

Please complete all sections as indicated. Please print clearly.

PART A – APPLICANT INFORMATION			
Please indicate your full legal name			RECBC Use Only
Last name	First name	Middle name(s) <i>(Initials are not acceptable)</i>	
Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Any previous legal names(e.g. maiden name), or other names by which you are or have been known		Approval date
Residential address – Suite #/Street <i>(P.O. boxes are not acceptable)</i>			Approved by
City, Province		Postal Code	
Mailing address if different than above			BCSC/Ins/FIC
Phone number <i>(include area code)</i>	Email address		Cond/Restrictions

PART B – BACKGROUND INFORMATION	
Place of birth	Date of birth MM/DD/YYYY
Are you a Canadian citizen? If No, attach evidence of immigration or work visa status <input type="checkbox"/> Yes <input type="checkbox"/> No	
If you were born outside of Canada, indicate the date of your arrival in Canada	
If you resided outside of Canada for any period (other than as noted above), indicate the dates and locations (country and, if applicable, state, province or territory) of those periods of residency	
Are you currently employed? If yes, please indicate the name/address of employer <input type="checkbox"/> Yes <input type="checkbox"/> No	

PART C – INFORMATION RESPECTING REPUTATION AND SUITABILITY

<p>1. Have you ever been convicted of, or are you currently charged with, a criminal or other offence under a federal or provincial enactment, or under the law of any foreign jurisdiction?</p> <p><i>If yes, attach a copy of the offence, date of offence and outcome, even if an absolute or conditional discharge has been granted. Conviction(s) for which you have received a pardon need not be disclosed.</i></p> <p><i>Note: Highway traffic offences resulting only in monetary fines or demerit points, or both, and charges initiated by a violation ticket as defined in the Offence Act or by a ticket as defined in the Contraventions Act (Canada), need not be disclosed. Impaired driving is a Criminal Code offence and must be disclosed. A Notice of Driving Prohibition under section 215 of the Motor Vehicle Act need not be disclosed.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>2. Have you ever been, or are you currently the subject of a bankruptcy, insolvency or receivership proceeding? This includes:</p> <ul style="list-style-type: none"> • a bankruptcy order made against you (or an application for such an order), • an assignment in bankruptcy or a proposal under Part III of the <i>Bankruptcy and Insolvency Act</i>, or • an insolvency proceeding (including a receivership or an arrangement under the <i>Companies' Creditors Arrangement Act</i>) <p><i>If yes, attach full particulars. For a list of required documents, please see www.recbc.ca/licensee/education-licensing-faq.html</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>3. Has any business of which you have been, or are currently, an owner, director, officer or partner been subject to bankruptcy, insolvency or receivership proceedings during the period when you were an owner, director, officer or partner? This includes:</p> <ul style="list-style-type: none"> • a bankruptcy order made against the business (or an application for such an order), • an assignment in bankruptcy or a proposal under Part III of the <i>Bankruptcy and Insolvency Act</i>, or • an insolvency proceeding (including a receivership or an arrangement under the <i>Companies' Creditors Arrangement Act</i>) <p><i>If yes, attach full particulars. For a list of required documents, please see www.recbc.ca/licensee/education-licensing-faq.html</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>4. Have you ever had any court orders or judgments made against you in relation to real estate services, a dealing in insurance, mortgages or securities, or misappropriation, fraud or breach of trust?</p> <p><i>If yes, attach copy of court order or judgment.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>5. Has any business of which you have been an owner, director, officer or partner, had any court orders or judgments made against the business, during the period when you were owner, director, officer or partner, in relation to real estate services, a dealing in insurance, mortgages or securities, or misappropriation, fraud or breach of trust?</p> <p><i>If yes, attach copy of court order or judgment.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>6. Have you ever been refused a licence, or held a licence that was suspended or cancelled, under real estate, insurance, mortgage broker or securities legislation in British Columbia or another jurisdiction, or have you ever been disciplined by a professional body?</p> <p><i>If yes, provide full particulars including any action taken by the Real Estate Council of BC.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>7. Are you the subject of an investigation or disciplinary proceedings under real estate, insurance, mortgage broker or securities legislation, or by a professional body, in British Columbia or another jurisdiction?</p> <p><i>If yes, provide full particulars including any action taken by the Real Estate Council of BC.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

PART D – CONSENT AND CERTIFICATION

Consent for verification of criminal record check

If required by the Council to provide a criminal record check pursuant to section 4-4(1)(h) of the Council Bylaws, I hereby authorize the Council to verify the accuracy of the criminal record check with the appropriate authorities.

