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## Ontario Highway Transport Board

Periodically, temporary applications are filed with the Board. Details of these applications can be made available at anytime to any interested parties by calling (416) 326-6732.

The following are applications for extra-provincial and public vehicle operating licenses filed under the Motor Vehicle Transport Act, 1987, and the Public Vehicles Act. All information pertaining to the applicant i.e. business plan, supporting evidence, etc. is on file at the Board and is available upon request.

Any interested person who has an economic interest in the outcome of these applications may serve and file an objection within 29 days of this publication. The objector shall:

1. complete a Notice of Objection Form,
2. serve the applicant with the objection,
3. file a copy of the objection and provide proof of service of the objection on the applicant with the Board,
4. pay the appropriate fee.

Serving and filing an objection may be effected by hand delivery, mail, courier or facsimile. Serving means the date received by a party and filing means the date received by the Board.

LES LIBELLÉS DES DEMANDES PUBLIÉES CI-DESSOUS SONT AUSSI DISPONIBLES EN FRANÇAIS SUR DEMANDE.

Pour obtenir de l'information en français, veuillez communiquer avec la Commission des transports routiers au 416-326-6732.

**2043060 Ontario Inc.** 46516  
(o/a "Symphony Limousine Services")  
1039 Fiddlers Green Road, Ancaster, ON L9G 3L1

Applies for an extra provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in the Regional Municipalities of Peel, Halton and Niagara, the County of Brant and the Cities of Hamilton and Toronto to the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdiction and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED THAT there shall be no pick up or discharge of passengers except at point of origin.

PROVIDED FURTHER THAT the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the Public Vehicles Act, RSO 1990, chapter P. 54.

Applies for a public vehicle operating licence as follows: 46516-A

For the transportation of passengers on a chartered trip from points in the Regional Municipalities of Peel, Halton and Niagara, the County of Brant and the Cities of Hamilton and Toronto.

PROVIDED that the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the Public Vehicles Act, RSO 1990, chapter P. 54.

**Golden Riders, Inc.** 46548  
26 Conant Rd., Quincy, Massachusetts 02171, USA

Applies for an extra-provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in the United States of America as authorized by the relevant jurisdiction from the Ontario/U.S.A., Ontario/Québec and Ontario/Manitoba border crossings:

1. to points in Ontario; and
2. in transit through Ontario to the Ontario/Manitoba, Ontario/Québec, and Ontario/U.S.A. border crossings for furtherance

and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED THAT there be no pick-up or discharge of passengers except at point of origin.

**Hamilton Limo Inc.** 45450  
113 Catherine St. S., Hamilton, ON L8N 2J5

Applies for an extra provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in the Regional Municipalities of York, Peel, Halton, Waterloo and

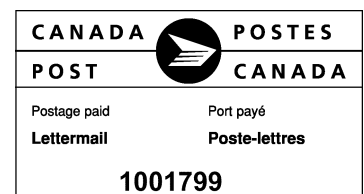
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Niagara, the Counties of Brant, Haldimand, Norfolk, Elgin, Wellington and Middlesex and the Cities of Hamilton and Toronto to the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdiction and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED THAT there shall be no pick up or discharge of passengers except at point of origin.

PROVIDED FURTHER THAT the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the Public Vehicles Act, RSO 1990, chapter P. 54.

Applies for a public vehicle operating licence as follows: **45450-A**

For the transportation of passengers on a chartered trip from points in the Regional Municipalities of York, Peel, Halton, Waterloo and Niagara, the Counties of Brant, Haldimand, Norfolk, Elgin, Wellington and Middlesex and the Cities of Hamilton and Toronto.

PROVIDED that the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the Public Vehicles Act, RSO 1990, chapter P. 54.

**Student Transportation of Canada Inc. 46549**  
**5159 Fountain St. N., Breslau, ON N0B 1M0**

Applies for a public vehicle (school bus) operating licence as follows:

For the transportation of students for and on behalf of the Waterloo Catholic District School Board and the Waterloo Region District School Board between points in the City of Hamilton, the Counties of Brant and Wellington and the Regional Municipality of Waterloo and schools under the jurisdiction of the aforesaid School Boards.

PROVIDED THAT chartered trips be restricted to school purposes and only for schools under the jurisdiction of the aforesaid School Boards.

PROVIDED FURTHER THAT public vehicle (school bus) operating licence PVS-4859 now in the name of Ayr Coach Lines Limited, R. R. # 6, Cambridge, ON N1R 5S7, be cancelled.

(138-G1042) FELIX D'MELLO  
Board Secretary/Secrétaire de la Commission

## Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

### Notice of Default in Complying with the Corporations Tax Act Avis d'inobservation de la Loi sur l'imposition des corporations

The Director has been notified by the Minister of Finance that the following corporations are in default in complying with the *Corporations Tax Act*.

NOTICE IS HEREBY GIVEN under subsection 241(1) of the *Business Corporations Act*, that unless the corporations listed hereunder comply with the requirements of the *Corporations Tax Act* within 90 days of this notice, orders will be made dissolving the defaulting corporations. All enquiries concerning this notice are to be directed to Corporations Tax Branch, Ministry of Finance, 33 King Street West, Oshawa, Ontario L1H 8H6.

Le ministre des Finances a informé le directeur que les sociétés suivantes n'avaient pas respecté la *Loi sur l'imposition des corporations*.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(1) de la *Loi sur les sociétés par actions*, si les sociétés citées ci-dessous ne se conforment pas aux prescriptions énoncées par la *Loi sur l'imposition des corporations* dans un délai de 90 jours suivant la réception du présent avis, lesdites sociétés se verront dissoutes par décision. Pour tout renseignement relatif au présent avis, veuillez vous adresser à la Direction de l'imposition des sociétés, ministère des Finances, 33, rue King ouest, Oshawa, Ontario L1H 8H6.

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
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#### 2005-11-26

ADMIRAL DRYWALL LTD.	000370223
ADVANCED MICROTECHNOLOGY RESEARCH CORPORATION	001112513
AL POMODORO PIZZA LTD.	001192989
AMARA GROUP INC.	001172971
AMPTEC DESIGN ROTATING EQUIPMENT INC.	001341586
ASHANTI ENTERPRISES LIMITED	001031413
ATLANTIC WEST DEVELOPMENTS LTD.	001299476

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
B.J. BOOKER TRUCKING INC.	001270962
BEVERLEY MASON RUTTER LIMITED	000305163
BICYCLE WAREHOUSE INC.	001200118
C & M MAINTENANCE & REPAIR LTD.	000810106
CANADA SECURITIES INC.	000488315
CANHOTO HOLDINGS INC.	000830064
CASH 'N GO INC.	001079465
CENTENNIAL CATERING LIMITED	001251055
CENTERWORKS TECHNOLOGY INC.	001290247
CLOUD TEN ENTERPRISES INC.	000961801
COMKAL SENIORS' PROJECT (MILTON) LTD.	001320382
CRS PRODUCTIONS INC.	001077939
DARE 2 BE INC.	001176765
DIGITAL ONE NETWORKS INC.	001389184
DIGITALVIEWS & ASSOCIATES INC.	001146115
DOMINION CEMENT CO. LTD.	001303806
EMI ESPRESSO MACHINES IMPORTS INC.	001308901
ENGINEERED WOOD PRODUCTS INC.	001302468
FAMILY TREASURES DECOR LTD.	001437389
FCR BUSINESS FORMS LIMITED	001069789
FOGGIA HOMES LIMITED	000481218
FORTUNE FOOD TRADING INTERNATIONAL INC.	001228533
G & M O'NEILL HOLDINGS LIMITED	000772690
GBR GOLF LIMITED	001071373
GLOBAL BRIDGE TRADING INC.	001232556
GLOBAL LINK MEDIA LTD.	001455584
GRAHAM INSURANCE BROKERAGE LTD.	000369076
GREAT PROGRESS INC.	000910986
GREG HOLMAN PHOTOGRAPHY INC.	001429021
HALCLAIR SYSTEMS INC.	000484213
HENNEBERRY'S INCORPORATED	001242248
HOME PRODUCTS INC.	000680648
HORBY'S DELI LTD.	000525345
I.T. GUY HOLDINGS INC.	001430780
INTOUCH GRAPHICS INC.	000998791
ISJL SOLUTIONS INC.	001409682
J. P. MILLAR & SONS INC.	000889313
JAVELIN CONCEPT DEVELOPMENTS INC.	001036146

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
JOE SCHUTTER PLUMBING LIMITED.....	000761795
JOHN COLARIETI HOLDINGS INC.....	000532290
JOHN SAUVE PAINTING AND CONTRACTING LIMITED.....	000251917
LEGENDS OF MODERN MUSIC INCORPORATED.....	001051929
LORD ELGIN HOMES INC.....	001012116
M & J OIL BURNER SERVICE LTD.....	000923207
MARINE ENVIROTRONICS CORP.....	000897803
MASK FINE FOOD INC.....	001511256
NEIL MACNAUGHTAN DESIGN INC.....	000760202
PAUL OBERT MASONRY LIMITED.....	000145990
PAY LESS SMOKE SHOP COMPANY LTD.....	001093257
PENNOX EXPRESS LTD.....	001246969
PRO EX COURIER SERVICES INC.....	001182488
REFFLE INVESTMENTS LTD.....	000279849
RELIABLE DATA SERVICES INC.....	001269855
REMI DALLAIRE CONSTRUCTION LIMITED.....	000703642
SILVER LAKE SPORTS LTD.....	000681075
SNOW VALLEY MINI STORAGE CORP.....	001045850
SUGAR MOSS INC.....	001295666
T.M.T. LIMITED.....	000469618
TED FROST LTD.....	000333190
THE DEVON GROUP OF CANADA INC.....	000286772
THE SHOT POOL PUB (LONDON) LIMITED.....	001045719
TIRE & TUNE AUTO SERVICE LTD.....	001001470
UNCOMMON TOUCH PRODUCTIONS INC.....	001289622
WITH TIME SOLUTIONS INC.....	001250126
1016326 ONTARIO INC.....	001016326
1052045 ONTARIO INC.....	001052045
1074810 ONTARIO INC.....	001074810
1075156 ONTARIO LIMITED.....	001075156
1082329 ONTARIO LIMITED.....	001082329
1094761 ONTARIO LTD.....	001094761
1136105 ONTARIO LTD.....	001136105
1136107 ONTARIO INC.....	001136107
1141547 ONTARIO INC.....	001141547
1146500 ONTARIO LTD.....	001146500
1150407 ONTARIO LIMITED.....	001150407
1169313 ONTARIO LIMITED.....	001169313
1177740 ONTARIO LIMITED.....	001177740
1197524 ONTARIO LIMITED.....	001197524
1207685 ONTARIO INC.....	001207685
1210715 ONTARIO LIMITED.....	001210715
1220353 ONTARIO INC.....	001220353
1222018 ONTARIO INC.....	001222018
1239846 ONTARIO INC.....	001239846
1255398 ONTARIO INC.....	001255398
1277815 ONTARIO INC.....	001277815
1298054 ONTARIO INC.....	001298054
1306959 ONTARIO LIMITED.....	001306959
1311887 ONTARIO LIMITED.....	001311887
1323578 ONTARIO INC.....	001323578
1332102 ONTARIO LTD.....	001332102
1342677 ONTARIO LIMITED.....	001342677
1386222 ONTARIO INC.....	001386222
1421620 ONTARIO INC.....	001421620
1433824 ONTARIO LIMITED.....	001433824
1434206 ONTARIO INC.....	001434206
1463511 ONTARIO INC.....	001463511
340579 ONTARIO LIMITED.....	000340579
442877 ONTARIO LIMITED.....	000442877
535498 ONTARIO LIMITED.....	000535498
648766 ONTARIO LIMITED.....	000648766
671020 ONTARIO LIMITED.....	000671020
687947 ONTARIO INC.....	000687947
755067 ONTARIO LTD.....	000755067
762846 ONTARIO LIMITED.....	000762846
793014 ONTARIO LIMITED.....	000793014
793226 ONTARIO LIMITED.....	000793226
797636 ONTARIO INC.....	000797636
820904 ONTARIO LTD.....	000820904

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
834885 ONTARIO LTD.....	000834885
856418 ONTARIO LIMITED.....	000856418
861240 ONTARIO INC.....	000861240
922122 ONTARIO LTD.....	000922122
931482 ONTARIO LIMITED.....	000931482

(138-G1033)

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

## Cancellation of Certificates of Incorporation (Corporations Tax Act Defaulters) Annulation de certificats de constitution (Non-respect de la Loi sur l'imposition des corporations)

NOTICE IS HEREBY GIVEN that, under subsection 241(4) of the *Business Corporations Act*, the Certificates of Incorporation of the corporations named hereunder have been cancelled by an Order dated 31 October, 2005 for default in complying with the provisions of the *Corporations Tax Act*, and the said corporations have been dissolved on that date.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(4) de la *Loi sur les sociétés par actions*, les certificats de constitution dont les 31 octobre 2005 pour non-respect des dispositions de la *Loi sur l'imposition des corporations* et que la dissolution des sociétés concernées prend effet à la date susmentionnée.

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
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### 2005-10-31

AC5 COMPUTING LTD.....	001278745
ALL SEASONS ENVIRONMENTAL CONTROL INC.....	001146132
BAKER INSTRUMENTS LIMITED.....	000063055
BAKER STREET INVESTIGATIONS INC.....	001092186
BALLAM'S AUTOMOTIVE INC.....	001040892
BEAUTY FUEL LIMITED.....	001213935
BREAKTHROUGH DELIVERY SERVICE INC.....	001318974
BRIRHO HOLDINGS INC.....	001352846
BUSINESS ADVANTAGE COMPUTING INC.....	000924887
COLLETT DESIGNS INC.....	001404729
CREDO INTERNATIONAL INC.....	000919490
DANJACON TRAINING AND CONSULTING LIMITED.....	001267992
DIGITAL BONES INC.....	001250802
DOWNTOWN INSURANCE & REALTY LTD.....	000348729
DRESSMAKER SUPPLY INC.....	001277421
DYNACORE REHABILITATION SERVICES INC.....	001078338
E.S.G. COURTWOOD LTD.....	000928774
ECLECTIC MANAGEMENT SOLUTIONS INC.....	001275224
ECO-PEST INC.....	001003998
ELASHY ENTERPRISES INC.....	001300457
EMBI HOMES INC.....	001028980
EPSIS INCORPORATED.....	001200350
F.O.R.B. ENTERPRISES INC.....	000986611
FORESTS OF SOUTH GOWER LTD.....	001301718
FRAMERS BUILDING SUPPLY LTD.....	001391114
FUNCTIONAL ART TOUCH WOOD GALLERIES INC.....	000919031
GOOSE CREEK KITCHEN COMPANY INC.....	001259629
HARTZMAN CONSULTING CORP.....	001314793
HI FI CONCEPT INC.....	001313436

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
HOMES TODAY INC.	001030277
IBSL INTERNATIONAL BUILDING SYSTEMS LTD.	001221905
INTER CANADA (INTERNATIONAL) TRADING INC.	001109390
JAMES MAY ELECTRIC LIMITED	000279649
JOHSEO FOODS INC.	001319528
K.F.P. ENTERPRISES LIMITED	001180480
KEITH PHILLIPS & SONS LTD.	000398933
LIEN PHONG TRADING CO. LTD.	000523202
LINDSAY CRANE RENTAL LTD.	000318711
MAJON HOLDINGS INC.	000932096
MG GROUP LTD.	000998617
MONTEGO SECURITIES INC.	000562075
MOUNT FOREST AMBULANCE SERVICE LTD.	000814115
MUNIX COMPUTERS INC.	000608318
MU-MAR TELECOMMUNICATIONS (UXBRIDGE) INC.	000989258
O.C. MANAGEMENT INC.	001092078
PETANNE CORPORATION	000936600
PLUS ONE ENGINEERING INC.	000575490
PRENTICE-COOPER & ASSOCIATES LTD.	000634682
PRO HEALTH REHAB LTD.	001255231
RICCO'S BAR AND GRILL INC.	001409864
T & J SYSTEMS CONSULTING INC.	001008254
T P A - TECHNIC PRECISION ARLT INC.	001178843
THE G.I.C. SHOP INC.	001007608
THE GLASS LOUNGE, INC.	001292687
THE SCREENING, PLATING & CIRCUIT GROUP INC.	001284531
TOTAL PERFORMANCE AUTO LTD.	000844731
TRICO INTERNATIONAL SHIPPING (CANADA) INC.	001127921
TRICOR CANADA LIMITED.	001387920
VENTURE GLOBAL GROUP INC.	001301023
W.A. STEPHENSON CONSTRUCTION MANAGERS INC.	000819073
WESTSIDE AUTO COLLISION LTD.	001294113
1013297 ONTARIO LTD.	001013297
1021418 ONTARIO LTD.	001021418
1034208 ONTARIO INC.	001034208
1037434 ONTARIO INC.	001037434
1040364 ONTARIO INC.	001040364
1059070 ONTARIO INC.	001059070
1068243 ONTARIO LIMITED	001068243
1077771 ONTARIO INC.	001077771
1097933 ONTARIO INC.	001097933
1103392 ONTARIO INC.	001103392
1109407 ONTARIO INC.	001109407
1119585 ONTARIO INC.	001119585
1140305 ONTARIO LTD.	001140305
1144816 ONTARIO LTD.	001144816
1146569 ONTARIO INC.	001146569
1169170 ONTARIO INC.	001169170
1178897 ONTARIO LTD.	001178897
1191931 ONTARIO LIMITED	001191931
1192485 ONTARIO LIMITED	001192485
1198329 ONTARIO INC.	001198329
1206148 ONTARIO LIMITED	001206148
1238873 ONTARIO INC.	001238873
1289960 ONTARIO LTD.	001289960
1298768 ONTARIO LIMITED	001298768
1299733 ONTARIO INC.	001299733
1315054 ONTARIO INC.	001315054
1318108 ONTARIO INC.	001318108
1328038 ONTARIO LTD.	001328038
1422557 ONTARIO INC.	001422557
1457292 ONTARIO LTD.	001457292
1466494 ONTARIO LIMITED	001466494
1504267 ONTARIO LTD.	001504267
180 CONSULTING INC.	001363957
2006083 ONTARIO INC.	002006083
483656 ONTARIO LTD.	000483656
707076 ONTARIO LIMITED	000707076
718226 ONTARIO LTD.	000718226

