



THE MANITOBA  
SECURITIES  
COMMISSION

# THE REAL ESTATE BROKERS ACT

## Application for Registration As Real Estate Broker

Before completing this form, please refer to the instructions on Page 4. If space is not sufficient, attach a separate sheet and cross-reference to the appropriate question. All such attachments **must be signed by the person completing this application.** Under *The Real Estate Brokers Act*, if the applicant is a corporation, the **corporation** is the broker; if the applicant is a proprietorship, the **proprietor** (owner of the business) is the broker; if the applicant is a partnership, the **partnership** is the broker.

Check the box that describes the Applicant:

- Individual (proprietorship)       Limited partnership
- Corporation       Other (specify) \_\_\_\_\_
- Partnership

To The Registrar  
The Real Estate Brokers Act

### THE APPLICANT MAKES THE FOLLOWING STATEMENTS OF FACT FOR THE PURPOSE OF OBTAINING REGISTRATION AS A BROKER:

1. Name of applicant: \_\_\_\_\_
2. Business Name (if none, state "None") \_\_\_\_\_  
(Business or Trade name under which the applicant will carry on business)
3. Address for service: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(Mailing address: civic address or post office box #) (city/town) (prov.) (postal code)
4. a) Business address: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(Principal place of business in Manitoba) (city/town) (prov.) (postal code)
- b) Business office telephone no. : \_\_\_\_\_ Fax no.: \_\_\_\_\_
- c) Name of authorized official in charge of this office: \_\_\_\_\_
- d) Name of applicant's "Manitoba representative": \_\_\_\_\_  
(This question does not have to be answered if the applicant will have only one authorized official.)

5. Information about trust accounts:

The applicant maintains accounts, including a trust account, at the following financial institution:

Name of financial institution: \_\_\_\_\_

Address: \_\_\_\_\_

(a) Trust Account Nos. (including Bank Transit No.) on which the broker has directed the interest to be paid to *The Manitoba Securities Commission* pursuant to section 26(1.2) of *The Real Estate Brokers Act*. \_\_\_\_\_

(b) Trust Account Nos. (including Bank Transit No.) on which interest will be paid to *property owners* pursuant to written direction from them pursuant to section 26(1.4) of *The Real Estate Brokers Act*. \_\_\_\_\_

NOTE: A BROKER SHALL NOT MOVE ANY TRUST ACCOUNT (S) OR OPEN UP A NEW TRUST ACCOUNT AT ANY OTHER BANK OR BRANCH WITHOUT GIVING PRIOR NOTICE IN WRITING TO THE REGISTRAR (SUBSECTION 3(2) M.R. 57/88).

6. The financial year-end of the applicant is \_\_\_\_\_

7. The applicant is applying for registration of the following branch offices (if none, state "None")

BRANCH ADDRESS	NAME OF AUTHORIZED OFFICIAL IN CHARGE OF THIS BRANCH OFFICE

8. Provide the following information for each proposed authorized official of the applicant. Each authorized official or the proprietor MUST complete Form RAO/RS (Rev.99)

FULL LEGAL NAME	RESIDENTIAL ADDRESS	OFFICIAL POSITION

9. Where the Applicant is a CORPORATION:

(a) Provide the following information for each OFFICER and/or DIRECTOR.

FULL NAME	RESIDENTIAL ADDRESS	OFFICIAL POSITION	OCCUPATION OR PRINCIPAL BUSINESS

(b) Provide the following information for each SHAREHOLDER. (This information not required for publicly-traded companies.)

FULL NAME	RESIDENTIAL ADDRESS	% OF SHARES OWNED	OCCUPATION OR PRINCIPAL BUSINESS

(c) Attach the documents regarding incorporation referred to in the instructions to question 1 on Page 4.

(d) If the Applicant is a subsidiary of another corporation, give the full name and office address of the parent corporation in which the ultimate control of the applicant is vested. \_\_\_\_\_

10. Where the applicant is a PARTNERSHIP.

(a) Provide the following information for each INDIVIDUAL PARTNER (if a partnership of individuals); or

FULL NAME	RESIDENTIAL ADDRESS	% SHARE OF OWNERSHIP	OCCUPATION OR PRINCIPAL BUSINESS

(b) Provide the following information for each PARTNER which is a CORPORATION.