Any information the Council obtains through this consent will be used only to determine suitability for licensing under the Real Estate Services Act.

Certification

I certify that I am the applicant for pre-screening and that the information and statements contained in this application and any attachments are true and complete.

Name of applicant	Signature	Dated MM/DD/YYYY
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Mailing Address Real Estate Council of British Columbia 900-750 West Pender Street Vancouver, BC Canada V6C 2T8	Enquiries Tel: 604.683.9664 Toll-free: 1.877.683.9664 Fax: 604.683.9017 www.recbc.ca lic@recbc.ca
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Good Reputation Guidelines

Successful completion of the licensing course and examination is not the sole requirement for licensing. The *Real Estate Services Act*, Regulations and Rules also stipulate that applicants for a licence shall “be of good reputation.” For this reason, applicants are investigated. The investigation process generally takes eight to ten weeks.

Individuals who have some concern about whether or not they satisfy the requirement of being of “good reputation” should, *prior to registering for the licensing course*, submit an *Application for Pre-Screening* form together with the fee of \$100 to the Real Estate Council office (Cash, Visa, MasterCard, money order or cheque made payable to “Real Estate Council of BC”) as well as an original criminal record check. (Please see www.recbc.ca/licensing/recordcheck.htm for further information). An advance decision may thus be obtained as to the applicant’s suitability for licensing subject, of course, to passing the course and examination.

In the event that an applicant is found not to be suitable for licensing, the pre-screening fee of \$100 is fully refunded. If the applicant is found to be suitable for licensing but does not proceed with an application for licensing, a refund in the amount of \$75 is available.

If the applicant is found suitable for licensing and applies for a licence, an *Application for Representative, Associate or Managing Broker Licence* form along with the balance of the licensing fee, the errors and omissions insurance fee and the Real Estate Compensation Fund fee would be required prior to licensing.

Section 10(a) [*qualifications for obtaining a licence*] of the *Real Estate Services Act* states that every applicant for a licence shall, among other things, be of “good reputation.” General business and personal reputation, in addition to criminal convictions and charges under the Criminal Code of Canada, and contraventions of Federal Statutes such as *Income Tax Act*, or Provincial Statutes such as the *Real Estate Services Act*, *Securities Act*, *Insurance Act*, or *Mortgage Broker’s Act*, or whether an applicant has been disciplined by a professional body will be reviewed when considering an applicant’s “good reputation”.

The Council does not consider that personal bankruptcy necessarily reflects adversely on an applicant’s “good reputation” and accordingly, unless there is some evidence of other conduct which might render an applicant unfit, the Council will licence applicants as a representative or associate broker despite personal bankruptcy. Upon submission of an application for licence, the Council will require as an exhibit, a copy of the individual’s “*secured and unsecured creditors*” or a copy of his/her discharge from bankruptcy.

With respect to an individual applying for licensing as a managing broker, section 7-4 [*other trust account requirements*] of the Rules requires at least one related managing broker must be a signing authority on each trust account maintained by a brokerage. As a result, the Council performs a credit check with the appropriate credit bureau to ascertain whether an applicant is in “sound financial circumstances”.

If the credit report indicates that the applicant:

1. is an undischarged bankrupt;
2. has outstanding judgments against him/her; or
3. is in arrears on trade accounts

the managing broker/sole proprietor applicant will **not** be licensed.

It is standard procedure to require an original criminal record check in order to determine if the applicant has engaged in unlawful activities. It is incumbent upon applicants to ensure that all charges and convictions, including conditional discharges, are disclosed when applying for a licence. A criminal conviction will not necessarily be a bar to registration. Consideration is given as to the nature of the offence, the age of the applicant at the time the offence was committed, the length of the sentence, and whether the offence is related to the employment of the applicant as a representative, associate broker or managing broker. A continued history of convictions, charges, or other actions relating to the unlawful activity may result in the denial of a licence.

