

Gouvernement du Québec

**O.C. 51-2000, 19 January 2000**

Professional Code  
(R.S.Q., c. C-26)

**Chartered appraisers  
— Terms and conditions for permits to be issued**

Regulation respecting terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du Québec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre des évaluateurs agréés du Québec may, by regulation, determine the other terms and conditions for issuing permits, specialist's certificates or special authorizations, in particular the obligation to serve the periods of professional training and to pass the professional examinations it determines;

WHEREAS under the same paragraph, the Bureau may also, by regulation, fix standards of equivalence applicable to the terms and conditions determined therein;

WHEREAS under that section, the Bureau made the Regulation respecting terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in the *Gazette officielle du Québec* of 17 March 1999 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation respecting terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *i*)

**DIVISION I  
GENERAL**

1. The administrative committee of the Ordre des évaluateurs agréés du Québec shall issue a permit to any person who:

(1) submits a permit application in writing to the administrative committee;

(2) provides an authentic copy of his birth certificate or proof that he was legally admitted to Canada to reside permanently;

(3) provides an attestation that he holds a diploma recognized by the Government under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26) as giving access to a permit issued by the Order or an attestation that the Bureau recognized an equivalence of diploma or training in accordance with subparagraph *g* of the first paragraph of section 86 of the Code;

(4) where applicable, provides the attestation prescribed in section 35 of the Charter of the French language (R.S.Q., c. C-11);

(5) has obtained a trainee's certificate and has successfully completed a training period in accordance with Division II or has an equivalence in accordance with Division VI;

(6) has taken, during the training period, the training course offered by the Order on the standards of professional practice and ethics or has an equivalence in accordance with Division VI;

(7) has passed the examination prescribed in Division V or has an equivalence in accordance with Division VI;

(8) has paid the fees for the issue of a permit.

2. The terms and conditions in paragraphs 5, 6 and 7 of section 1 shall be met within 5 years from the date on which the trainee's certificate was issued in accordance with section 5.

3. The fees required under this Regulation shall be fixed by the Bureau under paragraph 8 of section 86.0.1 of the Professional Code.

4. The admissions committee shall be formed by resolution of the Bureau under paragraph 2 of section 86.0.1 of the Professional Code. Unless otherwise provided, the committee is responsible for the application of this Regulation.

## **DIVISION II** **TRAINING PERIOD**

5. A person wishing to obtain a trainee's certificate for the purpose of beginning a training period shall:

(1) apply in writing to the admissions committee and attach the documents required under paragraph 2 of section 1 together with an attestation that he is enrolled in an educational establishment in a program of study leading to a diploma recognized by government regulation as giving access to a permit issued by the Order and that he has successfully completed at least 75 credits in that program, or the attestation required under paragraph 3 of section 1;

(2) indicate the name and address of his tutor and the period during which he will act as such;

(3) provide a recent passport size photograph;

(4) pay the prescribed fees.

6. The secretary of the admissions committee shall register a candidate who meets the requirements of section 5 and issue a trainee's certificate to him.

7. The objective of the training period is to allow the trainee to assimilate all the aspects of appraisal by putting into practice his theoretical knowledge and developing the skills inherent to the practice of the profession.

During his training period, the trainee shall be initiated, in particular, to data collection, building inspection, the study of the value of land, the use of the three methods of appraisal and reconciliation.

8. A training period shall last for a total of 48 weeks and may be carried out over one or several intervals, each lasting at least 4 weeks. Each week shall include at least 35 hours of work.

9. Each interval of the training period shall be carried out under the supervision of a chartered tutor in accordance with Division III.

10. A trainee who changes tutors shall give written notification to the secretary of the admissions committee as soon as possible.

## **DIVISION III** **TUTORS**

11. A member wishing to act as a tutor of a trainee shall apply in writing to the admissions committee.

The committee shall recognize as tutor of the trainee, a member who:

(1) practices the profession of chartered appraiser in an environment that is likely to offer the trainee the experience described in section 7;

(2) has been entered on the roll for the last 3 years;

(3) has not been required to complete a refresher training period in accordance with the Regulation respecting refresher training periods for chartered appraisers (R.R.Q., 1981, c. C-26, r. 97) within the 5 years preceding the starting date of the training period;

(4) has not received a disciplinary sanction from the committee on discipline or the Professions Tribunal within the 5 years preceding the date of the application;

(5) has paid all costs, fees or dues owed to the Order;

(6) acts as a tutor for less than 4 trainees at a time.