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
736236 ONTARIO INC.	000736236
785492 ONTARIO INC.	000785492
794813 ONTARIO INC.	000794813
824756 ONTARIO INC.	000824756
826242 ONTARIO INC.	000826242
861126 ONTARIO INC.	000861126
895012 ONTARIO LIMITED	000895012
903384 ONTARIO LTD.	000903384
907775 ONTARIO INC.	000907775
911446 ONTARIO LIMITED	000911446
951830 ONTARIO INC.	000951830

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

(138-G1034)

## Certificates of Dissolution Certificats de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the *Business Corporations Act*, has been endorsed. The effective date of dissolution precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément à la *Loi sur les compagnies*, un certificat de dissolution a été inscrit pour les compagnies suivantes : la date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
<b>2004-10-05</b>	
QUORUM CAPITAL CORPORATION	000692834
<b>2005-09-30</b>	
MAPLEWAY HOMES LTD.	001063910
<b>2005-10-05</b>	
STOUFFER AUTOMATION INC.	001369204
<b>2005-10-06</b>	
DH IMPORT & EXPORT INC.	001234779
E.W.H.T. CONSULTANTS LTD.	000700802
ELL-P MAINTENANCE SERVICES INC.	001027312
ETC BUSINESS SOLUTION INC.	001562956
FIVE STAR STANDEAVEN TRAVEL INC.	001167552
GOLD TOP FLOOR FINISHING LIMITED	000137755
IMPORTERS OF UNIQUE ART INC.	001575479
LUCKY CONSTRUCTION INC.	001520024
MCKILLEN, TYLER & ASSOCIATES LIMITED	001039881
NORTH AMERICA CHINA INTERNATIONAL GROUP INC.	001388272
PERSONAL GROWTH & DEVELOPMENT INC.	001424621
R. KOHOUT & ASSOCIATES, LTD.	000762283
1184070 ONTARIO INC.	001184070
1323263 ONTARIO INC.	001323263
1359725 ONTARIO LTD.	001359725
1448560 ONTARIO INC.	001448560
347705 ONTARIO LTD.	000347705
716010 ONTARIO INC.	000716010
<b>2005-10-07</b>	
DRIFTWOOD PHARMACY LIMITED	001101741
HANDWOOD PRODUCTIONS INC.	000951111
KESAKA HOLDINGS INC.	001013633
SEAWAY CYCLE LTD.	000684154
SHIRAIKE IMPORTS INC.	001031589
THE SHOP CREATIVE SOLUTIONS INC.	001300056
TRALAND LIMITED	002053170

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
824294 ONTARIO LIMITED .....	000824294
<b>2005-10-11</b>	
B-T EXCAVATING BRANTFORD LTD. ....	000822943
BERTRISTOS RESTAURANT INC. ....	000507774
BODY WORKS REHAB & FITNESS INTERNATIONAL LTD. ....	001256222
CANAM SAFE-PRO SALES INC. ....	001046258
CRONO ETCHING INC. ....	001065642
DIAMOND INVEST INC. ....	001624920
FREY EXCAVATING LIMITED .....	000828455
GLANFORD AVIATION LTD. ....	000295760
GOLF WORLD HOLDING INC. ....	000542039
J&J GIBSON INC. ....	001534844
MIRADARO INTEGRATED BUSINESS SOFTWARE INC. ....	001457591
NAGRA TRANSPORT INC. ....	001422684
NORTHEAST VINTAGE CARS INC. ....	000898046
NOVACAN GROUP LTD. ....	001389068
PRO COOLING AUTOMOTIVE SUPPLY INC. ....	001458824
RESTAURANT LEBLANC COMPANY LIMITED .....	000123677
RICHMOND HILL MECHANICAL INC. ....	000748257
S.S. PARK MANAGEMENT LTD. ....	001003967
SCHOOL HOUSE APARTMENTS LTD. ....	000750694
SIMTRAIN AVIATION TECHNOLOGIES LTD. ....	001110113
SUNRAY SPAS (ONTARIO) LTD. ....	001661375
T.F.C. FRENCH CREATIVE SERVICES LTD. ....	000425413
THE APPLE BARN INC. ....	001047549
WELLPRINT INC. ....	001064877
1063650 ONTARIO LIMITED .....	001063650
1096081 ONTARIO INC. ....	001096081
1115698 ONTARIO LIMITED .....	001115698
1213384 ONTARIO INC. ....	001213384
1226215 ONTARIO LTD. ....	001226215
1228583 ONTARIO LIMITED .....	001228583
1233228 ONTARIO INC. ....	001233228
1273880 ONTARIO LIMITED .....	001273880
1276843 ONTARIO INC. ....	001276843
1402586 ONTARIO LTD. ....	001402586
1403640 ONTARIO LIMITED .....	001403640
1586468 ONTARIO INC. ....	001586468
459853 ONTARIO LIMITED .....	000459853
869681 ONTARIO LIMITED .....	000869681
889894 ONTARIO LTD. ....	000889894
895406 ONTARIO LIMITED .....	000895406
907479 ONTARIO LIMITED .....	000907479
981779 ONTARIO INC. ....	000981779
981780 ONTARIO INC. ....	000981780
<b>2005-10-12</b>	
ENGLISH FLOWER SHOPPE LIMITED .....	000396398
FILPAMTON DEVELOPMENTS LTD. ....	000367126
KANA SYSTEMS INC. ....	001437737
KITZ - 4 - U INC. ....	001348498
MOVIE MANIA DISTRIBUTION INC. ....	001419182
P.I.B. INTERIORS LIMITED .....	000546795
R. J. CASCAGNETTE & SON INSURANCE BROKER LIMITED .....	000273167
SAMETZ FOODS LIMITED .....	000504316
SHANNON WELL DRILLING LIMITED .....	000341469
SIMULTANEOUS CONFERENCE REPORTING SERVICES INC. ....	000785759
SPRINT LIMOUSINE & TRANSPORTATION SERVICES INC. ....	001127151
THE LAUNDRY PLACE INC. ....	001419181
1085496 ONTARIO INC. ....	001085496
1107412 ONTARIO LTD. ....	001107412
1256303 ONTARIO INC. ....	001256303
1362224 ONTARIO LTD. ....	001362224
2008881 ONTARIO LIMITED .....	002008881
406656 ONTARIO LIMITED .....	000406656
445887 ONTARIO LIMITED .....	000445887

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
<b>2005-10-13</b>	
A. CARANCI DRYWALL INC. ....	000873820
ARCADIAN DRYWALL LIMITED .....	000369015
ARDICANA HOLDINGS INC. ....	001416080
BUMRA DESIGN SERVICES INC. ....	000907696
CELEBRITY OFF PREMISE CATERERS INC. ....	000998727
DEACON INDUSTRIAL DESIGN LTD. ....	001214594
J.R. DONIA CONSTRUCTION LIMITED .....	000260432
KAL CLEAN INC. ....	001492438
L. WHYNE CONSULTING INC. ....	000274918
R.C.G. LAMONTAGNE (HEARST) ENTERPRISES INC. ..	000456366
RAGSS INVESTMENTS INC. ....	000873392
SALLAY MANAGEMENT CONSULTANTS LTD. ....	001265530
SCHLICHTER'S LIMITED .....	000076765
SEATON PUBLICATIONS LIMITED .....	000084996
SHARM CANADA LTD. ....	001235318
SUCCESS STORY TUTORING LIMITED .....	001192142
SUN PORTS BEACH & RESORT WEAR INC. ....	001074792
SYSTEMS MANAGEMENT DEPLOYMENT LTD. ....	001418091
Y&S TRADING CO. LTD. ....	001258710
1034349 ONTARIO LIMITED .....	001034349
1329754 ONTARIO LTD. ....	001329754
1363688 ONTARIO LIMITED .....	001363688
1369769 ONTARIO INC. ....	001369769
1591895 ONTARIO INC. ....	001591895
1610700 ONTARIO INC. ....	001610700
2000905 ONTARIO INC. ....	002000905
447867 ONTARIO LIMITED .....	000447867
834329 ONTARIO LIMITED .....	000834329
937681 ONTARIO INC. ....	000937681
969061 ONTARIO INC. ....	000969061
<b>2005-10-14</b>	
AMYNTAS FOODS LIMITED .....	000917146
AURORA ELECTRIC INC. ....	001094217
BPV DEVELOPMENT CORP. ....	000854353
BRODAK CONSTRUCTION SERVICES INC. ....	001183499
CUSTOMER CARE COLLECTION CONSULTANTS INC. ....	001442936
HALLMARK SECURITY SYSTEMS INC. ....	001000736
IRISH CREEK ENTERPRISES INC. ....	000805298
JANNY'S GROCERIES LTD. ....	000634508
LUTON CORPORATION .....	000788007
MAVERICK CONCEPTS INTERNATIONAL INC. ....	001154433
SPKR FOODS INC. ....	001475091
THE FALLINGBROOK NURSERY AND LANDSCAPING INC. ....	001202470
TYLOR HOLDINGS INC. ....	002015295
WYLDEWYN VILLAGE INC. ....	000993170
XOX VISUAL SUPPLY INC. ....	001518426
YEUNG LO LTD. ....	002008977
1122297 ONTARIO LTD. ....	001122297
1155311 ONTARIO LTD. ....	001155311
1158955 ONTARIO INC. ....	001158955
1545958 ONTARIO INC. ....	001545958
309428 ONTARIO LIMITED .....	000309428
397036 ONTARIO LIMITED .....	000397036
995470 ONTARIO LIMITED .....	000995470
<b>2005-10-17</b>	
A. GALIPEAU LTD. ....	000350154
BLAIN MARTIN SURVEYING LIMITED .....	000549419
CANVEN CONSULTING LTD. ....	001166846
CAPRICCIO BOUTIQUE INC. ....	000546275
CHEZ FRANS COIFFURE INC. ....	000402335
CRISOFT CONSULTING LTD. ....	001308621
ERAMOSA ROAD PRODUCTIONS INC. ....	001379430
EXPERT CONTRACTING LTD. ....	000760171
F I T PROPERTY SERVICES INC. ....	001172748
FATHER EMISSION LTD. ....	001520035
GREBE & BARRON INVESTMENT LTD. ....	001614099
LIGHTNING BOLT HOUSE SERVICE INC. ....	001457966
LINEA FASHION INC. ....	001504564

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
NEPTUNE CONSTRUCTION INC.....	001575301
ROSE SIGN CORPORATION.....	001495852
SAM'Z ACOUSTIC INSTALLATIONS LTD.....	000267994
THAMES EQUITY LTD.....	000598209
THE COMPLETE HEALTH FOOD STORES OF CANADA INC.....	000482791
THE HOUSE OF ENGRAVERS LIMITED.....	000052295
THE TROUPE COMPANY INC.....	001267850
WORLD PRIDE ENTERPRISES (CANADA) INC.....	001034846
ZORA CAPITAL CORP.....	002033222
1048545 ONTARIO LIMITED.....	001048545
1074349 ONTARIO LTD.....	001074349
1102093 ONTARIO LIMITED.....	001102093
1129765 ONTARIO LIMITED.....	001129765
1202147 ONTARIO INC.....	001202147
1215419 ONTARIO INC.....	001215419
1300250 ONTARIO INC.....	001300250
1477829 ONTARIO LIMITED.....	001477829
1594298 ONTARIO INC.....	001594298
1616367 ONTARIO INC.....	001616367
380481 ONTARIO LTD.....	000380481
780046 ONTARIO INC.....	000780046
<b>2005-10-18</b>	
CME COMMUNICATIONS INC.....	000639025
D.S. CROWE MANAGEMENT LTD.....	000434057
F & R CARPENTRY INC.....	000874051
INTERNATIONAL FOLLOW SPOT LIMITED.....	000718263
MILLWOOD BREAD & BUTTER INC.....	000416174
NETCORE MANAGEMENT OF NEPEAN INC.....	001300073
OAK-PHIL MARKETING INC.....	001242138
R.W. CYR & COMPANY LIMITED.....	000587249
SALTER/DEGRUCHY SPECIAL ASSIGNMENT INC.....	001013569
THERMAL TRANSFER INC.....	001333791
V-PAR LIMITED CONSTRUCTION ENTERPRISES.....	001075933
WILLIAM TOFFLEMIRE INC.....	001154465
1100156 ONTARIO INC.....	001100156
1147453 ONTARIO LIMITED.....	001147453
1599969 ONTARIO LTD.....	001599969
651546 ONTARIO INC.....	000651546
909680 ONTARIO INC.....	000909680
<b>2005-10-19</b>	
A.V. GIFFEN INC.....	001182232
AGRI-DEVELOPMENT INC.....	002006035
ALTEK ELECTRONICS INC.....	001146367
AMT MANAGEMENT INC.....	001061426
C.D. LEGGATT HOLDINGS LIMITED.....	000497980
CARIB WOK LIMITED.....	001583344
CARPENTRY PLUS INC.....	000415010
CATALYST SOLUTIONS INC.....	001391772
CONTET INVESTMENTS LTD.....	000444408
CUB INVESTMENTS INC.....	001027686
DURATUG SHIPYARD & FABRICATING LTD.....	000712302
E. KOZAK FAMILY HOLDINGS LIMITED.....	000948167
EION CAMERON GEOCHEMICAL INC.....	001350926
ERT SYSTEMS IMPLEMENTATIONS GROUP INC.....	001387950
JONVIEW CORPORATION/CORPORATION JONVIEW.....	001613680
KYMC LIMITED.....	000444982
SONORA SYSTEMS INC.....	001127752
SWEET HOME YARN & CRAFT INC.....	001239022
TARGET:SERVICE EXCELLENCE INC.....	001263569
UNITED ARROWS INC.....	001178788
VOLLMER PHARMACEUTICALS LIMITED.....	000456610
YORKDALE PRETZLZ LTD.....	001012368
1056432 ONTARIO INC.....	001056432
1062270 ONTARIO INC.....	001062270
1091044 ONTARIO INC.....	001091044
1248175 ONTARIO LTD.....	001248175
1424170 ONTARIO INC.....	001424170
1559916 ONTARIO INC.....	001559916
483015 ONTARIO INC.....	000483015
554325 ONTARIO INC.....	000554325

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
796979 ONTARIO LIMITED.....	000796979
967078 ONTARIO LIMITED.....	000967078
992522 ONTARIO LTD.....	000992522
<b>2005-10-25</b>	
B P ELWORTHY AND ASSOCIATES LIMITED.....	000644262
<b>2005-10-26</b>	
J & P DONUTS INC.....	001560675
<b>2005-10-31</b>	
ATITRA TRANSLATIONS INC.....	001029875
BETHESDA PONDS INC.....	000884499
JMB CLASSICAL CATERING INC./SERVICE DE TRAITEUR CLASSIQUE JMB INC.....	001230411
JUNGLE JOE'S PARROTS & PETS LTD.....	001243888
MATERIALS TESTING EQUIPMENT COMPANY LTD.....	000836746
1562534 ONTARIO INC.....	001562534
471448 ONTARIO INC.....	000471448
<b>2005-11-01</b>	
AID A LIFE INC.....	001173292
CATALYST CONSULTING CORP.....	002044946
JBP ELECTRICAL SERVICES LTD.....	001432986
SOHO GRAND II CONDOMINIUMS INC.....	001473225
1479023 ONTARIO INC.....	001479023
750147 ONTARIO LIMITED.....	000750147
810565 ONTARIO LIMITED.....	000810565
953521 ONTARIO LIMITED.....	000953521
<b>2005-11-02</b>	
DALESWIN ENTERPRISES LIMITED.....	000301191
HAMDANI SONS HOLDINGS LTD.....	000943850
MEDICOSCRIBE INC.....	001584528
MOGA MANUFACTURING & REUPHOLSTERY LTD.....	001155369
OBJECT EARTH CORPORATION.....	001394903
THE SPORTS ROOM LTD.....	000815446
1056780 ONTARIO LIMITED.....	001056780
1235756 ONTARIO LTD.....	001235756
410185 ONTARIO LIMITED.....	000410185
<b>2005-11-03</b>	
ADVANCED EUROPEAN MARKETING CORP.....	001299315
AUDAX SERVICES LIMITED.....	000227473
BOHEZ & ROSS CONSTRUCTION LTD.....	000372061
GETMORE INDUSTRIAL SUPPLIES SERVICE INC.....	001076643
HA-RA ENVIROSAFE PRODUCTS LTD.....	000994805
LA-ZAG EUROPEAN PRODUCTS LTD.....	001024432
NEW-PAR INVESTMENTS LTD.....	000635926
OLD VILLAGE PAINTS (CANADA) INC.....	000946784
ROSE CITY TILE (1992) INC.....	000997055
WALKER'S OF LONDON, LIMITED.....	000454185
1079270 ONTARIO INC.....	001079270
1246659 ONTARIO INC.....	001246659
472319 ONTARIO LIMITED.....	000472319
846034 ONTARIO LIMITED.....	000846034
<b>2005-11-04</b>	
BOGGLETOGS CHILDREN'S WEAR LTD.....	001068034
CEDAR LYNDE STABLES LTD.....	002011274
CHARTERHOUSE INVESTMENT CORPORATION.....	000853518
CML REALTY INC.....	001560057
DALEROSE BUILDING CORPORATION.....	000623830
DALEROSE INVESTMENTS INC.....	000942598
DUNDER ELECTRONICS LTD.....	000585214
FAH RETAILERS INC.....	000841603
FENGHUA GROUP INC.....	001053939
GREEN MOUNTAIN MOTOR SALES INC.....	001190777
LAURAD SALES INC.....	000485495
MATRIX INFORMATION TECHNOLOGIES OSS INC.....	001449557
METREMOS PLUMBING & HEATING LTD.....	001083129
PHARMED CONSULTANTS INC.....	001351139
SECURENET ALARM SYSTEMS INC.....	001563537
SLIMMER YOU WEIGHT LOSS INC.....	000894476
SOFTEEM INC.....	001528296
TATLA TRANSPORT INC.....	002008492
U CORPORATION.....	001405969
1135455 ONTARIO LIMITED.....	001135455