Section 10(d) of the *Real Estate Services Act* states that an applicant for a new licence or licence renewal must satisfy the Council that they meet the following applicable requirements:

- (d) *in all cases, the applicant has not*
- i. *been refused a licence under real estate, insurance, mortgage broker or securities legislation in British Columbia or another jurisdiction,*
 - ii. *held a licence that was suspended or cancelled under real estate, insurance, mortgage broker, or securities legislation in British Columbia or another jurisdiction,*
 - iii. *been disciplined by a professional body, or*
 - iv. *been convicted of an offence*

for a reason that reveals the applicant as unfit to be a licensee.

Factors that the Council will take into consideration to determine whether the applicant is unfit to be a licensee include:

1. Whether the conduct for which the applicant was disciplined or refused a licence in (i), (ii) or (iii) involved dishonesty, fraud, misappropriation or wrongful taking of funds, deceptive dealing, or any other conduct resulting in harm to the public.
2. Whether the offence the applicant was convicted of in (iv) relates to crimes of moral turpitude, crimes involving violence, or any other crime that could pose a risk to the public in a real estate transaction or bring the reputation of the profession into disrepute.

The Council may delay the consideration of applications from applicants with criminal convictions that render them unfit for licensing up to the following periods that have passed after convictions:

1. Summary Conviction Offences

For example: fraud under \$5,000, theft under \$5,000 (shoplifting), false pretences under \$5,000 and possession of stolen property under \$5,000.

The Council may not consider an application for a period of up to two years following completion of sentence parole and/or probation. These would include offences for which the applicant had received a fine, a suspended sentence and probation or a conditional discharge and probation.

2. Indictable Offences

For example: indictable offences such as possession of drugs for the purpose of trafficking and cultivation or manufacturing of drugs.

The Council may not consider applications from applicants for a period of up to three years following completion of sentence, parole and/or probation. These would include indictable offences for which the applicant received a sentence of imprisonment, a fine, a suspended sentence and probation, or a conditional discharge and probation.

For example: serious indictable offences such as robbery, theft over \$5,000, breaking and entering, possession of stolen property over \$5,000, false pretences over \$5,000, trafficking in drugs, conspiracy to traffic in drugs and serious sex offences.

The Council may not consider applications from applicants for a period of up to five years from the date of completion of sentence, parole and/or probation. These would include indictable offences, for which the applicant received a sentence of imprisonment, a fine, a suspended sentence and probation, or a conditional discharge and probation.

3. White Collar Crime

The crimes in this category include theft from employer, theft of large sums of money, serious fraud cases, embezzlement, criminal breach of trust, forgery, or any other business related crime, or a conviction for a crime where he or she was in a position of trust.

The Council may not consider applications from applicants for a period of up to seven years from the date of completion of sentence, parole and/or probation. These would include both summary and indictable offences for which the applicant received a sentence of imprisonment, a fine, a suspended sentence and probation or a conditional discharge and probation.

Waiting Period Factors

Factors that the Council may consider in determining whether an applicant will be required to wait a time period for the offences referred to above are as follows:

- a) Does the behaviour for which the charge is laid, if repeated pose any threat to the brokerage's ability to carry on its business safely and efficiently?
- b) What were the circumstances of the charge and the particulars of the offence involved, e.g. how old was the applicant when the events in question occurred and were there any extenuating circumstances?
- c) How much time has elapsed between the charge and the application for licensing?

- d) What has the applicant done during that period of time?
- e) Has the applicant shown any tendencies to repeat the kind of behaviour for which he/she was charged?
- f) Has the applicant shown a firm intention to rehabilitate him/herself?

4. Older and Lengthy Criminal Records

The crimes in this category are older and do not come within the above-mentioned guidelines. The following criteria may be considered in determining whether that applicant is of good reputation:

- a) How much time has elapsed since the last conviction?
- b) Whether the conviction is related to employment as a licensee (e.g. property crimes, sexual offences, theft, fraud, forgery, or any other crimes involving dishonesty).
- c) Whether the applicant is eligible to apply for a pardon (i.e. two years following a summary conviction offence and five years following an indictable offence).
- d) Is the applicant honest, trustworthy, and competent to transact the business of a real estate license in a manner, which will safeguard the interests of the public?
- e) Has the applicant rehabilitated himself or herself?

5. Disciplinary Proceedings Under Legislation Regulating Real Estate, Insurance, Mortgage Broker or Security Activities or by a Professional, Occupational or Self-regulatory Body

The Council may delay considering an application from an applicant until he or she has fulfilled any requirements of disciplinary sanction imposed under legislation regulating real estate, insurance, mortgage broker or security activities, or by any professional or occupational self-regulatory body. For the purpose of this guideline, '**discipline sanction**' includes a warning, reprimand, fine, educational requirement, suspension or cancellation, or any other sanction arising from a disciplinary matter.