12. A member who is informed by the admissions committee that he does not satisfy the conditions to act as a tutor may apply to be heard by the committee if he submits a written application stating reasons within 30 days of the date the decision was mailed. The committee has 60 days from the receipt of the application to hear the member. Its decision is final and shall be forwarded in writing to the member within 30 days of the date of the hearing.

13. A tutor shall supervise, counsel and teach the trainee to comply with the professional standards generally recognized. He shall ensure that during the training period the trainee assumes responsibilities of increasing importance that will allow him to develop the skills inherent to the practice of the profession.

14. The administrative committee may revoke the recognition of a member as a tutor if the member is required to complete a refresher training period in accordance with the Regulation respecting refresher training periods for chartered appraisers (R.R.Q., 1981, c. C-26, r. 97) or receives a sanction from the committee on discipline or the Professions Tribunal.

15. A tutor shall allow his trainee to attend training courses offered by the Order as referred to in paragraph 6 of section 1.

#### **DIVISION IV** **EVALUATION OF THE TRAINING PERIOD**

**16.** A tutor shall prepare a written evaluation of each interval of the training period using the criteria mentioned in regard to the following five areas of learning:

(1) practical activities: aptitude for research, presentation of records and ability to solve appraisal problems;

(2) work organization: work planning and the application of methods, techniques, laws, regulations and standards of practice relating to appraisal;

(3) professional characteristics: aptitude for analysis, judgement, sense of responsibility, punctuality, attendance at work and the maintenance of a professional demeanor;

(4) communications: communication with the client and the drawing up of records and reports;

(5) personal characteristics: adaptability, self-control, capacity for self-evaluation and discretion.

**17.** For each area of learning, the tutor shall mark the trainee in accordance with the following scale:

excellent:	A (85 % to 100 %);
very good:	B (75 % to 84 %);
good:	C (65 % to 74 %);
poor:	D (55 % to 64 %);
insufficient:	E (54 % or less).

**18.** A tutor shall forward the evaluation to the secretary of the admissions committee within 15 days following the end of each interval of the training period.

He shall also, within the same deadline, give a copy to his trainee.

**19.** If a tutor refuses to or is incapable of producing the evaluation, the trainee may contact the admissions committee who shall take appropriate action.

**20.** A training period is successfully completed if the trainee obtains a mark of at least D in each area of learning in each interval and an average mark in all the areas of learning equal to or higher than C for the training period as a whole.

**21.** As soon as possible after the receipt of the evaluation of the final interval of the training period, the secretary of the admissions committee shall send the

trainee either an attestation of the successful completion of the training period or a notice of failure.

**22.** A trainee who fails his training period may apply to the admissions committee for a hearing. He shall submit a written application stating reasons to the secretary of the admissions committee within 30 days of the mailing of the notice of failure. The admissions committee shall hear the trainee within 60 days of the receipt of the application. The committee may then maintain or correct the marks given by the tutor or, if necessary, recommend training activities intended to allow the trainee to reach the objectives of the training period. The committee may also recommend that the trainee successfully completes another 6 month training period. The decision of the admissions committee is final and is sent in writing within 30 days of the date of the hearing.

#### **DIVISION V** **EXAMINATION**

**23.** The Order shall hold an annual entrance examination, before the second Sunday in October, which shall include an oral part and a written part.

**24.** The admissions committee is responsible for the conception, administration and correction of the examinations. To that effect, it may take on experts with the approval of the administrative committee. The admissions committee shall take appropriate measures to preserve the anonymity of the trainees during the correction of the examination.

**25.** A trainee may sit for the examination if he has:

(1) applied in accordance with section 26;

(2) satisfied the conditions provided for in paragraphs 3, 5 and 6 of section 1 at least 30 days before the date of the examination.

**26.** A trainee shall submit a written registration application together with the required attestations and examination fees to the admissions committee.

**27.** The examination shall evaluate the ability of the candidate to apply his knowledge and skills to solve appraisal problems in conformity with the laws, regulations and standards governing the practice of the profession. The examination shall deal with the following subjects: knowledge of the Professional Code and the regulations of the Order, standards of professional practice and the application of the methods and techniques of appraisal.

28. The trainee is marked according to the following scale:

- excellent: A (85 % to 100 %);
- very good: B (75 % to 84 %);
- good: C (65 % to 74 %);
- poor: D (55 % to 64 %);
- insufficient: E (54 % or less).

