

MAY 29, 1997

TO ALL REGISTERED REAL ESTATE BROKERS, AUTHORIZED
OFFICIALS AND SALESPERSONS



SIGNING DOCUMENTS ON BEHALF OF CLIENTS

Recently The Manitoba Securities Commission encountered several instances where registrants signed documents on behalf of clients in an improper or unauthorized manner.

Clearly there could be cases, although rarely, where it may be necessary and permissible for a registrant to sign on behalf of another person. For this to be done properly, there are some factors to take into account:

- 1. The registrant must have the other person's permission to sign on their behalf. This is best done by obtaining written authorization to that effect, including a description of the type of document(s) which the registrant may sign;*
- 2. The signature of the agent must be affixed in such a way so as to clearly show that you are signing on behalf of someone else; it may be a criminal offence to do otherwise.*

Clearly, if authorized by the client it is appropriate for an agent to sign on behalf of the client by stating, after or below the signature, that you are signing "On behalf (name of the other person)", or "As agent for (name of the other person)".

Registrants should be aware that it is seriously wrong, and never appropriate, to sign another person's name, even if the other person agrees ahead of time.

The Commission is warning all registrants that anyone who violates these rules will be dealt with harshly.

The Commission is requesting that brokers provide a copy of this notice to their registered employees.

J. W. Storsley
Registrar
The Real Estate Brokers Act

Law

Real Estate Division