Rehabilitation Factors

The following criteria may be considered to determine whether an applicant has fully rehabilitated himself or herself and is currently of good reputation and suitable to be licensed within the meaning of section 10 of the *Real Estate Services Act*:

- a) Restitution to any person who has suffered monetary losses as a result of the conduct in question.
- b) Successful completion or early discharge from probation or parole.
- c) Abstinence from the use of non-prescribed drugs or alcohol, which were used as the reason for the conduct in question.
- d) Stability of family life and fulfillment of parental and familial responsibilities subsequent to the conduct in question.
- e) Completion of or sustained enrollment in formal education or vocational training courses for economic self-improvement.
- f) Correction of business practices resulting in injury to others or potential to cause injury.
- g) Significant or conscientious involvement in community, religious congregation or privately sponsored programs designed to provide social benefits or ameliorate social problems.
- h) Change in attitude from that which existed at the time of the conduct in question as evidenced by any or all of the following:
 - testimony of applicant;
 - evidence from family members, friends, or other persons familiar with the applicant's previous conduct and with the subsequent attitudes and behaviour patterns;
 - evidence from probation or parole officers or law enforcement officials competent to testify as to the applicant's social adjustments;
 - evidence from psychiatrists or other persons competent to testify with regard to neuro-psychiatric or emotional disturbances.

Qualification Hearing

A Qualification Hearing under section 2-6 [*qualification hearings*] of the Rules may be required to determine an applicant's reputation and suitability for licensing. If the Council decides to licence the applicant after a hearing, the Council may impose conditions on the licence of the applicant including restricting the licence of the applicant to a particular brokerage and require an activity report of the applicant from his or her managing broker.

Please ensure that the police department or RCMP detachment completing the criminal record check is made aware of the following:

1. The criminal record check must provide search results for both convictions and charges before the courts. A certified criminal record check obtained via fingerprints is not required in most cases. However, if you have a conviction that is not detailed on the criminal record check, you may be required to obtain a more detailed check (see 'I have a criminal record,' section below).
2. This criminal record check is required for licensing purposes. A vulnerable sector search is not required.
3. If the criminal record check requires you to indicate who the information will be shared with, please specify "Lisa Kern, Senior Licensing Supervisor at the Real Estate Council of BC."

If you require additional information, please call the Council's licensing department, at 604-683-9664, or toll-free in BC at 1-877-683-9664.

Frequently Asked Questions

Am I required to provide a Criminal Record Check?

The Council requires that you obtain an original local criminal record check and submit it with your licence application if you are a:

- First-time licence applicant.
- Re-licence applicant (you have been unlicensed for more than 90 days after licence expiry).
- Reinstatement licence applicant (you have been unlicensed for more than 90 days within licence period).
- Director/officer or partner applicant who is not currently licensed or has not been licensed or registered as a director/officer or partner under *the Real Estate Services Act* in the last 90 days.
- Pre-screening applicant.

The Council may require a criminal record check from any licence applicant when the Council deems it appropriate.

How do I obtain a Criminal Record Check?

Your criminal record check must be completed by either the police department or RCMP detachment where you live, or by a division of the Canadian Corps of Commissionaires.

- Before you visit a police, RCMP, or Commissionaires office, contact them to confirm their hours of operation, fees, and the methods of payment accepted.
- Bring photo identification to verify your identity.
- Print this page and take it with you; it explains that you require a criminal record check for licensing purposes.
- If the criminal record check requires you to indicate who the information will be shared with, please specify "Lisa Kern, Senior Licensing Supervisor at the Real Estate Council of BC."
- If you are aware of a conviction, charge, or incident with the police on your record, obtain your criminal record check from your local RCMP or police department. Commissionaires will mark your criminal record check as "Rejected," which the Council cannot accept for licensing purposes.

What if I live outside of BC?

Criminal record checks must be from Canada unless otherwise requested or approved by the Council.

If you have lived in a country other than Canada for a significant period within five years of the date of your application, you may be required to provide a criminal record check from that country.