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
1167917 ONTARIO INC. ....	001167917
1185685 ONTARIO INC. ....	001185685
1283382 ONTARIO INC. ....	001283382
1287245 ONTARIO INC. ....	001287245
1290634 ONTARIO LTD. ....	001290634
1364373 ONTARIO INC. ....	001364373
1390454 ONTARIO INC. ....	001390454
1409877 ONTARIO INC. ....	001409877
715171 ONTARIO INC. ....	000715171
769357 ONTARIO LIMITED .....	000769357
786210 ONTARIO LIMITED .....	000786210
812160 ONTARIO LIMITED .....	000812160
813904 ONTARIO INC. ....	000813904
967109 ONTARIO LIMITED .....	000967109
993747 ONTARIO LIMITED .....	000993747
<b>2005-11-06</b>	
BOZZO AND PIRILLO LIMITED .....	000404784
CRANE & ASSOCIATES INC. ....	001399937
PEARL GATE ESTATES INC. ....	000999164
1125320 ONTARIO INC. ....	001125320
1188650 ONTARIO INC. ....	001188650
2004828 ONTARIO LIMITED .....	002004828
839918 ONTARIO LIMITED .....	000839918
<b>2005-11-07</b>	
A. MARTINELLA CARPENTRY INC. ....	000507814
ALLAG BUSINESS SOLUTIONS INC. ....	001268189
AUTOPLEX INC. ....	000692849
COOPERNET INC. ....	001199164
HOJ KAPPA REALTY INC. ....	000759357
HOJ REALTY INC. ....	000125830
KISLER PROPERTY MANAGEMENT LTD. ....	001399381
MCPHERSON ISLAND CAMP LTD. ....	001292610
ON-TRAK SERVICES LIMITED .....	001249241
SID GALLIFORD & SONS LIMITED .....	000102802
STR (CANADA) COMPANY INC. ....	001105970
STUDIO 69 WHEN IN ROME RESTAURANT LTD. ....	000982109
TGC BAGEL LTD. ....	001181419
THE CHINESE SISTERS OF THE IMMACULATE CONCEPTION HOLDING INC. ....	001235891
TOULON HOLDINGS LIMITED .....	001078738
WERNIUK INFORMATION SERVICES LIMITED .....	001159902
WILLUT DEVELOPMENTS LIMITED .....	000239641
XEFFNA (1997) INC. ....	001244956
YAMATO TRANSPORT (CANADA) INC. ....	000733251
1127336 ONTARIO INC. ....	001127336
1314468 ONTARIO INC. ....	001314468
1554200 ONTARIO INCORPORATED .....	001554200
2054879 ONTARIO LTD. ....	002054879
442763 ONTARIO LTD. ....	000442763
464077 ONTARIO LIMITED .....	000464077
676728 ONTARIO LIMITED .....	000676728
<b>2005-11-08</b>	
B&R COMPUTER SOLUTIONS INC .....	000687739
BNET CONSULTING INC. ....	001410284
E.F.I. CONSTRUCTION INC. ....	000848376
LSYC CONSULTING INC. ....	001301160
MENG LEI ENTERPRISE CANADA INC. ....	001468352
MITCH & ASSOCIATES TAXI LIMITED .....	000389305
OXFORD SERVICES (ROH) LIMITED .....	001580368
OXFORD SERVICES MANAGEMENT LIMITED .....	001567357
RACEINC INTERNATIONAL INC. ....	001262426
RICHARD GULLIVER INVESTMENTS LTD. ....	001236502
TEMET ENTERPRISE LTD. ....	001082382
1027735 ONTARIO INC. ....	001027735
1138681 ONTARIO LIMITED .....	001138681
1217120 ONTARIO INC. ....	001217120
1305393 ONTARIO INC. ....	001305393
1505984 ONTARIO INC. ....	001505984
2056152 ONTARIO INC. ....	002056152
671191 ONTARIO LIMITED .....	000671191

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
<b>2005-11-09</b>	
COHEN FINANCIAL SYMPOSIUM INC. ....	001247428
DOLRICH INVESTMENTS LTD. ....	001263705
ELDORADO COIFFURE LTD. ....	000444782
FU XING TRADING COMPANY LTD. ....	001487327
INTERNATIONAL STUDENTS AND IMMIGRATION CONSULTANTS OF CANADA INC. ....	001573960
KYC COMMUNICATIONS INC. ....	001594229
RAINBOW ELECTRIC VEHICLE LTD. ....	001565100
STOCK ACQUISITION INC. ....	002037209
WANG'S INSTRUMENT CO. LTD. ....	001038209
1032349 ONTARIO LTD. ....	001032349
1045016 ONTARIO LTD. ....	001045016
1176959 ONTARIO LIMITED .....	001176959
1398733 ONTARIO LTD. ....	001398733
1459257 ONTARIO INC. ....	001459257
2020722 ONTARIO CORPORATION .....	002020722

(138-G1035) B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

## Notice of Default in Complying with the Corporations Information Act Notice de non-observation de la Loi sur les renseignements exigés des compagnies et des associations

NOTICE IS HEREBY GIVEN under subsection 241(3) of the Business Corporations Act that unless the corporations listed hereunder comply with the filing requirements under the Corporations Information Act within 90 days of this notice orders dissolving the corporation(s) will be issued. The effective date precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(3) de la Loi sur les sociétés par actions, si les compagnies mentionnées ci-dessous ne se conforment pas aux exigences de dépôt requises par la Loi sur les renseignements exigés des compagnies et des associations dans un délai de 90 jours suivant la réception du présent avis, des ordonnances de dissolution seront délivrées contre lesdites compagnies. La date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
<b>2005-11-10</b>	
1217202 ONTARIO INC. ....	1217202

(138-G1036) B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

**Cancellation of Certificate of  
Incorporation  
(Business Corporations Act)  
Annulation de Certificat de Constitution  
en Personne Morale  
(Loi sur les sociétés par actions)**

NOTICE IS HEREBY GIVEN that by orders under subsection 241(4) of the Business Corporation Act, the certificates of incorporation set out hereunder have been cancelled and corporation(s) have been dissolved. The effective date of cancellation precedes the corporation listing.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(4) de la Loi sur les sociétés par actions, les certificats présentés ci-dessous ont été annulés et les compagnies ont été dissoutes. La dénomination sociale des compagnies concernées est précédée de la date de prise d'effet de l'annulation.

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
<b>2004-11-10</b> 1471819 ONTARIO LTD. ....	1471819

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

(138-G1037)

**ERRATUM NOTICE  
Avis d'erreur**

**ONTARIO CORPORATION NUMBER 1228467**

Vide Ontario Gazette, Vol. 138-12 dated March 19, 2005

NOTICE IS HEREBY GIVEN that the notice issued under section 241(4) of the Business Corporations Act set out in the March 19, 2005 issue of the Ontario Gazette with respect to 1228467 Ontario Inc. was issued in error and is null and void.

Cf. Gazette de l'Ontario, Vol. 138-12 datée du 19 mars 2005.

PAR LA PRÉSENTE, nous vous informons que l'avis émis en vertu de l'article 241(4) de la Loi sur les sociétés par actions et énoncé dans la Gazette de l'Ontario du 19 mars 2005 relativement à 1228467 Ontario Inc. a été délivré par erreur et qu'il est nul et sans effet.

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

(138-G1038)

**ERRATUM NOTICE**

**CHANGE OF NAME ACT**

Vide Ontario Gazette, Vol. 138-25 dated June 18, 2005, on page 1661.

NOTICE IS HEREBY GIVEN that the following title was printed incorrectly.

The **correct** Act is the Change of Name Act. The incorrect Act used was The Marriage Act.

Dated at Toronto, this 18th day of November, 2005

SUZIE SCHETTINI  
The Ontario Gazette

**AVIS D'ERREUR**

**LOI SUR LE CHANGEMENT DE NOM**

Vide Gazette de l'Ontario, vol. 138-25, datée le 18 juin 2005, page 1661.

PAR LE PRÉSENTE, nous vous informons que le titre Loi sur le mariage était imprimé en erreur. Le titre **correct** est Loi sur le changement de nom.

Datée à Toronto, le 18 novembre 2005

SUZIE SCHETTINI  
La Gazette de l'Ontario

**ERRATUM NOTICE**

**MARRIAGE ACT**

Vide Ontario Gazette, Vol. 138-29 dated July 16, 2005, on page 2035.

NOTICE IS HEREBY GIVEN that the following title was printed incorrectly.

The **correct** Act is The Marriage Act. The incorrect Act used was Change of Name Act.

Dated at Toronto, this 18th day of November, 2005

SUZIE SCHETTINI  
The Ontario Gazette

**AVIS D'ERREUR**

**LOI SUR LE MARIAGE**

Vide Gazette de l'Ontario, vol. 138-29, datée le 16 juillet 2005, page 2035.

PAR LE PRÉSENTE, nous vous informons que le titre Loi sur le changement de nom était imprimé en erreur. Le titre **correct** est Loi sur le mariage.

Datée à Toronto, le 18 novembre 2005

SUZIE SCHETTINI  
La Gazette de l'Ontario

**Ministry of the Attorney General  
Ministère du Procureur général**

**NOTICE 22A-05**

**STATUTORY NOTICE UNDER THE REMEDIES FOR  
ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES  
ACT, 2001**

NOTICE TO MUNICIPAL CORPORATIONS AND PUBLIC BODIES OF A CLASS PRESCRIBED IN SECTION 12 OF ONTARIO REGULATION 233/03 THAT SUFFERED PECUNIARY LOSSES BY REASON OF THE UNLAWFUL ACTIVITY RESULTING IN CIVIL FORFEITURE PROCEEDINGS IN THE MATTER OF THE ATTORNEY GENERAL OF ONTARIO AND \$10,000 IN CANADIAN CURRENCY, \$85.00 IN U. S. CURRENCY (IN REM) AND JAMIE DEAN WHEELER (ALSO KNOWN AS JACK SMITH).



Pursuant to a court order made in the above proceeding, \$10,103.19 has been forfeited to the Crown and deposited in a special purpose account. Any municipal corporation or public body of a prescribed class, which has suffered pecuniary losses as a result of the above unlawful activity is entitled to make a claim for compensation.

All claims must comply with the provisions of Regulation 233/03 and be on the prescribed form or they will be denied. Regulation 233/03 may be found at [www.e-laws.gov.on.ca/DBLaws/Regs/English/030233\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Regs/English/030233_e.htm).

To obtain a claim form or if you have any inquiries about potential claims please contact the Civil Remedies for Illicit Activities Office toll free at 1-888-246-5359 or write to:

Ministry of the Attorney General  
Civil Remedies for Illicit Activities Office  
77 Wellesley Street West, P.O. Box 333  
Toronto, ON M7A 1N3

All completed claims must refer to **Notice 22A-05**, be sent to the above address and be received no later than 5:00:00 PM on December 28, 2005 to be considered.

You may not be eligible for compensation if you participated in or contributed to your losses or the unlawful activity giving rise to the proceeding.

#### AVIS 22A-05

##### **AVIS PRÉVU PAR LA LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES**

AVIS EST DONNÉ AUX MUNICIPALITÉS ET ORGANISMES PUBLICS D'UNE CATÉGORIE PRESCRITE À L'ARTICLE 12 DU RÈGLEMENT DE L'ONTARIO 233/03 QUI ONT SUBI DES PERTES PÉCUNIAIRES PAR SUITE DE L'ACTIVITÉ ILLÉGALE À L'ÉGARD DE LAQUELLE UNE INSTANCE CIVILE DE CONFISCATION A ÉTÉ INTRODUITE, EN L'AFFAIRE DU PROCUREUR GÉNÉRAL DE L'ONTARIO ET 10 000 \$ EN DEVISE CANADIENNE, 85,00 \$ EN DEVISE AMÉRICAINE (EN MATIÈRE RÉELLE) ET JAMIE DEAN WHEELER (ÉGALEMENT CONNU SOUS LE NOM DE JACK SMITH).

En vertu d'une ordonnance de la cour rendue relativement à l'instance susmentionnée, 10 103,19 \$ ont été confisquée au profit de la Couronne et versée dans un compte spécial. Toute municipalité ou organisme public d'une catégorie prescrite qui a subi des pertes pécuniaires par suite de l'activité illégale susmentionnée a le droit de demander une indemnité.

Toute personne qui présente une demande doit utiliser la formule prescrite et la remplir selon les dispositions du Règlement 233/03. Une demande qui n'est pas conforme au Règlement sera rejetée. Le Règlement 233/03 se trouve à [www.e-laws.gov.on.ca/DBLaws/Regs/French/030233\\_f.htm](http://www.e-laws.gov.on.ca/DBLaws/Regs/French/030233_f.htm).

Si vous voulez obtenir une formule de demande ou si vous avez des questions concernant d'éventuelles demandes, veuillez communiquer avec le Bureau de recours civil à l'égard d'activités illicites en composant le numéro sans frais 1 888 246-5359 ou en écrivant au :

Ministère du Procureur général  
Bureau de recours civil à l'égard d'activités illicites  
77, rue Wellesley Ouest, c. p. 333  
Toronto ON M7A 1N3

Pour être admissibles, les demandes produites doivent porter la mention **Avis 22A-05**, être envoyées à l'adresse ci-dessus et parvenir au bureau d'ici le 28 décembre 2005 à 17 h.

L'admissibilité à une indemnité peut être refusée s'il est établi que l'auteur de la demande peut avoir participé ou contribué aux pertes qu'il a subies ou à l'activité illégale à l'égard de laquelle l'instance a été introduite.

(138-G1039)

#### NOTICE 23A-05

##### **STATUTORY NOTICE UNDER THE REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001**

NOTICE TO MUNICIPAL CORPORATIONS AND PUBLIC BODIES OF A CLASS PRESCRIBED IN SECTION 12 OF ONTARIO REGULATION 233/03 THAT SUFFERED PECUNIARY LOSSES BY REASON OF THE UNLAWFUL ACTIVITY RESULTING IN CIVIL FORFEITURE PROCEEDINGS IN THE MATTER OF THE ATTORNEY GENERAL OF ONTARIO AND \$2,040.00 IN CANADIAN CURRENCY; INDOOR MARIJUANA GROWING EQUIPMENT; CANADIAN IMPERIAL BANK OF COMMERCE ACCOUNT NUMBER 74 65637 (IN REM) AND ALLEN LEE CHAI FA AH-CHONG, CUC THI NGUYEN, HIEU KIM NGUYEN (ALSO KNOWN AS MELANIE NGUYEN AND THANH TUNG NGUYEN (ALSO KNOWN AS JEFF NGUYEN).

Pursuant to a court order made in the above proceeding, \$2,082.50 has been forfeited to the Crown and deposited in a special purpose account. Any municipal corporation or public body of a prescribed class, which has suffered pecuniary losses as a result of the above unlawful activity is entitled to make a claim for compensation.

All claims must comply with the provisions of Regulation 233/03 and be on the prescribed form or they will be denied. Regulation 233/03 may be found at [www.e-laws.gov.on.ca/DBLaws/Regs/English/030233\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Regs/English/030233_e.htm).

To obtain a claim form or if you have any inquiries about potential claims please contact the Civil Remedies for Illicit Activities Office toll free at 1-888-246-5359 or write to:

Ministry of the Attorney General  
Civil Remedies for Illicit Activities Office  
77 Wellesley Street West, P.O. Box 333  
Toronto, ON M7A 1N3

All completed claims must refer to **Notice 23A-05**, be sent to the above address and be received no later than 5:00:00 PM on December 28, 2005 to be considered.

You may not be eligible for compensation if you participated in or contributed to your losses or the unlawful activity giving rise to the proceeding.

#### AVIS 23A-05

##### **AVIS PRÉVU PAR LA LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES**

AVIS EST DONNÉ AUX MUNICIPALITÉS ET ORGANISMES PUBLICS D'UNE CATÉGORIE PRESCRITE À L'ARTICLE 12 DU RÈGLEMENT DE L'ONTARIO 233/03 QUI ONT SUBI DES PERTES PÉCUNIAIRES PAR SUITE DE L'ACTIVITÉ ILLÉGALE À L'ÉGARD DE LAQUELLE UNE INSTANCE CIVILE DE CONFISCATION A ÉTÉ INTRODUITE, EN L'AFFAIRE DU PROCUREUR GÉNÉRAL DE L'ONTARIO ET 2 040 \$ EN DEVISE CANADIENNE; DE L'ÉQUIPEMENT DE CULTURE INTÉRIEURE DE MARIHUANA; LE COMPTE 74 65637 DE LA BANQUE CANADIENNE IMPÉRIALE DE COMMERCE (EN MATIÈRE RÉELLE) ET ALLEN LEE CHAI FA AH-CHONG, CUC THI NGUYEN, HIEU KIM NGUYEN (ÉGALEMENT CONNUE SOUS LE NOM DE MELANIE NGUYEN) ET THANH TUNG NGUYEN (ÉGALEMENT CONNU SOUS LE NOM DE JEFF NGUYEN).

En vertu d'une ordonnance de la cour rendue relativement à l'instance susmentionnée, 2 082,50 \$ ont été confisquée au profit de la Couronne et versée dans un compte spécial. Toute municipalité ou organisme public d'une catégorie prescrite qui a subi des pertes pécuniaires par suite de l'activité illégale susmentionnée a le droit de demander une indemnité.

Toute personne qui présente une demande doit utiliser la formule prescrite et la remplir selon les dispositions du Règlement 233/03. Une demande qui n'est pas conforme au Règlement sera rejetée. Le Règlement 233/03 se trouve à [www.e-laws.gov.on.ca/DBLaws/Regs/French/030233\\_f.htm](http://www.e-laws.gov.on.ca/DBLaws/Regs/French/030233_f.htm).

Si vous voulez obtenir une formule de demande ou si vous avez des questions concernant d'éventuelles demandes, veuillez communiquer avec le Bureau de recours civil à l'égard d'activités illicites en composant le numéro sans frais 1 888 246-5359 ou en écrivant au :

Ministère du Procureur général  
Bureau de recours civil à l'égard d'activités illicites  
77, rue Wellesley Ouest, c. p. 333  
Toronto ON M7A 1N3

Pour être admissibles, les demandes produites doivent porter la mention **Avis 23A-05**, être envoyées à l'adresse ci-dessus et parvenir au bureau d'ici le 28 décembre 2005 à 17 h.

L'admissibilité à une indemnité peut être refusée s'il est établi que l'auteur de la demande peut avoir participé ou contribué aux pertes qu'il a subies ou à l'activité illégale à l'égard de laquelle l'instance a été introduite.

(138-G1040)

## Applications to Provincial Parliament — Private Bills Demandes au Parlement provincial — Projets de loi d'intérêt privé

### PUBLIC NOTICE

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders, and the guide "Procedures for Applying for Private Legislation", may be obtained from the Legislative Assembly's Internet site at <http://www.ontla.on.ca> or from:

Committees Branch  
Room 1405, Whitney Block, Queen's Park  
Toronto, Ontario M7A 1A2

Telephone: 416/325-3500 (Collect calls will be accepted)

Applicants should note that consideration of applications for Private Bills that are received after the first day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

(8699) T.F.N. CLAUDE L. DESROSIERS,  
Clerk of the Legislative Assembly.

