

## Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising

Real Estate Brokerage Act  
(chapter C-73.2, s.29.1, 1st par.)

An Act to give effect to fiscal measures announced in the Budget Speech delivered on 25 March 2021 and to certain other measures (2021, chapter 36)

**1.** The Regulation respecting brokerage requirements, professional conduct of brokers and advertising (chapter C-73.2, r.1) is amended by inserting the following after section 16:

“**16.1.** A licence holder is not required to send or deliver, in accordance with the second paragraph of section 29.1 of the Real Estate Brokerage Act (chapter C-73.2), a notice of the termination of a contract for the purchase or lease of an immovable in the following cases:

(1) there is no other licence holder whose establishment is situated within a 50-kilometre radius of the immovable for which the client of the licence holder intends to formulate a proposal with a view to purchasing, leasing or exchanging that immovable who may act as the client’s intermediary;

(2) the licence holder is an agency and the broker’s licence holder through whom the agency is acting under the contract relating to the sale, lease or exchange of the immovable is not the broker’s licence holder through whom that agency represents the client who intends to formulate a proposal with a view to purchasing, leasing or exchanging that immovable.”

**2.** Section 17 is amended by adding the following paragraph at the end:

“Where the licence holder is concerned by one of the cases provided for in section 16.1, the licence holder must without delay inform the client in writing and obtain, before the client formulates a proposal with a view to purchasing, leasing or exchanging the immovable, the client’s written consent to continue to represent the client. Failing that, the licence holder must terminate the contract.”

**3.** This Regulation comes into force on 10 June 2022.

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## M.O., 2022-08

Order C-73.2-2022-08 of the Minister of Finance dated 30 May 2022

Real Estate Brokerage Act  
(chapter C-73.2)

Determination of a brokerage contract to be evidenced on a mandatory form

CONSIDERING that section 129 of the Real Estate Brokerage Act (chapter C-73.2) provides that the Minister of Finance determines the brokerage contracts and other acts relating to brokerage transactions that must be evidenced on a mandatory form;

CONSIDERING that the first paragraph of section 129.1 of the Real Estate Brokerage Act provides that the Organisme d’autoréglementation du courtage immobilier du Québec prepares the mandatory forms for the contracts and other acts determined by the Minister of Finance under section 129 of the Act;

CONSIDERING that it is expedient to determine that the Non-exclusive brokerage contract – Sale – Chiefly residential immovable containing less than 5 dwellings excluding co-ownership be evidenced on a mandatory form prepared by the Organisme d’autoréglementation du courtage immobilier du Québec;

THEREFORE, the Minister of Finance determines that the Non-exclusive brokerage contract – Sale – Chiefly residential immovable containing less than 5 dwellings excluding co-ownership be evidenced on a mandatory form prepared by the Organisme d’autoréglementation du courtage immobilier du Québec.

Québec, 30 May 2022

ERIC GIRARD  
*Minister of Finance*

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