

BRANCH OFFICE REGISTRATION

The Real Estate Brokers Act (the “Act”) defines a “branch office” as an office, other than the principal place of business of a broker, that is used on a regular basis by the broker, or by an authorized official or salesperson employed by the broker, as an office for the purpose of engaging in trades or transactions. Subsection 3(7) of the Act states that no broker shall operate a branch office unless the office is registered under the Act.

Generally, an office that is utilized on a regular basis by a registrant for the purpose of engaging in trades or transactions must be registered.

Certain locations may not require registration if the public is not invited into the location. These could include a salesperson’s home or a commercial location that is not advertised or held out to the public as a broker’s branch office. Locations such as mall kiosks and public open houses are not required to be registered unless they are being used on a regular basis as an office where the public is invited to negotiate transactions or write offers. The Securities Commission does not require registration of a builder’s display home manned by a registrant if the display home is for sale or is a temporary location.

Registrants are encouraged to contact the Commission if there are any questions as to whether a particular location should be registered.

When applying for registration of a branch office, the broker must provide the Registrar with the address of the office and the name of the authorized official in charge.

Subsection 3(9) of the Act states that an authorized official may not be appointed to be in charge of more than one office. The Commission may allow an authorized official to be in charge of more than one office if the broker is able to satisfy the Commission that in the circumstances the authorized official will be able to provide adequate supervision to a second or additional branch office. Each case will be considered on its own merits.

When applying to the Commission for permission to appoint an authorized official in charge of more than one office, the broker must explain the circumstances and procedures designed to ensure supervision of the second or additional office.

If the exemption is allowed, the business cards of the authorized official appointed to be in charge of the offices should include the addresses and telephone numbers of the offices for which he/she is responsible so that clients and customers are aware of the offices for which the individual is responsible.

The fees are:

For registration of a branch office	\$75
For an application requesting an authorized official to be permitted to be in charge of more than one office	\$150