaining to the transaction, including any correspondence (e.g. invoicing, copy of compensation cheque to broker or agency, confidentiality agreement, etc.)
- Deposit in-trust:
  - Copy of in-trust deposit cheque
  - Copy of receipt issued to depositor for any sum received in trust
  - Copy of the cheque, bill of exchange or transfer slip used for a withdrawal from the trust account
- Disclosure of remuneration agreement or sharing
- Other: \_\_\_\_\_

**LEASING – OFFICE, INDUSTRIAL OR COMMERCIAL BUILDING**

- Content of brokerage contract record, if appropriate
- Proof of identity verification
- Registration in the *Registraire des entreprises*
- Company resolution
- Lease agreement
- Offer to lease, with lease
- Any other document pertaining to the transaction, including any correspondence (e.g. invoicing, copy of compensation cheque to broker or agency, confidentiality agreement, etc.)
- Deposit in-trust:
  - Copy of in-trust deposit cheque
  - Copy of receipt issued to depositor for any sum received in trust
  - Copy of the cheque, bill of exchange or transfer slip used for a withdrawal from the trust account
- Written proof that all conditions of the fiduciary clause have been met (justify deposit paid to lessor)
- Disclosure of remuneration agreement or sharing
- Other: \_\_\_\_\_

**MANAGER (Income and commercial property)**

- Content of brokerage contract record
- Copy of offer to lease
- Leases
- Invoicing, leasing portion
- Any other document pertaining to the transaction, including any correspondence (e.g. copy of compensation cheque to broker or agency, credit investigation, etc.)
- Other: \_\_\_\_\_

Requested by: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE:** All the documents that the broker has in his possession, to which he has had to refer or that support the accuracy of the verbal or written information that he shared, must be included in the broker's records.