29. A trainee shall obtain at least a “C” in order to pass the examination.

30. In addition to not obtaining the required mark, the following also leads to failure of the examination:

(1) using or attempting to use books, documents, notes or objects other than those authorized for the examination;

(2) plagiarizing, attempting to plagiarize or assisting another in plagiarizing;

(3) preventing the orderly administration of the examination.

31. Within 60 days following the date of the examination, the admissions committee shall send to each trainee the results of their examination in writing.

32. A trainee who fails the examination for a reason other than those listed in paragraphs 1 to 3 of section 30 may submit a written application to the admissions committee for a review of his result. This application together with the required fee shall be submitted within 30 days from the date of the mailing of the examination result.

The admissions committee shall review the result within 90 days from the date of the mailing of that result.

The result obtained after review is final.

33. A trainee may, within 60 days from the date of the examination, consult his examination after having submitted a written application to the secretary of the admissions committee accompanied by the required fees.

The admissions committee shall destroy the examinations six months after the date of the examination.

34. Subject to section 2, a trainee who fails the examination may sit for the following examination.

## DIVISION VI

### STANDARDS OF EQUIVALENCE AND OTHER TERMS AND CONDITIONS FOR THE ISSUE OF PERMITS

35. A person shall be granted an equivalence of the terms and conditions prescribed in paragraphs 5, 6 and 7 of section 1 if he demonstrates that he possesses the practical knowledge and skills equivalent to those of a person having completed a training period, taken courses offered by the Order and passed the examination prescribed in this Regulation.

In order to evaluate the equivalence applied for, the following factors need to be taken into account:

(1) the nature and length of experience;

(2) the diplomas awarded in Québec or elsewhere;

(3) the nature, content, length and relevance of the courses taken in respect to the application for equivalence;

(4) the training periods and other continuing education or skill upgrading activities completed;

(5) the total number of years of schooling;

(6) relevant work experience;

(7) If the period of time elapsed between the date of the application, made under this Division, and the acquisition of the practical knowledge and skills relied upon to support it is more than 4 years, these skills and knowledge must correspond, taking into account the developments in the profession, to those of a trainee who successfully completes his training period and examination.

Should the assessment of the aforementioned factors present such difficulties that a judgement cannot be made on the level of knowledge of a person, this person may be called to an interview or required to write an examination or both.

36. For the purposes of this Division, a reference to the Regulation respecting standards of equivalence is a reference to the Regulation respecting the standards for a diploma or training equivalence for the issue of a permit by the Ordre des évaluateurs agréés du Québec approved by Order in Council 50-2000 dated 19 January 2000, as it reads at the time of its application.

A person satisfies the conditions of section 35 if he:

(1) has an equivalence of training under paragraph 1 of section 8 of the Regulation respecting standards of equivalence and, in accordance with the Act respecting municipal taxation (R.S.Q., c. F-2.1), has signed at least one real estate assessment roll of a municipality of Québec filed between 15 August and 1 November 1999 or already in force during this period;

(2) has an equivalence of training under paragraphs 2 and 3 of section 8 of the Regulation respecting standards of equivalence.

**37.** A person who shall be granted an equivalence of the conditions required under to paragraphs 5 and 6 of section 1 if he:

(1) has an equivalence of training under section 8 of the Regulation respecting standards of equivalence and has acquired at least 5 years of experience in the practice of municipal appraisal in Québec since 1990;

(2) has an equivalence of training under paragraph 1 of section 8 of the Regulation respecting standards of equivalence, has at least 2 years of relevant work experience and holds either of the following diplomas awarded less than 10 years before the date of receipt of the application for equivalence:

i. a collegial diploma in building assessment and appraisal techniques issued by an educational establishment in Québec;

ii. an undergraduate diploma issued by an educational establishment in a field closely related to appraisal such as architecture, urban planning, civil engineering or business administration.

(3) has an equivalence of training under paragraphs 4 and 5 of section 8 of the Regulation respecting standards of equivalence.

**38.** A person who wishes to be granted an equivalence of terms and conditions for the issue of a permit shall apply in writing according to the terms and conditions prescribed in Division III of the Regulation respecting standards of equivalence.

The provisions of this Division of the Regulation apply to the application, adapted as required.

## **DIVISION VII** **TRANSITIONAL**

**39.** Sections 1 to 34 do not apply to a person who holds a trainee's certificate on the day of the coming into force of this Regulation.

## **DIVISION VIII** **FINAL**

**40.** This Regulation replaces the Regulation respecting terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du Québec approved by Order in Council 797-92 dated 17 June 1992.

**41.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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