

THE REAL ESTATE SERVICES ACT

Application to Register a Brokerage



Brokerage Registration Category (select the box that applies)

☐ Real Estate ☐ Property Management ☐ Private Sales ☐ Restricted

Before completing this form, please refer to the instructions on the last page. If an explanation is required for any question and 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 Services Act*, if the applicant is a corporation, the **corporation** is the brokerage; if the applicant is a proprietorship, the **proprietor** (owner of the business) is the brokerage; if the applicant is a partnership, the **partnership** is the brokerage.

Check the box that describes the Brokerage:

Individual (proprietorship) ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐

Other (specify) _____

TO THE REGISTRAR OF THE REAL ESTATE SERVICES ACT

THE MANAGING REGISTRANT MAKES THE FOLLOWING STATEMENTS OF FACT IN CONNECTION WITH THIS APPLICATION TO REGISTER A BROKERAGE:

Brokerage Information	
1. Name of Brokerage	
2. Business Name (business or trade name under which the brokerage carries on business - if none, state None)	
3. (a) Business Address – include street number and name, and/or suite number	
(b) City or Town & Province	(c) Postal Code
(d) Business phone number (include area code)	(e) Fax number (include area code)
4. (a) Address for Service (this is the address that legal documents will be mailed and/or delivered to; must be in Manitoba)	
(b) City or Town & Province	(c) Postal Code
5. Email address	
6. Name of Broker or Property Management Manager	
7. The financial year-end of the brokerage is	
8. The Brokerage is applying to register the following branch offices (this does not include the main office - if none, state None)	
BRANCH ADDRESS (provide full address including city or town, province and postal code)	NAME OF ASSOCIATE BROKER OR PROPERTY MANAGEMENT SUPERVISOR IN CHARGE OF THIS BRANCH OFFICE

9. Provide the following information for each proposed broker, associate broker, property management manager or property management supervisor, of the Brokerage. Brokers, associate brokers, property management managers or property management supervisors **MUST** each complete an Application to Register form, in their appropriate category.

FULL LEGAL NAME	FULL RESIDENTIAL ADDRESS	REGISTRATION CATEGORY APPLIED FOR

Trust Account Information

10. The brokerage maintains accounts, including a trust account, at the following financial institution (FI)

(a) Trust Account Nos. on which the brokerage has directed the interest to be paid to The Manitoba Securities Commission pursuant to subsection 40(1) of *The Real Estate Services Act*.

Name of financial institution		
Address of financial institution (provide full address including city or town and province)		
FI Transit No. (5 digits)	FI No. (3 digits)	Trust Account No.

(b) Trust Account Nos. on which interest will be paid to property owners pursuant to written direction from them pursuant to subsection 41(1) of *The Real Estate Services Act*.

Name of financial institution		
Address of financial institution (provide full address including city or town and province)		
FI Transit No. (5 digits)	FI No. (3 digits)	Trust Account No.

11. Bank accounts belonging to property management clients through which the brokerage directs financial transactions pursuant to section 5.8 of the *Real Estate Services Regulation 84/2021*.

Name of financial institution		
Address of financial institution (provide full address including city or town and province)		
Name of client on account		
FI Transit No. (5 digits)	FI No. (3 digits)	Trust Account No.

USE ADDITIONAL PAGES IF NECESSARY

A BROKERAGE MUST ADVISE THE REGISTRAR IN WRITING, WITHIN 14 DAYS OF OPENING, MOVING OR CLOSING A TRUST ACCOUNT (SECTION 5.4 REAL ESTATE SERVICES REGULATION 84/2021).

Brokerage Structure Information

12. Where the Brokerage is a CORPORATION:

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

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

(c) Attach documents regarding incorporation referred to in the instructions for completing this application found on the last page of the form.

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

13. Where the Brokerage is a PARTNERSHIP.

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

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

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

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

14. Provide full particulars if business structure is other than 12 or 13 (e.g. a limited partnership).

--

Bond or Security Information

15. A Brokerage applying for registration must have either (a) or (b), complete the question that applies.

(a) Manitoba Real Estate Association ("MREA") *Certificate of Membership No.*

(b) *Surety Bond No.* _____ in the amount of \$ _____
issued by _____.

The amount of bonding required by the brokerage has been determined as follows

(for more information see the instructions for completing this application on the last page of the form):

Other Financial Interests

16. Does the Brokerage or any partner, officer or director of the Brokerage have or intend to have a financial interest in any other brokerage business (e.g. real estate brokerage, property management brokerage) carried on under any other name in Manitoba or in any other province, state or country?

Yes

No

If yes, give a full explanation below or on an attached sheet. If using an attached sheet, cross-reference the explanation to the appropriate question number.

Registration/Licensing Information

17. Is the Brokerage, or to the best of the managing registrant's knowledge and belief, is any officer, director or affiliate of the Brokerage, 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?

Yes

No

(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 other than to engage in trades or transactions in real estate? (State whether insurance, mortgage broker or mortgage administrator, securities dealer, etc.)

Yes

No

(c) refused registration or a license mentioned in 17 (a) or (b), or has any registration or license been suspended or canceled?

Yes

No

If the answer to any of these questions is yes, give a full explanation below or on an attached sheet. Cross-reference all explanations to the appropriate question number.

Personal Disclosure Information

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.

18. Has the Brokerage, or to the best of the managing registrant's knowledge and belief, has any officer, director or affiliate of the applicant:

(a) ever been charged or 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 has the Brokerage or any officer, director or affiliate of the Brokerage ever been the subject of disciplinary action commenced by such an association?

Yes

No

If the answer to any of these questions is yes, give a full explanation below or on an attached sheet. Cross-reference all explanations to the appropriate question number.

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

DATED at _____ this _____ day of _____ 20_____.

Witness Signature or Company Seal

Name of Brokerage

Print name of witness

Authorized Signature

Print name of individual authorized to sign

State official capacity - proprietor, broker or
property management manager

WARNING

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

INSTRUCTIONS FOR COMPLETING THIS FORM

Question 1: A company or partnership applying as a brokerage 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 brokerage 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 brokerage 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: Business Address means the brokerage's principal place of business in Manitoba. Please note that a brokerage may not operate out of the same office as another real estate brokerage or a lawyer without the Registrar's written permission.

Question 4: Address for Service is the brokerage's mailing address in Manitoba referred to in subsection 2.17(1) of Real Estate Services Regulation 84/2021.

Question 7: 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 8: A branch office is an office other than the brokerage's principal place of business that is used on a regular basis for the purpose of providing real estate services. A broker or property management manager may be appointed to be in charge of only one office unless otherwise permitted by the Registrar.

Question 10(a): 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 15: *The Certificate of Membership or Surety Bond* (as applicable) must be written in the full legal name of the brokerage including any business name. The amount of bonding a brokerage is required to obtain is set out in Sections 2.23(1) to 2.23(3) of the Real Estate Services Regulation.

General comments:

1. If there is not sufficient space on the application to answer any of the questions, please attach a separate sheet, appropriately cross-referenced to the relevant question. Any attached sheets must be signed and dated.
2. The appropriate fee **must** accompany this application to the Registrar's office. If payment is being made by cheque, it must be made payable to "Minister of Finance" and must not be post-dated. If payment is by credit card, complete the credit card payment form that can be obtained at mbrealestate.ca.

PLEASE NOTE: There is a charge-back fee for NSF cheques or any returned cheque (i.e. stop payment). In addition, if registration has already been issued, the registration may be suspended until the full registration fee, including the charge-back fee, has been paid either in cash, money order or certified cheque.