## Corporation Notices

### Partnership Dissolution/Changes Dissolution de sociétés/ La modifications

NOTICE IS HEREBY GIVEN that the partnership between LARRY WALDRON and SANDRA MARTIN carrying on business under the name and style of:

**THE CORPORATE IMAGE**  
43 Teal Avenue, Unit 4,  
Hamilton (formerly, Stoney Creek), Ontario L8E 3B1

was dissolved effective May 1, 2005.

The assets of the aforesaid partnership business have been transferred to **THE CORPORATE IMAGE INC.**

Dated this 11th day of November, 2005.

(138-P769) LARRY WALDRON  
SANDRA MARTIN

### NOTICE OF DISSOLUTION

TAKE NOTICE that the partnership between THOMAS TILLMANN, WILLIAM RUTH and RICCARDO MOCELLIN, carrying on business under the name and style of "ARCHITECTS TILLMANN RUTH MOCELLIN", located at 318 Wolfe Street, London, Ontario, N6B 2C5, is dissolved effective January 3, 2004.

DATED effective this 3rd day of January, 2004.

(138-P770) ARCHITECTS TILLMAN, RUTH, MOCELLIN  
By Its Partners

### 1648358 ONTARIO INC.

TAKE NOTICE that the shareholder of 1648358 ONTARIO INC. passed a Special Resolution on July 6, 2005 requiring the said Corporation to be wound up voluntarily under the provisions of the Business Corporations Act, R.S.O. 1990.

DATED July 6, 2005.

Ralph Desando, Secretary

### 1648358 ONTARIO INC.

TAKE NOTICE that a final meeting of the Shareholder of the above Corporation was held on the 6th day of July, 2005, at which time the Liquidator of the above Corporation presented his account and explanation of the voluntary winding up of 1648358 ONTARIO INC.

DATED July 6, 2005.

(138-P771) Ralph Desando, Liquidator

## Sale of Lands for Tax Arrears by Public Tender Ventes de terrains par appel d'offres pour arriéré d'impôt

*Municipal Act, 2001*

SALE OF LAND BY PUBLIC TENDER

### THE CORPORATION OF THE CITY OF BARRIE

Take Notice that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on Wednesday, December 14, 2005, at The Corporation of the City of Barrie, City Hall, 70 Collier Street, Barrie, Ontario L4M 4T5

The tenders will then be opened in public on the same date at 3:30 p.m. at the The Corporation of the City of Barrie, 70 Collier Street, 1st Floor, Treasury Department Meeting Room, Barrie, Ontario L4M 4T5:

#### Description of Land(s)

Roll No. 4342 040 017 12701 0000  
Part of Parklot 26 on Lot 6  
Concession 13, Plan 67  
City of Barrie, formerly Township of Innisfil  
County of Simcoe  
PIN 58914-0005 (LT)  
**Minimum Tender Amount: \$8,391.39**

Roll No. 4342 031 023 01600 0000  
West Part of Gore Lot 25  
Concession 7  
City of Barrie (formerly Township of Vespra)  
County of Simcoe  
As in R001270772  
PIN 58764-0037 (LT)  
**Minimum Tender Amount: \$27,121.18**

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to The Corporation of the City of Barrie and representing at least 20 per cent of the tender amount.

Except as follows, the municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of the tender contact:

SHARYN ROSS, Treasurer  
The Corporation of the City of Barrie  
70 Collier Street  
Box 400  
Barrie, Ontario L4M 4T5  
739-4220 Ext 4431

(138-P772)

*Municipal Act, 2001*

SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE TOWNSHIP OF  
LUCAN BIDDULPH**

TAKE NOTICE that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on 21 December 2005, at the Municipal Office, Box 190, 33351 Richmond St., R. R. # 3, Lucan, Ontario N0M 2J0.

The tenders will then be opened in public on the same day at the Municipal Office, 33351 Richmond St., Lucan.

**Description of Lands:**

Roll No. 39 58 000 020 00700 0000, S.S. of James Street, PIN 09697-0135(LT), Part Lot 10 Range 3, Registered Plan 178 as previously described in Instrument No. 442892 save and except Part 1 on Reference Plan 33R6733, Township of Lucan Biddulph, County of Middlesex (No 33) being all of the PIN. File No. 04-02

**Minimum Tender Amount: \$6,688.47**

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality and representing at least 20 per cent of the tender amount.

The municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes, relevant land transfer tax and GST if applicable.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of tender contact:

CHERIE MAHONEY, Treasurer  
The Corporation of the Township of Lucan Biddulph  
Box 190  
33351 Richmond St.  
R. R. # 3  
Lucan, Ontario N0M 2J0  
(519) 227-4491

(138-P773)

*Municipal Act, 2001*

SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE TOWNSHIP OF OTONABEE-  
SOUTH MONAGHAN**

TAKE NOTICE that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on Monday January 9th 2006, at the Otonabee-South Monaghan Municipal Office, PO Box 70, 20 Third Street, Keene, Ontario K0L 2G0.

The tenders will then be opened in public on the same day in the Council Chambers of the Municipal Office, located at 20 Third Street, Keene, Ontario K0L 2G0.

**Description of Lands:**

Property 1: Roll No. 15 06 010 004 13600 0000, Part of the North West 1/4 of Lot 19 Concession 8, geographic Township of Otonabee, now Township of Otonabee-South Monaghan, County of Peterborough (No. 45) being the lands in Instrument No. 519243. File No. 04-01

**Minimum Tender Amount: \$7,754.95**

Property 2: Roll No. 15 06 010 005 04100 0000, Part Lot 26 Concession 10, geographic Township of Otonabee, now Township of Otonabee-South Monaghan, County of Peterborough (No. 45) being the lands in Instrument No. 646501 subject to and together with the easements and rights in Instrument No. 646501. File No. 04-02

**Minimum Tender Amount: \$4,505.25**

Property No. 3: 150 Long Island, Roll No. 15 06 020 030 33300 0000, Lot 21 Plan 425 Sub., geographic Township of South Monaghan, now the Township of Otonabee-South Monaghan, County of Peterborough (No. 45) together with a right of way and subject to restrictions as described in Instrument No. 113892. File No. 04-05

**Minimum Tender Amount: \$10,762.51**

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality and representing at least 20 per cent of the tender amount.

The municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes, relevant land transfer tax and GST if applicable.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of tender contact:

KAREN CLOSE, AMCT  
Deputy Treasurer  
The Corporation of the Township of  
Otonabee-South Monaghan  
PO Box 70  
20 Third Street  
Keene, Ontario K0L 2G0  
Phone (705) 295-6852  
Toll free from (705) 1-800-999-4861

(138-P774)

*Municipal Act, 2001*

## SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE UNITED TOWNSHIPS OF  
DYSART, DUDLEY, HARCOURT, GUILFORD, HARBURN,  
BRUTON, HAVELOCK, EYRE AND CLYDE**

TAKE NOTICE that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on 7 December 2005, at the Township Office, P.O. Box 389, Haliburton, Ontario K0M 1S0.

The tenders will then be opened in public on the same day at the Township Office, Haliburton, Ontario K0M 1S0.

**Description of Lands:**

Roll No. 46 24 010 000 19100 0000, Lot 9 Concession 3, geographic Township of Dysart now in the Municipality of Dysart et al, County of Haliburton (No. 19) being the lands in Instrument No. 33170. File No. 04-02

**Minimum Tender Amount: \$4,057.98**

Roll No. 46 24 020 000 67900 0000, Long Lake Road, Lot 8 Plan 527, geographic Township of Dudley now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-06

**Minimum Tender Amount: \$3,345.95**

Roll No. 46 24 040 000 12200 0000, Lot 29 Plan 580, geographic Township of Guilford now in the Municipality of Dysart et al, County of Haliburton (No. 19), subject to restrictions and road agreement registered as Instrument No. 104688. File No. 04-08

**Minimum Tender Amount: \$3,305.45**

Roll No. 46 24 060 000 39300 0000, Part Lot 8 Concession 3, geographic Township of Havelock now in the Municipality of Dysart et al, County of Haliburton (No. 19) bounded on all sides by Alexandra Drive as shown on Plan of Subdivision 479 save and except 1 foot reserve set out along Alexandra Drive as shown on Plan of Subdivision 479 and being the lands described in Instrument No. 167863. File No. 04-14

**Minimum Tender Amount: \$3,862.97**

Roll No. 46 24 010 000 17030 0000, Part Lot 26 Concession 2, geographic Township of Dysart now In the Municipality of Dysart et al, County of Haliburton (No. 19) designated as Part 4 on Reference Plan 19R1895. File No. 04-16

**Minimum Tender Amount: \$10,699.72**

Roll No. 46 24 010 000 17040 0000, Part Lot 26 Concession 2, geographic Township of Dysart now In the Municipality of Dysart et al, County of Haliburton (No. 19) designated as Part 5 on Reference Plan 19R1895. File No. 04-17

**Minimum Tender Amount: \$7,352.33**

Roll No. 46 24 010 000 26120 0000, Part Lot 19 Concession 4, geographic Township of Dysart now in the Municipality of Dysart et al, County of Haliburton (No. 19) designated as Parts 1, 2, 3 & 4, Plan 19R-4990, together with a right of way over Part 6, Plan 19R-4990. File No. 04-18

**Minimum Tender Amount: \$5,819.62**

Roll No. 46 24 010 000 26125 0000, Part Lot 19 Concession 4, geographic Township of Dysart now in the Municipality of Dysart et al, County of Haliburton (No. 19) designated as Parts 5, 6 & 7, Plan 19R-4990, subject to right of way over Part 6, Plan 19R-4990. File No. 04-19

**Minimum Tender Amount: \$6,092.16**

Roll No. 46 24 011 000 67300 0000, Part Lot 11 Concession 8, geographic Township of Dysart now in the Municipality of Dysart et al, County of Haliburton (No. 19) being the lands in Instrument No. 199907. File No. 04-25

**Minimum Tender Amount: \$8,227.73**

Roll No. 46 24 020 000 28700 0000, Lot 162 Registered Plan 482, geographic Township of Dudley now in the Municipality of Dysart et al, County of Haliburton (No. 19) together with an undivided 1/14th interest in Lot 159, Plan 482 as appurtenant to Lot 162 and as described in Instrument No. 93533. File No. 04-30

**Minimum Tender Amount: \$6,056.11**

Roll No. 46 24 050 000 37200 0000, Part Lot 11 Concession 6, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19) being the lands in Instrument No. 222710. File No. 04-37

**Minimum Tender Amount: \$7,779.79**

Roll No. 46 24 050 000 85000 0000, Lot 23 Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-39

**Minimum Tender Amount: \$6,480.37**

Roll No. 46 24 050 000 85100 0000, Lot 24 Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-40

**Minimum Tender Amount: \$6,458.02**

Roll No. 46 24 050 000 85200 0000, Lot 25 Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-41

**Minimum Tender Amount: \$6,458.02**

Roll No. 46 24 050 000 85300 0000, Lot 26 Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-42

**Minimum Tender Amount: \$6,092.01**

Roll No. 46 24 050 000 85500 0000, Lot 28 Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-43

**Minimum Tender Amount: \$6,363.28**

Roll No. 46 24 050 000 85800 0000, Lot 31 Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-44

**Minimum Tender Amount: \$6,413.21**

Roll No. 46 24 050 000 86000 0000, Block "B" Registered Plan 551, geographic Township of Harburn now in the Municipality of Dysart et al, County of Haliburton (No. 19). File No. 04-45

**Minimum Tender Amount: \$6,773.75**

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality and representing at least 20 per cent of the tender amount.

The municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes, relevant land transfer tax and GST if applicable.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of tender contact:

FAY BROWN, A.M.C.T.

Treasurer

The Corporation of the United Townships of Dysart et al  
P.O. Box 389

Haliburton, Ontario K0M 1S0

(705) 457-1740 Ext 23

(138-P775) [www.dysartetal.ca](http://www.dysartetal.ca)

# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2005—11—26

## ONTARIO REGULATION 570/05

made under the

### ELECTRICITY ACT, 1998

Made: October 14, 2005

Approved: November 2, 2005

Filed: November 7, 2005

## LICENSING OF ELECTRICAL CONTRACTORS AND MASTER ELECTRICIANS

### INTERPRETATION AND APPLICATION

#### Definitions

1. (1) In this Regulation,

“certificate of qualification” means a certificate of qualification issued under the *Trades Qualification and Apprenticeship Act* or the *Apprenticeship and Certification Act, 1998*, as the case may be;

“electrical contracting business” means a business that is engaged in the carrying out of electrical work;

“electrical contractor” means a person who is licensed to operate an electrical contracting business under this Regulation;

“electrical equipment” means any apparatus, appliance, device, instrument, fitting, fixture, machinery, material or thing used in or for, or capable of being used in or for, the generation, transformation, transmission, distribution, supply or utilization of electric power or energy, and, without restricting the generality of the foregoing, includes any assemblage or combination of materials or things which is used, or is capable of being used or adapted, to serve or perform any particular purpose or function when connected to an electrical installation, notwithstanding that any of such materials or things may be mechanical, metallic or non-electric in origin;

“electrical installation” means the installation of any wiring in or upon any land, building or premises from the point or points where electric power or energy can be supplied from any source to the point or points where such power or energy can be used in or on the land, building or premises by any electrical equipment, including the connection of any such wiring with any of that equipment, and any part of the wiring, and the maintenance, alteration, extension and repair of such wiring;

“Electrical Safety Code” means the Electrical Safety Code adopted by reference in section 1 of Ontario Regulation 164/99 (Electrical Safety Code) made under the Act;

“electrical work” means work within the scope of the Electrical Safety Code that consists of constructing, installing, protecting, maintaining, repairing, extending, altering, connecting or disconnecting any electrical installation or electrical equipment;

“industrial establishment” means an office building, factory, arena, shop or office, and any land, buildings and structures appertaining thereto;

“master electrician” means an individual who is licensed under this Regulation to assume the responsibilities set out in section 6 for the carrying out of electrical work on behalf of an electrical contractor;

“prior electrical contractor licence” means a licence that was issued before July 1, 2006 by a municipality or other jurisdiction authorizing the operation of an electrical contracting business within the municipality or other jurisdiction and that was valid and in good standing on June 30, 2006;

“prior master electrician licence” means a licence that was issued before July 1, 2006 by a municipality or other jurisdiction authorizing the holder of the licence to assume responsibilities similar to those set out in section 6 for electrical work carried out on behalf of an electrical contractor within the municipality or other jurisdiction and that was valid and in good standing on June 30, 2006;

“professional engineer” means a holder of licence, a limited licence or a temporary licence issued under the *Professional Engineers Act*.

(2) The use in this Regulation of “employ” and “employee” refers to the employer-employee relationship and not to an arrangement whereby a person engages an independent contractor to work on the person’s behalf.

**Non-application of regulation**

2. This Regulation does not apply to a person engaged in the following types of electrical work:
  1. Work done on original equipment of a manufacturer if done by an employee or agent of the original equipment manufacturer who has been trained by the manufacturer to perform maintenance, service or repair on the equipment and if the work being done does not include extending or altering the equipment or installing, extending, altering or repairing any electrical wiring connected to that equipment.
  2. Work done on equipment or electrical installations within an industrial establishment or on a farm if done by an owner, an operator or an employee of the owner or operator.
  3. Work done on electrical equipment or installations within a residential dwelling if done by an owner or occupant of the dwelling.
  4. Work done on the controls and equipment within refrigeration and air-conditioning units by a person authorized to do such work under Ontario Regulation 75/05 (Refrigeration and Air Conditioning Mechanic) made under the *Trades Qualification and Apprenticeship Act*.
  5. Work done on fire protection alarm systems by a person authorized to do such work under Regulation 1078 of the Revised Regulations of Ontario, 1990 (Sprinkler and Fire Protection Installer) made under the *Trades Qualification and Apprenticeship Act*.
  6. Work done on elevators and escalators by a person authorized to do such work under Ontario Regulation 209/01 (Elevating Devices) made under the *Technical Standards and Safety Act, 2000*.
  7. Work done on electrical components of appliances by a person authorized to do such work under Ontario Regulation 210/01 (Oil and Gas Pipeline Systems), Ontario Regulation 211/01 (Propane Storage and Handling) and Ontario Regulation 215/01 (Fuel Industry Certificates) made under the *Technical Standards and Safety Act, 2000*.
  8. Work done on electrical equipment that plugs into an electrical source if the work being done constitutes maintenance, service or repair of the equipment that does not include extending or altering the equipment or installing, extending, altering or repairing any electrical wiring connected to that equipment.
  9. Work done that falls within the scope of Ontario Regulation 22/04 (Electrical Distribution Safety) made under the *Electricity Act, 1998*.
  10. Work done on any electrical equipment or electrical installation that is specifically excluded by Rule 2-000 of the Electrical Safety Code.

LICENCES

**Licence required, electrical contractor**

3. No person shall operate an electrical contracting business without an electrical contractor licence issued under this Regulation.

**Duties of electrical contractor**

4. (1) An electrical contractor shall ensure that all electrical work carried out on the electrical contractor’s behalf is carried out in accordance with all applicable laws, including the Electrical Safety Code and the laws relating to health and safety, employment standards, consumer protection, business tax and business practices.

(2) An electrical contractor shall designate one or more master electricians to assume the responsibilities set out in section 6 for the carrying out of electrical work on the contractor’s behalf.

(3) An electrical contractor shall not designate a master electrician under subsection (2) if the designation will result in the master electrician acting as a designated master electrician on behalf of more than one electrical contractor at the same time.

**Licence required, master electrician**

5. No person shall assume the responsibilities set out in section 6 for the carrying out of electrical work on behalf of an electrical contractor without a master electrician licence issued under this Regulation.

**Responsibilities of designated master electrician**

6. A master electrician designated by an electrical contractor is, within the scope of the designation, responsible,
  - (a) for the personal planning and direct supervision of electrical work carried out on behalf of the electrical contractor;

- (b) for ensuring that the electrical work is carried out in accordance with applicable law, including the Electrical Safety Code and the laws relating to health and safety and consumer protection, on behalf of the electrical contractor; and
- (c) for other matters of a similar nature.

**Prohibitions, master electrician**

7. (1) A master electrician shall not accept a designation from an electrical contractor unless the master electrician is actively employed by the designating electrical contractor.

(2) A master electrician designated by an electrical contractor shall not accept a designation from another electrical contractor if accepting the second designation will result in the master electrician acting in this capacity on behalf of more than one electrical contractor at the same time.

(3) A master electrician shall not carry out electrical work unless he or she holds a valid certificate of qualification authorizing the carrying out of the electrical work.