If you live in a province other than BC, follow the procedures outlined on this page with the municipal police agency or RCMP detachment in your community, or a division of Commissionaires. Contact the Council's office if you have questions about obtaining a criminal record check in your province.

When should the Criminal Record Check be completed?

Make sure your criminal record check is completed within **90 days** of the date the Council receives your application. If the criminal record check is more than 90 days old, you must have a new check completed.

Will the Council accept a copy of a Criminal Record Check?

No. The Council only accepts an original criminal record check. Do not send a photocopy. Send your application and the original criminal record check to the Council office in **one package** via mail or courier. Do not email or fax your application.

I have a criminal record. How do I obtain a Criminal Record Check to verify outstanding charges or convictions?

Depending on the RCMP or police department that completes your criminal record check, details of offence(s) may or may not be included. If your criminal record check indicates that you may have a criminal record (conviction) and does not contain detailed information regarding your offence(s), the Council also requires an **original Certified Criminal Record Check**. This differs from a local criminal record check and you must be fingerprinted in order to obtain it. You must submit both the local criminal record check and the Certified Criminal Record Check to the Council.

- Check with your local RCMP or police department well in advance of submitting your licence application, as the process may take some time. The Certified Criminal Record Check must be dated **within 90 days** of the date the Council receives your licence application.
- If the search indicates that you may have a current charge against you, in addition to the original criminal record check, you must also provide full details and include court documentation on your licence application form.
- If the search indicates a positive result, you must provide a written statement providing details of the offence or incident, including court documentation, if any.
- If you are aware of a conviction, charge, or incident with the police on your record, you must obtain your criminal record check from your local RCMP or police department. Commissionaires will mark your criminal record check as "Rejected," which the Council cannot accept for licensing purposes.

Note: Please use a separate form for each applicant. Partial payments will not be accepted.

Name of licensee
Name of brokerage

FEES AND RELATED ASSESSMENTS

Individual Fees

- | | | |
|----------------------------------|--|--|
| <input type="checkbox"/> \$1660 | | First time Licensing Application |
| <input type="checkbox"/> \$1330 | | Licensing Renewal Application |
| <input type="checkbox"/> \$1360 | | Late Renewal (unlicensed less than 90 days from licence expiry) |
| <input type="checkbox"/> \$1660 | | Re-licensing Application (unlicensed for more than 90 days from licence expiry) |
| <input type="checkbox"/> \$230 | | Licence Transfer or Reinstatement Application |
| <input type="checkbox"/> \$230 | | Personal Real Estate Corporation Transfer |
| <input type="checkbox"/> \$230 | | Change of Licence Level or Category |
| <input type="checkbox"/> \$30 | | Individual Name Change |
| <input type="checkbox"/> \$660 | <input type="checkbox"/> \$630 Renewal | Secondary Managing Broker Licence Application |
| <input type="checkbox"/> \$_____ | | Pro-rated licensing fee for Personal Real Estate Corporation (see www.recbc.ca for fees) |

Brokerage Fees

- | | | |
|---------------------------------|---|---------------------------------------|
| <input type="checkbox"/> \$1860 | <input type="checkbox"/> \$1330 Renewal | Licensing Application – Brokerage |
| <input type="checkbox"/> \$660 | <input type="checkbox"/> \$630 Renewal | Licensing Application – Branch Office |
| <input type="checkbox"/> \$230 | | Change of Licence Level or Category |
| <input type="checkbox"/> \$30 | | Name or Address Change |

Other Fees

- \$_____ (describe) _____

CREDIT CARD INFORMATION

Credit card #	Expiry date MM/YY	
Cardholder Name	Cardholder signature	Date MM/DD/YYYY

Note: Licence fees and Compensations Fund assessments are not refundable after licence issuance. If the licence is surrendered in the first year of the two year licensing period, a refund of the second year errors and omissions insurance premium is available. If an application is withdrawn for any reason prior to licence issuance, the application fee will not be refunded.

FOR OFFICE USE ONLY – PLEASE DO NOT WRITE IN THIS SECTION

Amount	Card Auth. #	Licence #
Rec. #	Date	

<p>Mailing Address Real Estate Council of British Columbia 900-750 West Pender Street Vancouver, BC Canada V6C 2T8</p>	<p>Enquiries Tel: 604.683.9664 Toll-free: 1.877.683.9664 Fax: 604.683.9017 www.recbc.ca lic@recbc.ca</p>
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