FULL NAME OF CORPORATION	ADDRESS OF HEAD OFFICE	% SHARE OF OWNERSHIP	NAMES OF SHAREHOLDERS	% OWNED

11. Provide full particulars if business structure is other than 10 (a) or (b) (e.g. a limited partnership). \_\_\_\_\_

12. Answer either (a) or (b) of this question.

- (a) The applicant is a member of The Manitoba Real Estate Association (“MREA”) and is filing with this application *Certificate of Membership No.* \_\_\_\_\_
- (b) The applicant is filing *Surety Bond No.* \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ issued by \_\_\_\_\_ . The amount of bonding required by the applicant has been determined as follows: \_\_\_\_\_

13. Does the Applicant or any partner, officer or director of the Applicant have or intend to have a financial interest in any other real estate brokerage business carried on under any other name in Manitoba or in any other province, state or country? (If “yes” give full particulars.)  
 Yes \_\_\_\_\_ No \_\_\_\_\_

14. Is the Applicant, or to the best of the Applicant’s information and belief, is any officer, director or affiliate of the Applicant, now, or has any such individual or company ever been:

- (a) registered or licensed in any capacity in any province, state or country that required registration to engage in trades or transactions in real estate? \_\_\_\_\_
- (b) registered or licensed in any province, state or country under any legislation that required registration or licensing to deal with the public in any capacity? (State whether insurance, mortgage broker or dealer, securities dealer, etc.) \_\_\_\_\_
- (c) refused registration or a license mentioned in 14 (a) or (b), or has any registration or license been suspended or cancelled? \_\_\_\_\_

15. **PLEASE NOTE:** The questions in this section refer to all laws, e.g. criminal, immigration, customs, income tax, or the corporation laws of any province, state or country in any part of the world. If the answer to any of these questions is “yes,” give a full explanation on a separate sheet and attach hereto.

Has the applicant, or to the best of the applicant’s information and belief has any officer, director or affiliate of the applicant:

- (a) ever been charged, indicted or convicted under the law of any province, state or country? Yes \_\_\_\_\_ No \_\_\_\_\_
  - (b) ever been the defendant or respondent in any civil court in any jurisdiction in any part of the world wherein fraud was alleged? Yes \_\_\_\_\_ No \_\_\_\_\_
  - (c) at any time declared bankruptcy or made a voluntary assignment in bankruptcy? (If the applicant is an undischarged bankrupt, please attach a copy of the Statement of Affairs filed with the Trustee in Bankruptcy. If a discharge from the bankruptcy has been obtained, attach a copy of the *Order of Discharge*. Yes \_\_\_\_\_ No \_\_\_\_\_
  - (d) ever been refused a fidelity or surety bond? Yes \_\_\_\_\_ No \_\_\_\_\_
  - (e) ever been refused membership in The Canadian Real Estate Association or any of its affiliates or any local Real Estate Boards in any province, or has such membership ever been suspended, or was the applicant or any officer, director or affiliate of the applicant ever been the subject of disciplinary action commenced by such an association? Yes \_\_\_\_\_ No \_\_\_\_\_
- If “yes,” give full particulars \_\_\_\_\_

I hereby certify that the foregoing statements are true and correct.

SIGNED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Witness or Company Seal

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
State official status, e.g., proprietor, partner,  
authorized official, president, vice-president,  
treasurer, secretary, etc.

### WARNING

It is a serious offense to make a false statement in any application submitted to the Registrar under *The Real Estate Brokers Act*.

### INSTRUCTIONS FOR COMPLETING THIS FORM

**Question 1:** A company or partnership applying as a broker must attach a copy of the constating documents, i.e. Articles of Incorporation or Partnership agreement. If the company was incorporated more than one year ago, the applicant must also attach a certificate from the Corporations Branch confirming that its registration as a corporation is in good standing in Manitoba.

**Question 2:** If the applicant proposes using a business name other than its own, that business name must be stated in this question and proof of registration of the business name under The Business Names Registration Act must be attached.

**Question 3:** *Address for Service* is the Applicant's mailing address referred to in subsection 3(2) of *The Real Estate Brokers Act*.

**Question 4(a):** *Business Address* means the applicant's principal place of business in Manitoba. Please note that a broker may not operate out of the same office as another real estate broker or a lawyer without the Registrar's written permission.

**Question 4(d):** The "*Manitoba Representative*" must be an authorized official with the authority to represent the applicant in all matters pertaining to the Registrar and The Manitoba Securities Commission.

**Question 5:** Attach a completed *Letter of Direction* (form supplied by the Registrar) for each trust account on which interest is payable to The Manitoba Securities Commission.

**Question 6:** The financial year must fall on the last day of a calendar month. If at any time the year-end is changed, the Registrar must be advised in writing immediately of the new year-end.

**Question 7:** A branch office is an office other than the broker's principal place of business that is used on a regular basis for the purpose of engaging in real estate trades or transactions. An authorized official may be appointed to be in charge of only one office unless otherwise permitted by The Manitoba Securities Commission.

**Question 12:** The *Certificate of Membership or Surety Bond* (as applicable) must be written in the full legal name of the applicant including any business name.