**Electrical contractor licence: requirements**

8. A person who applies for an electrical contractor licence shall not be issued the licence unless the applicant,

- (a) in the case of an individual, is at least 18 years old;
- (b) is a master electrician or, if the applicant is not a master electrician, the applicant employs at least one master electrician whom the applicant has designated as having the responsibilities set out in section 6 for the carrying out of electrical work on the applicant's behalf;
- (c) has a place of business in Ontario;
- (d) has public liability and property damage insurance coverage of at least \$2,000,000;
- (e) has registered with the Workplace Safety and Insurance Board, if the applicant is required to register under the *Workplace Safety and Insurance Act, 1997*;
- (f) is not in default of filing a return with the Minister of Finance or of paying any tax, penalty or interest assessed under the *Retail Sales Tax Act* or the *Corporations Tax Act*, if applicable, for which payment arrangements have not been made; and
- (g) does not owe the Authority any money for which payment arrangements have not been made.

**Application for electrical contractor licence**

9. An application for an electrical contractor licence shall,

- (a) be in the form established by the Authority under clause 12 (1) (a) of the *Safety and Consumer Statutes Administration Act, 1996* and be completed in full;
- (b) be accompanied by the fee set by and payable to the Authority;
- (c) include a certificate of insurance for public liability and property damage insurance coverage of at least \$2,000,000;
- (d) include the applicant's employer account number issued by the Workplace Safety and Insurance Board if the applicant is required to have one.

**Provisional electrical contractor licence: requirements and application procedure**

10. (1) A person may be issued a provisional electrical contractor licence in accordance with this section if, on July 1, 2006,

- (a) the person operates an electrical contracting business in a part of Ontario where a licence to operate an electrical contracting business was not required on June 30, 2006; or
- (b) the person operates an electrical contracting business in a part of Ontario where a licence to operate the business was required on June 30, 2006 and the person held the required licence on that date, but it was not a condition for the obtaining of that licence that the person either hold a prior master electrician licence, or employ a person with a prior master electrician licence and assign to that person responsibilities similar to those set out in section 6.

(2) A provisional electrical contractor licence shall not be issued unless the applicant,

- (a) in the case of an individual, is at least 18 years old;
- (b) has a place of business in Ontario;
- (c) demonstrates at least five years experience in,
  - (i) operating an electrical contracting business in a part of Ontario where a licence to operate such a business was not required on June 30, 2006, or in operating an electrical contracting business in a part of Ontario where a licence to operate such a business was required on June 30, 2006 and the person held the required licence on that date,

but where it was not a condition for obtaining that licence that the person either hold a prior master electrician licence or employ a person with a prior master electrician licence and assign to that person responsibilities similar to those set out in section 6, and

- (ii) carrying out electrical work;
  - (d) demonstrates that the applicant has been in compliance with the requirements of Rule 2-004 of the Electrical Safety Code for at least five years;
  - (e) has public liability and property damage insurance coverage of at least \$2,000,000;
  - (f) has registered with the Workplace Safety and Insurance Board, if the applicant is required to register under the *Workplace Safety and Insurance Act, 1997*;
  - (g) is not in default of filing a return with the Minister of Finance or of paying any tax, penalty or interest assessed under the *Retail Sales Tax Act* or the *Corporations Tax Act*, if applicable, for which payment arrangements have not been made; and
  - (h) does not owe the Authority any money for which payment arrangements have not been made.
- (3) A person described in subsection (1) may apply for a provisional electrical contractor licence between July 1, 2006 and November 30, 2006 and, with the Director's approval, after November 30, 2006, if, in the Director's opinion, it would be a hardship not to allow the person to apply.
- (4) An application for a provisional electrical contractor licence shall be in the form established by the Authority under clause 12 (1) (a) of the *Safety and Consumer Statutes Administration Act, 1996*, be completed in full and be accompanied by the fee set by and payable to the Authority.
- (5) An applicant for a provisional electrical contractor licence shall provide with the application proof of the matters set out in clauses (2) (b) to (f) and, if applicable, evidence that the applicant has made arrangements for payment with the Minister of Finance.

(6) For the purpose of proving the matters set out in clauses (2) (e) and (f), the applicant shall provide,

- (a) a certificate of insurance for public liability and property damage insurance coverage of at least \$2,000,000;
- (b) the applicant's employer account number issued by the Workplace Safety and Insurance Board if the applicant is required to have one.

#### **Master electrician licence: requirements**

**11.** An individual who applies for a master electrician licence shall not be issued the licence unless the applicant,

- (a) is at least 18 years old;
- (b) demonstrates at least three years experience,
  - (i) as a construction and maintenance electrician, a domestic and rural electrician or an industrial electrician carrying out electrical work under a valid certificate of qualification,
  - (ii) working for an electrical contractor as a licensed professional engineer registered with the Professional Engineers of Ontario, or
  - (iii) working for an electrical contractor in the capacity of a certified engineering technician or a certified engineering technologist registered with the Ontario Association of Certified Engineering Technicians and Technologists;
- (c) has passed the master electrician qualifying examination within the 12-month period preceding the date of the application; and
- (d) does not owe the Authority any money for which payment arrangements have not been made.

#### **Application for master electrician licence**

**12.** An application for a master electrician licence shall,

- (a) be in a form established by the Authority under clause 12 (1) (a) of the *Safety and Consumer Statutes Administration Act, 1996* and be completed in full;
- (b) be accompanied by the fee set by and payable to the Authority;
- (c) include proof that the applicant passed the master electrician qualifying examination within the 12-month period preceding the date of the application;
- (d) if the applicant is a construction and maintenance electrician, a domestic and rural electrician or an industrial electrician, include a copy of a valid certificate of qualification and proof of at least three years experience in carrying out electrical work;



- (e) if the applicant is a licensed professional engineer, include a copy of a valid licence issued under the *Professional Engineers Act* and proof of at least three years experience working for an electrical contractor as a professional engineer; and
- (f) if the applicant is a certified engineering technician or a certified engineering technologist, include a copy of a valid certificate indicating that the applicant is a certified engineering technician or a certified engineering technologist, a copy of a valid registration with the Ontario Association of Certified Engineering Technicians and Technologists and proof of at least three years experience working for an electrical contractor as a certified engineering technician or a certified engineering technologist.

**Licences**

**13.** (1) An electrical contractor licence and a provisional electrical contractor licence shall be in the form of a certificate that includes the following information:

- 1. Whether the licence is an electrical contractor licence or a provisional electrical contractor licence.
- 2. The legal name of the business, the name under which it operates and its current address.
- 3. The number of the licence.
- 4. The date the licence takes effect and its expiry date.

(2) A master electrician licence shall be in the form of a card bearing a recent photograph of the licence holder, that includes the following information:

- 1. The name of the licence holder.
- 2. The type of certificate or licence relied upon by the licence holder to obtain the licence under this Regulation.
- 3. The number of the licence.
- 4. The date the licence takes effect and its expiry date.

(3) A licence is valid throughout Ontario.

(4) A licence is not transferable.

(5) A licence shall be deemed to be, as applicable, a prior electrical contractor licence or a prior master electrician licence for the purpose of any municipal by-law.

**Contractor failure to continue to meet requirements for licence**

**14.** (1) The holder of an electrical contractor licence or a provisional electrical contractor licence shall immediately cease to operate the electrical contracting business in respect of which the electrical contractor licence or provisional electrical contractor licence is issued if any of the requirements for obtaining the licence, as set out in section 8 or section 10, cease to be met during the currency of the licence.

(2) Subsection (1) does not apply to the holder of an electrical contractor licence who ceases to meet the requirement to employ at least one designated master electrician, as set out in subsection 8 (2) if the electrical contractor notifies the Director of the loss of the last designated master electrician within five days of the occurrence, in which case the electrical contractor may continue to operate for a period of 60 days after the occurrence.

(3) Despite subsection (2), if the expiry date indicated on the licence falls within the 60-day period and the electrical contractor has been unable to employ and designate a master electrician before the expiry date indicated on the licence, the licence expires on the expiry date.

(4) If, within the 60-day period, the electrical contractor employs and designates a master electrician and notifies the Director of the designation, the electrical contractor may continue to operate beyond the end of the 60-day period.

(5) If, within the 60-day period, the electrical contractor fails to employ and designate a master electrician, the electrical contractor shall cease to operate at the end of that period unless, at the request of the electrical contractor made at any time within the 60-day period, the Director permits the electrical contractor to continue to operate for up to 60 further days on being satisfied that,

- (a) the electrical contractor has made all reasonable efforts to employ and designate a master electrician during the first 60-day period; and
- (b) it is likely that the electrical contractor will be able to employ and designate a master electrician within the period of the extension.

(6) If the period of operation is extended under subsection (5) and the electrical contractor fails to employ and designate a new master electrician within the extension period, the electrical contractor shall cease immediately to operate until a master electrician has again been employed and designated and the Director is notified of the designation.

**Expiry and renewal of licences**

15. (1) An electrical contractor licence or a provisional electrical contractor licence expires on the date indicated on the licence.

(2) Despite subsection (1), the licence expires on the date the electrical contractor ceases to operate the business for which the licence was issued if that date is earlier than the expiry date indicated on the licence.

(3) A master electrician licence expires on the date indicated on the licence.

(4) An application for the renewal of an electrical contractor licence, a provisional electrical contractor licence or a master electrician licence shall be made no later than 30 days before the expiry date of the licence, shall be in the form established by the Authority and be accompanied by the fee set by and payable to the Authority.

(5) An applicant for the renewal of an electrical contractor licence shall meet the requirements set out in clauses 8 (b) to (f) and, for that purpose, shall provide the information and proof required by clauses 9 (c) and (d).

(6) An applicant for the renewal of a provisional electrical contractor licence shall meet the requirements set out in clauses 10 (2) (b) and (e) to (h) and, for that purpose, shall provide proof of the matters set out in clauses 10 (2) (b), (e) and (f), including, in the case of clauses 10 (2) (e) and (f), the types of proof specified in subsection 10 (6).

(7) An applicant for the renewal of a master electrician licence shall meet the requirement set out in clause 11 (d) and provide a copy of a valid certificate of qualification, a valid licence or a valid certificate and valid registration, as applicable, under clause 12 (d), (e) or (f).

(8) If the licence holder applies for a renewal less than thirty days before the expiry date but no later than 14 days after that date, the licence holder shall submit the information referred to in subsection (2), (3) or (4), as applicable, and pay the renewal fee, calculated from the date of expiry of the expired licence.

(9) If the licence holder applies for a renewal more than 14 days but less than one year after the expiry date, the holder shall submit the information referred to in subsection (2), (3) or (4), as applicable, pay the renewal fee, calculated from the date of expiry of the expired licence, and the late filing fee established by the Authority.

(10) An application for a renewal of a master electrician licence submitted one year or more after the expiry date of the expired licence shall be treated as a new application and all requirements relating to new applications apply, including the requirement to pass the master electrician qualifying examination.

(11) An application for a renewal of an electrical contractor licence submitted one year or more after the expiry date of the expired licence shall be treated as a new application and all requirements relating to new applications apply.

(12) An application for a renewal of a provisional electrical contractor licence may be made up to and including November 30, 2010, but not after.

**CONDITIONS OF LICENCES****Conditions of electrical contractor licences**

16. Sections 17 to 24 state conditions of an electrical contractor licence and a provisional electrical contractor licence.

**Posting of licence**

17. (1) An electrical contractor shall post the licence in a prominent location at the contractor's principal place of business in a manner that the public is likely to see it.

(2) An electrical contractor shall post a copy of the licence in a prominent location at any other place of business at or from which the contractor carries on business.

**Business name**

18. An electrical contractor shall not carry on business in a name other than the name indicated on the licence.

**Display of licence number**

19. An electrical contractor shall prominently display the licence number in all correspondence, contracts and advertisements, on business vehicles and, generally, in all situations where they are communicating with the public.

**Retention of application information**

20. An electrical contractor shall retain every document provided in the application for the licence or a renewal of the licence until the expiry of the licence or renewal.

**Designations to be recorded**

21. (1) An electrical contractor shall keep a record of all designations of master electricians, irrespective of the number of designations made.

(2) The record mentioned in subsection (1) shall include the name of the designated master electrician, the date on which the designation is made, the period of time for which the designation is effective and the scope of the designation.

**Notice of changes to information**

22. An electrical contractor shall notify the Director in the form obtained from him or her of any change to the information provided in the licence application or renewal of licence application within five business days of the change.

**Notice of failure to meet licence requirements**

23. An electrical contractor shall notify the Director immediately of any failure to continue to meet the requirements for the relevant type of electrical contractor licence during the currency of the licence.

**Return of licence**

24. An electrical contractor shall return the electrical contractor licence to the Director within five business days of its suspension, revocation or expiry.

**Conditions of master electrician licence**

25. Sections 26 to 28 state conditions of a master electrician licence.

**Carrying of licence**

26. A master electrician shall carry the licence while engaged in activities requiring the licence.

**Retention of application information**

27. A master electrician shall retain every document provided in the application for the licence or a renewal of the licence until the expiry of the licence or renewal.

**Notice of changes to information**

28. A master electrician shall notify the Director in the form obtained from him or her of any change to the information provided in the licence application or renewal of licence application within five business days of the change.

**Notice of failure to meet licence requirements**

29. A master electrician shall notify the Director immediately of any failure to continue to meet the requirements for the licence during the currency of the licence.

**Return of licence**

30. A master electrician shall return the master electrician licence to the Director by registered mail within five business days of its suspension, revocation or expiry.

TRANSITION

**Transition: holders of prior licences**

31. (1) If, immediately before July 1, 2006, a person holds a prior electrical contractor licence or prior master electrician licence authorizing the person to engage in activities for which a licence is required under this Regulation, the person may, despite this Regulation, continue to engage in those activities until a final decision is made with respect to the issuing of a licence to the person under this Regulation.

(2) The holder of a prior electrical contractor licence or a prior master electrician licence may apply to the Director for a licence under this Regulation between July 1, 2006 and November 30, 2006 and, with the Director's approval, after November 30, 2006, if, in the Director's opinion, it would be a hardship not to allow the person to apply.

(3) The holder of a prior master electrician licence is not required, despite this Regulation, to pass the master electrician qualifying examination for the purpose of obtaining a master electrician licence under this Regulation.

(4) A person is not required, despite this Regulation, to pass the master electrician qualifying examination for the purpose of obtaining a master electrician licence under this Regulation if,

- (a) the person held a valid master electrician licence issued by a municipality or other jurisdiction on the day before the municipality or other jurisdiction ceased to issue such licences; and
- (b) the municipality or other jurisdiction did not issue any such licences on or after December 31, 2004 and before July 1, 2006.

(5) If the Director issues a licence under this Regulation to a holder of a prior electrical contractor licence or a prior master electrician licence before the expiry date of the prior licence, the Director shall,

- (a) divide the total fee payable to the Authority by 12; and
- (b) subtract from the total fee payable for the licence the amount that corresponds to the amount payable for the months during which the prior licence remains valid.

(6) A holder of a prior electrical contractor licence may apply for a provisional electrical contractor licence under section 10.

(7) A holder of a prior licence may display their municipal licence number up to and including December 31, 2007.

**Transition: no prior licence**

**32.** (1) If, immediately before July 1, 2006, a person operated an electrical contracting business in a part of Ontario where a licence to operate an electrical contracting business was not required on June 30, 2006, the person may, despite this Regulation, continue to operate the business until a final decision is made with respect to the issuing of an electrical contractor licence to the person under this Regulation.

(2) A person described in subsection (1) may apply to the Director for an electrical contractor licence under this Regulation between July 1, 2006 and November 30, 2006 and, with the Director's approval, after November 30, 2006, if, in the Director's opinion, it would be a hardship not to allow the person to apply.

(3) A person described in subsection (1) may apply for an electrical contractor licence under section 9 or a provisional electrical contractor licence under section 10.

**COMMENCEMENT**

**Commencement**

**33. (1) Sections 1, 2, 8 to 13 and 31 to 33 come into force on July 1, 2006.**

**(2) Sections 3 to 7 and 14 to 30 come into force on January 1, 2007.**

Made by:

ELECTRICAL SAFETY AUTHORITY:

BOB STELZER  
*President and CEO*

PETER MARCUCCI  
*Vice President Regulatory Affairs*

Date made: October 14, 2005.

48/05

**ONTARIO REGULATION 571/05**

made under the

**SAFETY AND CONSUMER STATUTES ADMINISTRATION ACT, 1996**

Made: November 2, 2005  
Filed: November 7, 2005

Amending O. Reg. 27/05  
(Administration of Various Acts)

Note: Ontario Regulation 27/05 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. The Table to section 1 of Ontario Regulation 27/05 is amended by striking out,**

<i>Electricity Act, 1998</i>	section 113
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**and substituting the following:**

<i>Electricity Act, 1998</i>	all provisions in Part VIII
the regulations made under Part VIII of the <i>Electricity Act, 1998</i>	all provisions

48/05

**ONTARIO REGULATION 572/05**

made under the

**VITAL STATISTICS ACT**

Made: October 12, 2005  
 Filed: November 7, 2005

**REFUND OF FEES FOR SERVICES PROVIDED BY THE REGISTRAR GENERAL****Definitions**

1. In this Regulation,

“address” with respect to a person, means the physical location of a building where it is possible for the person to accept service of a document, but does not include a post office;

“business day” means any day other than Saturday, Sunday or a holiday.

**Fee refund**

2. (1) Subject to subsection (2), the fees payable for any of the following documents with respect to the birth of a person who is living at the time that the applicant applies for the document are refundable if the conditions set out in section 3 are met:

1. A birth certificate for the person or a replacement of the certificate.
2. A certified copy of a registration of birth for the person or a replacement for the certified copy.
3. A certified copy of a search under subsection 64 (1) of Regulation 1094 of the Revised Regulations of Ontario, 1990 (General) made under the Act for the registration of birth for the person.

(2) No fees are refundable under subsection (1) if, for the reasons specified in subsection (3), the Registrar General did not, within 15 business days of receiving an application for a document described in that subsection, prepare the document and make an attempt to deliver it to a person at the applicant’s address set out in the application.

(3) For the purpose of subsection (2), the following are the reasons specified if they impair the ability of the Registrar General to prepare the document or to make an attempt to deliver it to a person at the applicant’s address set out in the application:

1. Lack of hydro-electric power in the ministry of the Registrar General.
2. Major failure in a technological system in the ministry.
3. Labour disruption in the ministry of the Registrar General.
4. Natural disaster.
5. Any other factor beyond the reasonable control of the Registrar General.

**Conditions for refund**

3. The following are the conditions for obtaining the refund described in section 2:

1. The applicant applied for the document by submitting an application on the website on the Internet that the Registrar General maintains for the purpose of receiving the application.
2. At the time that the Registrar General received the application for the document, the birth was registered with the Registrar General under section 9 or, if applicable, section 13 of the Act and the registration was available in electronic format.

3. The Registrar General is satisfied that the applicant was entitled under the Act to apply for the document.
4. The application for the document was complete and accurate at the time that the Registrar General received the application.
5. In the application, the applicant applied for the Registrar General to deliver the document to an address in Canada.
6. If the Registrar General under section 45.1 of the Act required a guarantor for the application and made a reasonable attempt to contact the guarantor within 10 business days of receiving the application, the guarantor verified, within that 10-day period, that he or she met the criteria for being a guarantor, as set out in section 63.1 of Regulation 1094 of the Revised Regulations of Ontario, 1990 (General) made under the Act.
7. The Registrar General did not, within 15 business days of receiving the application, prepare the document that the applicant applied for and make an attempt to deliver it to a person at the applicant's address set out in the application.
8. The applicant who applied for the document has applied for a refund of the fee paid for the document by submitting an application on the website on the Internet described in paragraph 1 by no earlier than 16 days after the Registrar General received the application for the document and no later than 30 days after the Registrar General delivered the document to a person at the applicant's address set out in the application.
9. The application for the refund was complete and accurate at the time that the Registrar General received the application.

#### Response of Registrar General

4. (1) On receiving an application under section 3 for a refund of fees, the Registrar General shall, within a reasonable period of time, determine whether the applicant is entitled to the refund and,
  - (a) make the refund to the applicant, if the Registrar General determines that the applicant is entitled to it; or
  - (b) notify the applicant that the applicant is not entitled to the refund, if the Registrar General so determines.
- (2) The determination that the Registrar General makes under subsection (1) is final and binding.

48/05

## ONTARIO REGULATION 573/05

made under the

### VITAL STATISTICS ACT

Made: September 21, 2005

Filed: November 7, 2005

Amending Reg. 1094 of R.R.O. 1990  
(General)

Note: Regulation 1094 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Subparagraph 1 i of section 63.1 of Regulation 1094 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

- i. Judge, justice of the peace, officer of the Royal Canadian Mounted Police or person duly authorized as a municipal, provincial or First Nations police officer.

**(2) Paragraph 1 of section 63.1 of the Regulation is amended by adding the following subparagraph:**

- x. Chief of a band recognized under the *Indian Act* (Canada).

48/05

**ONTARIO REGULATION 574/05**

made under the

**LAND REGISTRATION REFORM ACT**Made: February 9, 2005  
Filed: November 7, 2005Amending O. Reg. 16/99  
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:**

Column 1	Column 2
Kenora (No. 23)	November 7, 2005

Made by:

JIM WATSON  
*Minister of Consumer and Business Services*

Date made: February 9, 2005.

48/05

**ONTARIO REGULATION 575/05**

made under the

**HIGHWAY TRAFFIC ACT**Made: September 28, 2005  
Filed: November 10, 2005Amending O. Reg. 340/94  
(Drivers' Licences)

Note: Ontario Regulation 340/94 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. (1) Paragraphs 1 to 16 of subsection 26 (1) of Ontario Regulation 340/94 are revoked and the following substituted:**

1.	For a Class A, B, C, D, E or F driver's road test	75.00
2.	For a Class A, B, C, E or F driver's road test for drivers having attained the age of 65 years or over	14.00
3.	For a level 2 Class G2 or M2 driver's road test	75.00
4.	For a level 1 Class G1 or M1 road test	40.00
5.	For an air brake endorsement practical test	40.00

6.	For an examination of a person's knowledge of the Act and the regulations under it	10.00
7.	For an application for the replacement of a driver's licence	10.00
8.	For information on whether a specific driver's licence is valid, together with verification of such information,	
	i. if the information is requested and given on the telephone	2.50
	ii. if the information is requested and given on the Internet	2.00
9.	For each search of driver records by driver licence number or name of driver	12.00
10.	For a copy of any writing, paper or document filed in the Ministry or any statement containing information from the records	6.00
11.	For certification of a copy of any writing, paper or document filed in the Ministry or any statement containing information from the records	6.00
12.	For each six-month period or part thereof during which a driver's licence is valid	6.00

**(2) Section 26 of the Regulation is amended by adding the following subsections:**

(1.0.1) If, before November 28, 2005, an applicant booked an appointment for a test described in paragraph 1, 2, 3, 4 or 5 of subsection (1) to be taken before, on or after November 28, 2005, or paid in full or in part for such a test, and fails to take the test without providing notice or reason that is satisfactory to the Minister, the fee for a subsequent test described in any of those paragraphs that is booked or taken after November 27, 2005 is increased by \$25 for each such test that the applicant failed to take within the previous three years.

(1.0.2) After November 27, 2005, the fee for a test under paragraph 1, 2, 3, 4 or 5 of subsection (1), except for a test for which the fee is increased under subsection (1.0.1), is due when the test is booked and is payable even if the time booked for taking the test passes without the test being taken.

**(3) Subsections 26 (3) and (4) of the Regulation are revoked and the following substituted:**

(3) The fee for a Class A, B, C, D, E or F road test and an air brake endorsement practical test is the fee set out in paragraph 1 or 2 of subsection (1), as the case may be.

(4) A fee paid under subsection (1.0.2) for a test described in any of paragraphs 1 to 5 of subsection (1) for a test that was not taken is not refundable except as follows:

1. The fee may be fully refunded or fully credited towards a subsequent fee payable by the individual for a test described in subsection (1) within the same licence class or for the same endorsement as the test the individual failed to take if the applicant provides notice or reason satisfactory to the Minister.
2. Half of the fee may be refunded or credited towards a subsequent fee payable by the individual for a test described in subsection (1) within the same licence class or for the same endorsement if the individual attended the test, but failed to take the test because the vehicle to be used by the individual in the test was considered by the Minister to be unsatisfactory for use in a road test.
3. Half of the fee may be refunded or credited towards a subsequent fee payable by the individual for a test described in subsection (1) within the same licence class or for the same endorsement if the individual attended the test, but failed to take or complete the test because a person authorized by the Minister to make such determination determined that the test could not be taken or completed.

**2. This Regulation comes into force on November 28, 2005.**



**ONTARIO REGULATION 576/05**

made under the

**HIGHWAY TRAFFIC ACT**

Made: September 28, 2005

Filed: November 10, 2005

Amending Reg. 586 of R.R.O. 1990

(Driving Instructor's Licence)

Note: Regulation 586 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Subsection 3 (3) of Regulation 586 of the Revised Regulations of Ontario, 1990 is amended by striking out “Ontario Regulation 339/04” and substituting “Ontario Regulation 340/94”.**

**2. (1) Paragraph 1 of section 4 of the Regulation is revoked and the following substituted:**

1.	For an investigation and driving instructor's examination under clause 15 (1) (a), subsection 15 (2) and section 18 of Ontario Regulation 340/94	\$95.00
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**(2) Section 4 of the Regulation is amended by adding the following subsections:**

(2) After November 27, 2005, the fee for a test under paragraph 1 or 2 of subsection (1) is due when the test is booked and is payable even if the time booked for taking the test passes without the test being taken.

(3) A fee paid under paragraph 1 or 2 of subsection (1) after November 27, 2005 is not refundable except as follows:

1. The fee may be fully refunded or fully credited towards a subsequent fee payable by the individual for a test described in paragraph 1 or 2 of subsection (1) as the test the individual failed to take if the applicant provides notice or reason satisfactory to the Minister.
2. Half of the fee may be refunded or credited towards a subsequent fee payable by the individual for a test described in paragraph 1 or 2 of subsection (1) if the individual attended the test, but failed to take the test because the vehicle to be used by the individual in the test was considered by the Minister to be unsatisfactory for use in a road test.
3. Half of the fee may be refunded or credited towards a subsequent fee payable by the individual for a test described in paragraph 1 or 2 of subsection (1) if the individual attended the test, but failed to take or complete the test because a person authorized by the Minister to make such determination determined that the test could not be taken or completed.

**3. (1) Clause 8 (2) (c) of the Regulation is amended by striking out “Ontario Regulation 339/04” and substituting “Ontario Regulation 340/94”.**

**(2) Clause 8 (2) (d) of the Regulation is amended by striking out “Ontario Regulation 339/04” and substituting “Ontario Regulation 340/94”.**

48/05

**ONTARIO REGULATION 577/05**

made under the

**ONTARIO ENERGY BOARD ACT, 1998**

Made: November 2, 2005

Filed: November 10, 2005

Revoking O. Reg. 537/05

(Prescribed Contracts re Section 78.4)

Note: Ontario Regulation 537/05 has not previously been amended.

**1. Ontario Regulation 537/05 is revoked.**

48/05

**ONTARIO REGULATION 578/05**  
made under the  
**ONTARIO ENERGY BOARD ACT, 1998**

Made: November 2, 2005  
Filed: November 10, 2005

**PRESCRIBED CONTRACTS RE SECTIONS 78.3 AND 78.4 OF THE ACT**

**Renewable energy supply contracts**

1. The contracts listed in Table 1 to this Regulation, which have been assumed by the OPA pursuant to a direction by the Minister made under subsection 25.32 (4) of the *Electricity Act, 1998*, are prescribed procurement contracts for the purposes of subsection 78.3 (1) of the *Ontario Energy Board Act, 1998*.

**Clean energy supply, demand response and Bruce refurbishment contracts**

2. The contracts listed in Tables 2, 3 and 4 to this Regulation, which have been entered into by the OPA pursuant to a direction by the Minister made under subsection 25.32 (7) of the *Electricity Act, 1998*, are prescribed procurement contracts for the purposes of subsection 78.4 (1) of the *Ontario Energy Board Act, 1998*.

TABLE 1  
RENEWABLE ENERGY SUPPLY CONTRACTS

Item	Supplier	Date	Name of Project	Location
1.	Superior Wind Energy Inc.	November 24, 2004	Prince Phase I Wind Energy Project	District of Algoma, Township of Prince, Ontario.
2.	Erie Shores Wind Limited Partnership	November 24, 2004	Erie Shores Wind Farm	North Shore of Lake Erie in Norfolk and Elgin Counties, Ontario.
3.	Canadian Hydro Developers, Inc.	November 24, 2004	Melancthon - Grey Wind Project	Southern Portion of Melancthon Township, Ontario.
4.	Superior Wind Energy Inc.	November 24, 2004	Blue Highlands Phase I Wind Energy Project	Town of Blue Mountains, Grey County, Ontario.
5.	EPCOR Power Development Corporation	November 24, 2004	Kingsbridge Wind Power Project	Ashfield-Colborne-Wawanosh Township, Huron County, Ontario.
6.	Energy Ottawa Inc.	November 24, 2004	Trail Road Landfill Gas Generating Station	Trail Waste Facility Landfill Site, 4775 Trail Road, Ottawa, Ontario
7.	1615151 Ontario Inc.	November 24, 2004	Eastview Landfill Gas Energy Plant	Eastview Landfill Site, Guelph, Ontario
8.	Hamilton Hydro Services Inc.	December 23, 2004	Hamilton (Digester Gas) Cogeneration Project	Woodward Avenue Wastewater Treatment Plant, Hamilton, Ontario
9.	Umbata Falls, Limited Partnership	November 24, 2004	Umbata Falls Hydroelectric Project	Umbata Falls, White River, approximately 30 kilometres southeast of Marathon, Ontario
10.	Glen Miller Power, Limited Partnership	November 24, 2004	Glen Miller Hydroelectric Project	On the Trent River, at Lock # 3, Trenton, Ontario

TABLE 2  
CLEAN ENERGY SUPPLY CONTRACTS

Item	Supplier	Date	Name of Project	Location
1.	Greater Toronto Airports Authority	April 12, 2005	GTAA Cogeneration Plant	3265 Elmbank Road, Mississauga, Ontario
2.	Greenfield Energy Centre L.P.	April 12, 2005	Greenfield Energy Centre	Bickford Line, Township of St. Clair, Lambton County, Ontario
3.	Greenfield South Power Corporation	April 12, 2005	Greenfield South Power Project	2291 Loreland Avenue, Mississauga, Ontario
4.	St. Clair Power, L.P.	April 12, 2005	St. Clair Energy Project	St. Clair Industrial Park, Polymore Drive, Corunna, Ontario

TABLE 3  
DEMAND RESPONSE CONTRACTS

Item	Supplier	Date	Name of Project	Location
1.	Loblaw Properties Limited	April 12, 2005	Loblaw Properties Limited Demand Response Project	Certain Loblaw Properties Limited owned grocery stores and warehouses throughout Ontario

TABLE 4  
BRUCE REFURBISHMENT CONTRACT

Item	Supplier	Date	Title of Contract	Location
1.	Bruce Power A L.P., Bruce Power L.P.	October 17, 2005	Bruce Power Refurbishment Implementation Agreement	Bruce Nuclear Generating Stations, Tiverton, Ontario

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**ONTARIO REGULATION 579/05**  
made under the  
**REAL ESTATE AND BUSINESS BROKERS ACT, 2002**

Made: November 9, 2005  
Filed: November 10, 2005

**EDUCATIONAL REQUIREMENTS, INSURANCE, RECORDS AND OTHER MATTERS**

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## EDUCATIONAL REQUIREMENTS FOR REGISTRATION

**Initial educational requirements for salespersons**

1. (1) If an applicant for registration as a salesperson has not previously been registered as a salesperson, the applicant shall, before making the application, successfully complete all the educational courses that are designated by the registrar for applicants of that type.

(2) Despite subsection (1), if an applicant for registration referred to in that subsection has complied with that subsection but does not make the application within 12 months after the last educational course was successfully completed, the applicant shall, before making the application, repeat and again successfully complete all the educational courses referred to in that subsection.

(3) Subsection (2) applies, with necessary modifications, to an applicant for registration referred to in subsection (1) who, in accordance with subsection (2), repeats and again successfully completes all the educational courses referred to in subsection (1).

**Articling requirements for salespersons**

2. (1) An applicant for renewal of registration as a salesperson shall, before making the application, successfully complete all the educational courses that are designated by the registrar for applicants of that type.

(2) Subsection (1) also applies to an applicant for registration as a salesperson who has previously been registered as a salesperson.

(3) Subsections (1) and (2) do not apply to the following applicants:

- 1. An applicant who successfully completed all the educational courses referred to in subsection (1) before making a previous application for registration or renewal of registration as a salesperson, if the previous application was approved.
- 2. An applicant for registration as a salesperson who has previously been registered as a salesperson but ceased to be registered before the registration expired and who makes the application before the date the applicant's previous registration as a salesperson would have expired.
- 3. An applicant to whom subsection 6 (1) applies.

(4) Despite subsection 10 (1), if, pursuant to paragraph 2 of subsection (3), subsection (2) does not apply to an applicant for registration as a salesperson and the application is approved, the registration expires on the date that the applicant's previous registration would have expired if he or she had not ceased to be registered.

**Initial educational requirements for brokers**

3. If an applicant for registration as a broker has not previously been registered as a broker, the applicant shall, before making the application, successfully complete all the educational courses that are designated by the registrar for applicants of that type.

**Continuing education for salespersons**

4. (1) If section 1 and subsections 2 (1) and (2) do not apply to an applicant for registration or renewal of registration as a salesperson, the applicant shall, before making the application, successfully complete the number of courses that the registrar specifies from among the educational courses that the registrar designates for salespersons.

(2) Subsection (1) does not apply to an applicant described in paragraph 2 of subsection 2 (3).

**Continuing education for brokers**

5. If an applicant for registration or renewal of registration as a broker has previously been registered as a broker, the applicant shall, before making the application, successfully complete the number of courses that the registrar specifies from among the educational courses that the registrar designates for brokers.

**24-month break in registration**

6. (1) If an applicant for registration as a salesperson has previously been registered as a salesperson but has not been registered as a salesperson at any time in the 24 months immediately preceding the date of the application,

- (a) section 4 does not apply; and

- (b) the applicant shall, before making the application, successfully complete the educational courses that the registrar designates for the applicant.
- (2) If an applicant for registration as a broker has previously been registered as a broker but has not been registered as a broker at any time in the 24 months immediately preceding the date of the application,
  - (a) section 5 does not apply; and
  - (b) the applicant shall, before making the application, successfully complete the educational courses that the registrar designates for the applicant.

#### **Applicants from other jurisdictions**

7. (1) If an applicant for registration as a salesperson was registered in another jurisdiction as a person with equivalent status to a real estate or business broker or salesperson in Ontario or had equivalent status in that jurisdiction to a real estate or business broker or salesperson in Ontario, the registrar may exempt the applicant from section 1 or subsection 2 (1) or (2) and require the applicant, before making the application, to successfully complete the educational courses that the registrar designates for the applicant.

(2) If an applicant for registration as a broker was registered in another jurisdiction as a person with equivalent status to a real estate or business broker in Ontario or had equivalent status in that jurisdiction to a real estate or business broker Ontario, the registrar may exempt the applicant from section 3 and require the applicant, before making the application, to successfully complete the educational courses that the registrar designates for the applicant.

#### **Designation of organization**

8. (1) The registrar shall designate one or more organizations that are authorized to provide the educational courses referred to in sections 1 to 7.

(2) The registrar may cancel or amend a designation of an organization.

#### **Requirements to be made available**

9. The registrar shall make available to the public a description of the requirements established by sections 1 to 5, including the educational courses referred to in those sections and the organizations that are authorized to provide those courses.

### EXPIRATION OF REGISTRATION

#### **Expiration of registration**

10. (1) Subject to subsection (2), a registration expires at the end of the day on the day before the second anniversary of the date it takes effect.

(2) When a registration is renewed, the renewed registration expires at the end of the day on the second anniversary of the date the previous registration expired under subsection (1), even if the previous registration was deemed to be continued under subsection 14 (8) of the Act.

### INSURANCE

#### **Insurance coverage**

11. (1) In this section,

“commission protection insurance” means insurance to pay claims made by a registrant for commission or remuneration in relation to a trade in real estate, if the claims arise out of money or other property entrusted to or received by another registrant in the course of trading in real estate and,

- (a) the money or other property has been stolen, misappropriated, otherwise wrongfully converted or obtained by fraud, or
- (b) the other registrant is a brokerage and has become insolvent; (“assurance-commissions”)

“deposit insurance” means insurance to pay claims for the loss of a deposit or part of a deposit in relation to a trade in real estate, if the claims arise out of money or other property entrusted to or received by a registrant as a deposit in the course of trading in real estate and,

- (a) the money or other property has been stolen, misappropriated, otherwise wrongfully converted or obtained by fraud, or
- (b) the registrant is a brokerage and has become insolvent; (“assurance-dépôts”)

“errors and omissions insurance” means insurance to pay for damages and legal costs arising out of claims for damages made against a registrant for an error, omission or negligent act in the course of trading in real estate. (“assurance-responsabilité civile professionnelle”)

(2) All brokers and salespersons shall be insured under a group insurance policy arranged and administered by the board of the administrative authority that provides for the following:

1. Errors and omissions insurance that covers each broker and salesperson for up to \$1 million in respect of any particular claim, to a maximum of \$3 million for all claims made in any policy year.
2. Deposit insurance that covers each broker and salesperson for up to \$100,000 in respect of any particular claim, to a maximum of \$500,000 for all claims in respect of a particular occurrence.
3. Commission protection insurance that covers each broker and salesperson for up to \$100,000 in respect of any particular claim, to a maximum of \$500,000 for all claims in respect of a particular occurrence.
- (3) Every registrant shall pay the registrant's share, as determined by the board of the administrative authority, of,
  - (a) the premiums for the group insurance policy referred to in subsection (2) and any applicable taxes; and
  - (b) the expenses of the board of the administrative authority that are associated with the group insurance policy referred to in subsection (2), including contributions to any reserve funds related to the policy.
- (4) Every registrant shall make the payments required by subsection (3) on or before the due dates fixed by the board of the administrative authority.
- (5) An applicant for registration shall, at the time of making the application, pay the amount that the applicant would be required to pay under subsection (3) if the applicant were a registrant.
- (6) A registrant shall not collect commissions or other remuneration unless the registrant has made the payments required by subsection (3).
- (7) This section does not prevent a registrant from carrying insurance in addition to the insurance required by subsection (2).
- (8) The board of the administrative authority may arrange for and administer the group insurance referred to in subsection (2) on behalf of brokerages, brokers or salespersons and may act as the named insured.

#### TRUST MONEY

##### **Records of trust money transactions**

**12.** A brokerage shall make a written record of the receipt of any money that comes into the brokerage's hands in trust for other persons in connection with the brokerage's business, and of every transaction relating to that money, including the following information:

1. The amount of money that came into the brokerage's hands in trust for another person in connection with the brokerage's business.
2. The date the money came into the brokerage's hands.
3. The name of the person from whom the money was received and, if the money was received on another person's behalf, the name of the person on whose behalf the money was received.
4. The purpose of receiving the money.
5. The name of the broker or salesperson who received the money.
6. With respect to every deposit into the trust account maintained under section 27 of the Act,
  - i. a way of identifying the money that came into the brokerage's hands in trust to which the deposit relates, including,
    - A. the name of the person from whom the money was received, and
    - B. the real estate, if any, to which the money relates,
  - ii. the amount of the deposit, and
  - iii. the date the deposit was made.
7. With respect to every disbursement from the trust account maintained under section 27 of the Act,
  - i. the amount of the disbursement,
  - ii. the date the disbursement was made,
  - iii. the name of the person to whom the money was disbursed,
  - iv. the real estate, if any, to which the disbursement relates,
  - v. the purpose of the disbursement, and
  - vi. the name of the person who authorized the disbursement under section 19 of Ontario Regulation 567/05 (General) made under the Act.

8. With respect to every payment of interest on money held in the trust account maintained under section 27 of the Act,
  - i. a way of identifying the money that came into the brokerage's hands in trust to which the payment relates,
  - ii. the amount of the payment,
  - iii. the date the payment was made, and
  - iv. the name of the person who authorized the payment of interest under section 19 of Ontario Regulation 567/05 (General) made under the Act.

#### Monthly reconciliation

13. (1) A brokerage shall prepare a trust account reconciliation statement in accordance with this section for each trust account maintained under section 27 of the Act not later than,

- (a) in the case of a brokerage that receives a monthly account statement from the financial institution where the account is maintained, 30 days after the date the monthly account statement is received; and
- (b) in any other case, 30 days after the last day of each month.

(2) The reconciliation statement shall,

- (a) identify the differences, if any, between the brokerage's records and the records of the financial institution where the account is maintained, as of,
  - (i) the date of the account statement from the financial institution, if clause (1) (a) applies, and
  - (ii) the last day of the month to which the reconciliation statement relates, if clause (1) (b) applies; and
- (b) identify the balances in the trust account that are owing to each person as of,
  - (i) the date of the account statement from the financial institution, if clause (1) (a) applies, and
  - (ii) the last day of the month to which the reconciliation statement relates, if clause (1) (b) applies.

(3) The brokerage's broker of record shall, within the time referred to in subsection (1),

- (a) review the reconciliation statement; and
- (b) sign and date the reconciliation statement to indicate that he or she has reviewed it.

(4) When the broker of record is absent or unable to act, the broker designated under subsection 30 (2) of Ontario Regulation 567/05 (General) made under the Act shall exercise and perform the powers and duties of the broker of record under subsection (3).

#### Shortfall

14. If a brokerage determines that there is a shortfall in the trust account maintained under section 27 of the Act, the brokerage shall immediately deposit sufficient funds in the account to eliminate the shortfall.

### OTHER PROPERTY IN TRUST

#### Records of trust property

15. A brokerage shall make a written record of the receipt of property that is not money and that comes into the brokerage's hands in trust for other persons in connection with the brokerage's business, and of every transaction relating to that property, including the following information:

1. A description of the property sufficient to identify it.
2. The date the property came into the brokerage's hands.
3. The name of the person from whom the property was received and, if the property was received on another person's behalf, the name of the person on whose behalf the property was received.
4. The purpose of receiving the property.
5. The name of the broker or salesperson who received the property.
6. With respect to every withdrawal of the property from trust,
  - i. a description of the property withdrawn sufficient to identify it,
  - ii. the date of the withdrawal,
  - iii. the name of the person who received the withdrawal,
  - iv. the real estate, if any, to which the withdrawal of property relates,

- v. the purpose of the withdrawal, and
- vi. the name of the person who authorized the withdrawal under subsection 20 (2) of Ontario Regulation 567/05 (General) made under the Act.

**Missing property**

16. If a brokerage determines that some or all of property that is not money and that came into the brokerage's hands in trust for other persons in connection with the brokerage's business is missing, the brokerage shall immediately replace the missing property.

TRADE RECORD SHEETS

**Trade record sheets**

17. (1) A brokerage that represents a client who enters into an agreement that deals with the conveyance of an interest in real estate shall complete a trade record sheet that includes the following information:

1. The nature of the trade.
2. A description of the real estate sufficient to identify it.
3. The true consideration for the trade.
4. The names of all parties to the trade.
5. The names and contact information of the lawyers, if any, who are representing parties to the trade.
6. The names and contact information of all registrants who are representing or providing other services to parties to the trade.
7. The following information if a deposit is received:
  - i. the amount of the deposit, if the deposit is money,
  - ii. a description of the deposit sufficient to identify it, if the deposit is not money, and
  - iii. a record of the disbursement or withdrawal of the deposit, as the case may be.
8. The amount of the brokerage's commission or other remuneration and the name of the party paying it.
9. The amount of any commission or other remuneration payable to another brokerage and the name of that brokerage.
10. The scheduled completion date for the conveyance of the interest in real estate and the amended completion date, if any.

(2) The broker or salesperson that represents the client referred to in subsection (1) shall enter the information referred to in that subsection into the trade record sheet.

(3) When there are no conditions in the agreement that remain to be satisfied, the broker or salesperson shall review the trade record sheet, make all necessary corrections to it, initial the corrections and sign the trade record sheet.

(4) In making corrections under subsection (3), a broker or salesperson shall not obliterate a previous entry but shall leave it legible.

(5) After the broker or salesperson signs the trade record sheet, the brokerage's broker of record shall,

- (a) return the sheet to the broker or salesperson if the broker of record is not satisfied that the information in the sheet is accurate; and
- (b) sign the trade record sheet when the broker of record is satisfied that the information in the sheet is accurate.

(6) When the broker of record is absent or unable to act, the broker designated under subsection 30 (2) of Ontario Regulation 567/05 (General) made under the Act shall exercise and perform the powers and duties of the broker of record under subsection (5).

(7) Subsections (1) to (6) apply, with necessary modifications, if a brokerage and a customer have an agreement that provides for the brokerage to provide services to the customer in respect of any agreement that deals with the conveyance of an interest in real estate.

RECORDS — GENERAL

**Retention time for records**

18. A brokerage shall retain for at least six years all documents and records that it is required to make under the Act or the regulations.



**Records of brokerage**

**19.** (1) A brokerage that does not conduct business from a branch office shall keep all original records made in the course of trading in real estate,

- (a) at the location that the registrar specifies; or
- (b) if the registrar has not specified a location under clause (a), at the brokerage's main office.

(2) A brokerage that conducts business from a branch office shall, at the earliest practicable opportunity, transfer all original records made in the course of trading in real estate from the branch office to the location that the registrar specifies or, if the registrar has not specified a location, the brokerage's main office.

**COMPLAINTS****Notice to broker of record**

**20.** If the registrar makes a written request for information from a registrant under subsection 19 (1) of the Act, the registrar shall give a copy of the request to,

- (a) the broker of record of the brokerage, if the information was requested from a brokerage; and
- (b) the broker of record of the brokerage that employs the broker or salesperson, if the information was requested from a broker or salesperson.

**Notice of action taken**

**21.** If the registrar takes any action referred to in paragraphs 1 to 6 of subsection 19 (4) of the Act in respect of a complaint against a registrant, the registrar shall give written notice of the action to,

- (a) the registrant's broker of record, if the registrant is a brokerage; or
- (b) the registrant and the broker of record of the brokerage that employs the registrant, if the registrant is a broker or salesperson.

**COMMENCEMENT****Commencement**

**22. This Regulation comes into force on March 31, 2006.**

**RÈGLEMENT DE L'ONTARIO 579/05**

pris en application de la

**LOI DE 2002 SUR LE COURTAGE COMMERCIAL ET IMMOBILIER**

pris le 9 novembre 2005  
déposé le 10 novembre 2005

**EXIGENCES EN MATIÈRE DE FORMATION, ASSURANCE, DOSSIERS ET AUTRES QUESTIONS****SOMMAIRE****EXIGENCES EN MATIÈRE DE FORMATION LIÉES À L'INSCRIPTION**

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## EXIGENCES EN MATIÈRE DE FORMATION LIÉES À L'INSCRIPTION

**Exigences initiales en matière de formation : agents immobiliers**

1. (1) L'auteur d'une demande d'inscription à titre d'agent immobilier qui n'a jamais été inscrit à ce titre termine avec succès, avant de présenter sa demande, tous les cours de formation que le registrateur désigne à l'intention des auteurs d'une telle demande.

(2) Malgré le paragraphe (1), l'auteur d'une demande d'inscription visé à ce paragraphe qui s'y est conformé sans toutefois présenter de demande dans les 12 mois qui suivent le moment où il a terminé avec succès le dernier cours de formation reprend et termine de nouveau avec succès tous les cours de formation visés au même paragraphe avant de présenter sa demande.

(3) Le paragraphe (2) s'applique, avec les modifications nécessaires, à l'auteur d'une demande d'inscription visé au paragraphe (1) qui reprend et termine de nouveau avec succès tous les cours de formation visés à ce paragraphe, conformément au paragraphe (2).

**Exigences lors du stage : agents immobiliers**

2. (1) L'auteur d'une demande de renouvellement d'inscription à titre d'agent immobilier termine avec succès, avant de présenter sa demande, tous les cours de formation que le registrateur désigne à l'intention des auteurs d'une telle demande.

(2) Le paragraphe (1) s'applique également à l'auteur d'une demande d'inscription à titre d'agent immobilier qui a déjà été inscrit à ce titre.

(3) Les paragraphes (1) et (2) ne s'appliquent pas aux auteurs de demande suivants :

1. Les auteurs d'une demande qui ont terminé avec succès tous les cours de formation visés au paragraphe (1) avant de présenter une demande d'inscription ou de renouvellement d'inscription à titre d'agent immobilier qui a déjà été approuvée.
2. Les auteurs d'une demande d'inscription à titre d'agent immobilier qui ont déjà été inscrits à ce titre, mais qui ont cessé de l'être avant l'expiration de leur inscription, et qui présentent leur demande avant la date d'expiration de leur inscription précédente.
3. Les auteurs d'une demande visés au paragraphe 6 (1).

(4) Malgré le paragraphe 10 (1), si, conformément à la disposition 2 du paragraphe (3), le paragraphe (2) ne s'applique pas à l'auteur d'une demande d'inscription à titre d'agent immobilier et que la demande est approuvée, l'inscription expire à la date où son inscription précédente aurait expiré s'il n'avait pas cessé d'être inscrit.

**Exigences initiales en matière de formation : courtiers**

3. L'auteur d'une demande d'inscription à titre de courtier qui n'a pas déjà été inscrit à ce titre termine avec succès, avant de présenter sa demande, tous les cours de formation que le registrateur désigne à l'intention des auteurs d'une telle demande.

**Formation permanente : agents immobiliers**

4. (1) L'auteur d'une demande d'inscription ou de renouvellement d'inscription à titre d'agent immobilier à qui l'article 1 et les paragraphes 2 (1) et (2) ne s'appliquent pas termine avec succès, avant de présenter sa demande, le nombre de cours de formation que le registrateur précise parmi ceux qu'il désigne à l'intention des agents immobiliers.

(2) Le paragraphe (1) ne s'applique pas à l'auteur d'une demande visé à la disposition 2 du paragraphe 2 (3).

**Formation permanente : courtiers**

5. L'auteur d'une demande d'inscription ou de renouvellement d'inscription à titre de courtier qui a déjà été inscrit à ce titre termine avec succès, avant de présenter sa demande, le nombre de cours de formation que le registrateur précise parmi ceux qu'il désigne à l'intention des courtiers.

**Cas où l'inscription est interrompue pendant 24 mois**

6. (1) Si l'auteur d'une demande d'inscription à titre d'agent immobilier a déjà été inscrit à ce titre mais à aucun moment au cours des 24 mois qui précèdent immédiatement la date de sa demande :

- a) d'une part, l'article 4 ne s'applique pas;
- b) d'autre part, il termine avec succès, avant de présenter sa demande, les cours de formation que le registrateur désigne à son intention.

(2) Si l'auteur d'une demande d'inscription à titre de courtier a déjà été inscrit à ce titre mais à aucun moment au cours des 24 mois qui précèdent immédiatement la date de sa demande :

- a) d'une part, l'article 5 ne s'applique pas;
- b) d'autre part, il termine avec succès, avant de présenter sa demande, les cours de formation que le registrateur désigne à son intention.

**Auteurs de demande inscrits ailleurs**

7. (1) Le registrateur peut soustraire à l'application de l'article 1 ou du paragraphe 2 (1) ou (2) l'auteur d'une demande d'inscription à titre d'agent immobilier qui a été inscrit dans une autre autorité législative à titre de personne ayant un statut équivalent à celui d'un courtier commercial ou immobilier ou d'un agent immobilier en Ontario ou qui y a eu un tel statut et peut exiger qu'il termine avec succès, avant de présenter sa demande, les cours de formation qu'il désigne à son intention.

(2) Le registrateur peut soustraire à l'application de l'article 3 l'auteur d'une demande d'inscription à titre de courtier qui a été inscrit dans une autre autorité législative à titre de personne ayant un statut équivalent à celui d'un courtier commercial ou immobilier en Ontario ou qui y a eu un tel statut et peut exiger qu'il termine avec succès, avant de présenter sa demande, les cours de formation qu'il désigne à son intention.

**Désignation d'organisme**

8. (1) Le registrateur désigne le ou les organismes autorisés à fournir les cours de formation visés aux articles 1 à 7.

(2) Le registrateur peut radier ou modifier la désignation d'un organisme.

**Publication des exigences**

9. Le registrateur met à la disposition du public une description des exigences énoncées aux articles 1 à 5, y compris les cours de formation qui y sont visés et les organismes autorisés à les fournir.

**EXPIRATION DE L'INSCRIPTION****Expiration de l'inscription**

10. (1) Sous réserve du paragraphe (2), l'inscription expire à la fin de la veille du deuxième anniversaire de sa prise d'effet.

(2) L'inscription renouvelée expire à la fin du deuxième anniversaire de l'expiration, en application du paragraphe (1), de l'inscription précédente, même si celle-ci est réputée maintenue en application du paragraphe 14 (8) de la Loi.

**ASSURANCE****Couverture d'assurance**

11. (1) Les définitions qui suivent s'appliquent au présent article.

«assurance-commissions» Assurance servant à régler toute demande présentée par une personne inscrite à l'égard d'une commission ou d'une rémunération qui se rapporte à une opération immobilière, si la demande est liée à des sommes d'argent ou à d'autres biens confiés à une autre personne inscrite ou reçus par elle au cours d'opérations immobilières et que, selon le cas :

- a) les sommes ou les biens ont été volés, détournés, appropriés illicitement ou obtenus par fraude;

- b) l'autre personne inscrite est une maison de courtage et est devenue insolvable. («commission protection insurance»)  
 «assurance-dépôts» Assurance servant à régler toute demande pour la perte de tout ou partie d'un dépôt se rapportant à une opération immobilière si la demande est liée à des sommes d'argent ou à des biens confiés à une personne inscrite ou reçus par elle à titre de dépôt au cours d'opérations immobilières et que, selon le cas :
- a) les sommes ou les biens ont été volés, détournés, appropriés illicitement ou obtenus par fraude;
  - b) la personne inscrite est une maison de courtage et est devenue insolvable. («deposit insurance»)
- «assurance-responsabilité civile professionnelle» Assurance servant à payer les dommages-intérêts et les frais de justice découlant de toute demande en dommages-intérêts présentée contre une personne inscrite pour une erreur, une omission ou un acte de négligence commis au cours d'opérations immobilières. («errors and omissions insurance»)
- (2) Les courtiers et les agents immobiliers sont assurés aux termes d'une police d'assurance collective qui est souscrite et administrée par le conseil d'administration de l'organisme d'application et qui prévoit ce qui suit :
1. Une assurance-responsabilité civile professionnelle qui procure à chaque courtier et agent immobilier une garantie d'un maximum de 1 million de dollars à l'égard de chaque demande de règlement, jusqu'à concurrence de 3 millions de dollars pour toutes les demandes de règlement présentées dans une année d'assurance.
  2. Une assurance-dépôts qui procure à chaque courtier et agent immobilier une garantie d'un maximum de 100 000 \$ à l'égard de chaque demande de règlement, jusqu'à concurrence de 500 000 \$ pour toutes les demandes de règlement présentées à l'égard d'un événement donné.
  3. Une assurance-commissions qui procure à chaque courtier et agent immobilier une garantie d'un maximum de 100 000 \$ à l'égard de chaque demande de règlement, jusqu'à concurrence de 500 000 \$ pour toutes les demandes de règlement présentées à l'égard d'un événement donné.
- (3) La personne inscrite paie sa part, fixée par le conseil d'administration de l'organisme d'application, de ce qui suit :
- a) les primes de la police d'assurance collective visée au paragraphe (2) et les taxes applicables;
  - b) les frais du conseil d'administration de l'organisme d'application qui sont liés à la police d'assurance collective visée au paragraphe (2), y compris les versements destinés à tout fonds de réserve qui s'y rapporte.
- (4) La personne inscrite effectue les paiements exigés par le paragraphe (3) au plus tard aux dates d'échéance fixées par le conseil d'administration de l'organisme d'application.
- (5) L'auteur d'une demande d'inscription verse, lorsqu'il présente sa demande, la somme qu'il serait tenu de verser en application du paragraphe (3) s'il était une personne inscrite.
- (6) La personne inscrite ne peut percevoir une commission ou une autre rémunération que si elle a payé les sommes exigées par le paragraphe (3).
- (7) Le présent article n'a pas pour effet d'empêcher la personne inscrite de souscrire une assurance en plus de celle qu'exige le paragraphe (2).
- (8) Le conseil d'administration de l'organisme d'application peut établir et administrer l'assurance collective visée au paragraphe (2) au nom des maisons de courtage, des courtiers ou des agents immobiliers et peut agir à titre d'assuré nommément désigné.

#### SOMMES DÉTENUES EN FIDUCIE

##### Dossiers des mouvements des fonds en fiducie

**12.** Pour chaque somme d'argent qui lui est confiée en fiducie pour le compte d'autrui dans le cadre de son entreprise et à l'égard de chaque transaction qui se rapporte à cette somme, la maison de courtage consigne ce qui suit dans un dossier :

1. Le montant de la somme.
2. La date où la somme lui est confiée.
3. Le nom de la personne qui lui remet la somme et celui de la personne pour le compte de laquelle elle lui a été remise, le cas échéant.
4. La raison de la remise de la somme.
5. Le nom du courtier ou de l'agent immobilier qui a reçu la somme.
6. Ce qui suit à l'égard de chaque encaissement du compte en fiducie tenu en application de l'article 27 de la Loi :
  - i. le moyen de reconnaître la somme d'argent confiée en fiducie à la maison de courtage et à laquelle se rapporte l'encaissement, y compris :
    - A. le nom de la personne qui a remis la somme,
    - B. le bien immobilier éventuel auquel se rapporte la somme,

- ii. le montant de l'encaissement,
  - iii. la date de l'encaissement.
7. Ce qui suit à l'égard de chaque décaissement du compte en fiducie tenu en application de l'article 27 de la Loi :
- i. le montant du décaissement,
  - ii. la date du décaissement,
  - iii. le nom du destinataire du décaissement,
  - iv. le bien immobilier éventuel auquel se rapporte le décaissement,
  - v. la raison du décaissement,
  - vi. le nom de la personne qui a autorisé le décaissement en application de l'article 19 du Règlement de l'Ontario 567/05 (Dispositions générales) pris en application de la Loi.
8. Ce qui suit à l'égard de chaque versement des intérêts sur les sommes détenues dans le compte en fiducie tenu en application de l'article 27 de la Loi :
- i. le moyen de reconnaître la somme d'argent confiée en fiducie à la maison de courtage et à laquelle se rapporte le versement,
  - ii. le montant du versement,
  - iii. la date du versement,
  - iv. le nom de la personne qui a autorisé le versement d'intérêts en application de l'article 19 du Règlement de l'Ontario 567/05 (Dispositions générales) pris en application de la Loi.

#### **Rapprochement mensuel**

**13.** (1) La maison de courtage prépare, conformément au présent article, un état de rapprochement pour chaque compte en fiducie tenu en application de l'article 27 de la Loi :

- a) dans le cas d'une maison de courtage qui reçoit un état de compte mensuel de l'établissement financier où le compte est tenu, dans les 30 jours qui suivent sa réception;
- b) dans les autres cas, dans les 30 jours qui suivent le dernier jour de chaque mois.

(2) L'état de rapprochement indique ce qui suit :

- a) les écarts éventuels entre les dossiers de la maison de courtage et ceux de l'établissement financier où le compte est tenu :
  - (i) à la date de l'état de compte de l'établissement financier, si l'alinéa (1) a) s'applique,
  - (ii) au dernier jour du mois auquel se rapporte l'état de rapprochement, si l'alinéa (1) b) s'applique;
- b) les sommes qui se trouvent dans le compte en fiducie et qui sont dues à chaque personne :
  - (i) à la date de l'état de compte de l'établissement financier, si l'alinéa (1) a) s'applique,
  - (ii) au dernier jour du mois auquel se rapporte l'état de rapprochement, si l'alinéa (1) b) s'applique.

(3) Dans le délai prévu au paragraphe (1), le courtier responsable de la maison de courtage :

- a) d'une part, examine l'état de rapprochement;
- b) d'autre part, appose sa signature et la date sur l'état de rapprochement pour indiquer qu'il l'a examiné.

(4) En cas d'absence ou d'empêchement du courtier responsable, le courtier désigné en application du paragraphe 30 (2) du Règlement de l'Ontario 567/05 (Dispositions générales) pris en application de la Loi exerce les pouvoirs et fonctions que le paragraphe (3) attribue à celui-ci.

#### **Insuffisance de fonds**

**14.** La maison de courtage qui découvre une insuffisance de fonds dans le compte en fiducie tenu en application de l'article 27 de la Loi y dépose immédiatement des fonds suffisants pour l'éliminer.

#### AUTRES BIENS EN FIDUCIE

#### **Dossiers des biens en fiducie**

**15.** Pour chaque bien, autre qu'une somme d'argent, qui lui est confié en fiducie pour le compte d'autrui dans le cadre de son entreprise et à l'égard de chaque transaction qui s'y rapporte, la maison de courtage consigne ce qui suit dans un dossier :

- 1. Une description du bien qui permette de l'identifier.

2. La date où le bien lui est confié.
3. Le nom de la personne qui lui remet le bien et celui de la personne pour le compte de laquelle il lui a été remis, le cas échéant.
4. La raison de la remise du bien.
5. Le nom du courtier ou de l'agent immobilier à qui le bien a été remis.
6. À l'égard de chaque retrait d'un bien détenu en fiducie :
  - i. une description du bien qui permette de l'identifier,
  - ii. la date du retrait,
  - iii. le nom de la personne qui a reçu le bien,
  - iv. le bien immobilier éventuel auquel se rapporte le bien,
  - v. la raison du retrait,
  - vi. le nom de la personne qui a autorisé le retrait en application du paragraphe 20 (2) du Règlement de l'Ontario 567/05 (Dispositions générales) pris en application de la Loi.

#### Biens manquants

16. La maison de courtage qui découvre que la totalité ou une partie des biens, autres qu'une somme d'argent, qui lui ont été confiés en fiducie pour le compte d'autrui dans le cadre de son entreprise a disparu remplace immédiatement les biens manquants.

#### FICHES D'OPÉRATION

##### Fiches d'opération

17. (1) La maison de courtage qui représente un client qui conclut une convention traitant du transport d'un intérêt sur un bien immobilier remplit une fiche d'opération qui indique ce qui suit :

1. La nature de l'opération.
2. Une description du bien immobilier qui permet de l'identifier.
3. La contrepartie réelle de l'opération.
4. Le nom de toutes les parties à l'opération.
5. Le nom et les coordonnées des avocats qui représentent les parties à l'opération, le cas échéant.
6. Le nom et les coordonnées de toutes les personnes inscrites qui représentent les parties à l'opération ou qui leur fournissent d'autres services.
7. Ce qui suit, en cas de remise d'un dépôt :
  - i. son montant, s'il s'agit d'une somme d'argent,
  - ii. une description qui permette de l'identifier, s'il ne s'agit pas d'une somme d'argent,
  - iii. une mention de son décaissement ou de son retrait, selon le cas.
8. Le montant de la commission ou de l'autre rémunération payable à la maison de courtage et le nom de la partie qui la verse.
9. Le montant de la commission ou de l'autre rémunération payable à une autre maison de courtage et le nom de celle-ci.
10. La date de conclusion prévue du transport et la date de conclusion modifiée, le cas échéant.

(2) Le courtier ou l'agent immobilier de la maison de courtage qui représente le client visé au paragraphe (1) inscrit les renseignements visés à ce paragraphe sur la fiche d'opération.

(3) Le courtier ou l'agent immobilier examine la fiche d'opération, y apporte les corrections nécessaires et les paraphe et signe la fiche s'il est satisfait à toutes les conditions de la convention.

(4) Lorsqu'il apporte les corrections visées au paragraphe (3), le courtier ou l'agent immobilier ne doit pas oblitérer l'inscription antérieure, mais bien la laisser lisible.

(5) Une fois que le courtier ou l'agent immobilier a signé la fiche d'opération, le courtier responsable de la maison de courtage :

- a) la lui remet, s'il n'est pas convaincu que les renseignements qui y sont indiqués sont exacts;
- b) la signe, dans le cas contraire.

(6) En cas d'absence ou d'empêchement du courtier responsable, le courtier désigné en application du paragraphe 30 (2) du Règlement de l'Ontario 567/05 (Dispositions générales) pris en application de la Loi exerce les pouvoirs et fonctions que le paragraphe (3) attribue à celui-ci.

(7) Les paragraphes (1) à (6) s'appliquent, avec les adaptations nécessaires, si la maison de courtage et un client qu'elle ne représente pas ont conclu une convention prévoyant qu'elle lui fournisse des services à l'égard d'une convention traitant du transport d'un intérêt sur un bien immobilier.

#### DOSSIERS — DISPOSITIONS GÉNÉRALES

##### Délai de conservation des dossiers

**18.** La maison de courtage conserve au moins six ans les documents et les dossiers qu'elle constitue en application de la Loi ou des règlements.

##### Dossiers de la maison de courtage

**19.** (1) La maison de courtage qui n'exploite pas son entreprise depuis une succursale conserve les dossiers originaux établis au cours d'opérations immobilières :

- a) soit à l'endroit que précise le registrateur;
- b) soit à son bureau principal si le registrateur ne précise pas d'endroit en vertu de l'alinéa a).

(2) La maison de courtage qui exploite son entreprise depuis une succursale transfère le plus tôt possible les dossiers originaux établis au cours d'opérations immobilières de la succursale à l'endroit que le registrateur précise ou, si le registrateur n'a pas précisé d'endroit, à son bureau principal.

#### PLAINTES

##### Avis au courtier responsable

**20.** Si le registrateur demande par écrit des renseignements à une personne inscrite en vertu du paragraphe 19 (1) de la Loi, il remet une copie de la demande :

- a) soit au courtier responsable de la maison de courtage à qui les renseignements sont demandés;
- b) soit au courtier responsable de la maison de courtage qui emploie le courtier ou l'agent immobilier à qui les renseignements sont demandés.

##### Avis de mesure prise

**21.** Si le registrateur prend une mesure visée aux dispositions 1 à 6 du paragraphe 19 (4) de la Loi à l'égard d'une plainte concernant une personne inscrite, il en avise par écrit, selon le cas :

- a) le courtier responsable de la personne inscrite, s'il s'agit d'une maison de courtage;
- b) la personne inscrite et le courtier responsable de la maison de courtage qui l'emploie, s'il s'agit d'un courtier ou d'un agent immobilier.

#### ENTRÉE EN VIGUEUR

##### Entrée en vigueur

**22.** Le présent règlement entre en vigueur le 31 mars 2006.

Made by:  
Pris par :

*Le ministre des services gouvernementaux,*

GERRY PHILLIPS  
*Minister of Government Services*

Date made: November 9, 2005.  
Pris le : 9 novembre 2005.

**ONTARIO REGULATION 580/05**

made under the

**REAL ESTATE AND BUSINESS BROKERS ACT, 2002**

Made: November 9, 2005

Filed: November 10, 2005

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## INTERPRETATION

**Interpretation****1. (1) In this Regulation,**

“buy” means acquire or seek to acquire an interest in real estate, and “buyer” has a corresponding meaning; (“acheter; acheteur”)

“buyer representation agreement” means a representation agreement between a brokerage and a buyer; (“convention de représentation de l’acheteur”)

“material fact” means, with respect to the acquisition or disposition of an interest in real estate, a fact that would affect a reasonable person’s decision to acquire or dispose of the interest; (“fait important”)

“seller representation agreement” means a representation agreement between a brokerage and a seller, and includes a listing agreement that is a representation agreement. (“convention de représentation du vendeur”)

(2) A person is related to another person for the purposes of this Regulation if,

- (a) one person is associated with the other person within the meaning of subsection 1 (2) of the Act; or
- (b) one person is related to the other person by blood, adoption or conjugal relationship.

(3) For the purposes of this Regulation,

- (a) a person is related to another person by blood if,
  - (i) one is the child or other descendant of the other, or
  - (ii) one is the brother or sister of the other;
- (b) a person is related to another person by adoption if,
  - (i) neither is related to the other by blood, and
  - (ii) one would be related to the other by blood if all adopted children were deemed to be the natural children of their adoptive parents; and
- (c) a person is related to another person by conjugal relationship if,
  - (i) one is married to the other or to a person who is related by blood or adoption to the other, or
  - (ii) one lives in a conjugal relationship outside marriage with the other or with a person who is related by blood or adoption to the other.

## OBLIGATIONS OF REGISTRANTS

**Brokers and salespersons**

**2. (1)** A broker or salesperson shall not do or omit to do anything that causes the brokerage that employs the broker or salesperson to contravene this Regulation.

(2) Subsection (1) does not apply to a contravention by the brokerage of section 32, 33 or 41.

**Fairness, honesty, etc.**

**3.** A registrant shall treat every person the registrant deals with in the course of a trade in real estate fairly, honestly and with integrity.

**Best interests**

**4.** A registrant shall promote and protect the best interests of the registrant’s clients.

**Conscientious and competent service, etc.**

5. A registrant shall provide conscientious service to the registrant's clients and customers and shall demonstrate reasonable knowledge, skill, judgment and competence in providing those services.

**Providing opinions, etc.**

6. (1) A registrant shall demonstrate reasonable knowledge, skill, judgment and competence in providing opinions, advice or information to any person in respect of a trade in real estate.

(2) Without limiting the generality of subsection (1) or section 5,

(a) a brokerage shall not provide an opinion or advice about the value of real estate to any person unless the opinion or advice is provided on behalf of the brokerage by a broker or salesperson who has education or experience related to the valuation of real estate; and

(b) a broker or salesperson shall not provide an opinion or advice about the value of real estate to any person unless the broker or salesperson has education or experience related to the valuation of real estate.

**Dealings with other registrants**

7. (1) A registrant who knows or ought to know that a person is a client of another registrant shall communicate information to the person for the purpose of a trade in real estate only through the other registrant, unless the other registrant has consented in writing.

(2) If a broker or salesperson knows or ought to know that a buyer or seller is a party to an agreement in connection with a trade in real estate with a brokerage other than the brokerage that employs the broker or salesperson, the broker or salesperson shall not induce the buyer or seller to break the agreement.

**Services from others**

8. (1) A registrant shall advise a client or customer to obtain services from another person if the registrant is not able to provide the services with reasonable knowledge, skill, judgment and competence or is not authorized by law to provide the services.

(2) A registrant shall not discourage a client or customer from seeking a particular kind of service if the registrant is not able to provide the service with reasonable knowledge, skill, judgment and competence or is not authorized by law to provide the service.

**Commissions, etc.**

9. A registrant shall not indicate to any person, directly or indirectly, that commissions or other remuneration are fixed or approved by the administrative authority, any government authority, or any real estate board or real estate association.

**Information before agreements**

10. (1) Before entering into an agreement with a buyer or seller in respect of trading in real estate, a brokerage shall, at the earliest practicable opportunity, inform the buyer or seller of the following:

1. The types of service alternatives that are available in the circumstances, including a representation agreement or another type of agreement.
2. The services that the brokerage would provide under the agreement.
3. The fact that circumstances could arise in which the brokerage could represent more than one client in respect of the same trade in real estate, but that the brokerage could not do this unless all of the clients represented by the brokerage in respect of that trade consented in writing.
4. The nature of the services that the brokerage would provide to each client if the brokerage represents more than one client in respect of the same trade in real estate.
5. The fact that circumstances could arise in which the brokerage could provide services to more than one customer in respect of the same trade in real estate.
6. The fact that circumstances could arise in which the brokerage could, in respect of the same trade in real estate, both represent clients and provide services to customers.
7. The restricted nature of the services that the brokerage would provide to a customer in respect of a trade in real estate if the brokerage also represents a client in respect of that trade.

(2) The brokerage shall, at the earliest practicable opportunity and before an offer is made, use the brokerage's best efforts to obtain from the buyer or seller a written acknowledgement that the buyer or seller received all the information referred to in subsection (1).

**Contents of written agreements**

**11.** (1) A brokerage shall not enter into a written agreement with a buyer or seller for the purpose of trading in real estate unless the agreement clearly, comprehensibly and prominently,

- (a) specifies the date on which the agreement takes effect and the date on which it expires;
- (b) specifies or describes the method for determining,
  - (i) the amount of any commission or other remuneration payable to the brokerage, and
  - (ii) in the case of an agreement with a seller, the amount of any commission or other remuneration payable to any other brokerage;
- (c) describes how any commission or other remuneration payable to the brokerage will be paid; and
- (d) sets out the services that the brokerage will provide under the agreement.

(2) A brokerage shall not, for the purpose of trading in real estate, enter into a written agreement with a buyer or seller that provides that the date on which the agreement expires is more than six months after the date on which the agreement takes effect unless,

- (a) the date on which the agreement expires is prominently displayed on the first page of the agreement; and
- (b) the buyer or seller has initialled the agreement next to the date referred to in clause (a).

(3) A brokerage shall ensure that a written agreement that is entered into between the brokerage and a buyer or seller for the purpose of trading in real estate contains only one date on which the agreement expires.

**Copies of written agreements**

**12.** If a brokerage and one or more other persons enter into a written agreement in connection with a trade in real estate, the brokerage shall ensure that each of the other persons is immediately given a copy of the agreement.

**Seller representation agreements**

**13.** If a brokerage enters into a seller representation agreement with a seller and the agreement is not in writing, the brokerage shall, at the earliest practicable opportunity and before any buyer makes an offer, reduce the agreement to writing, have it signed on behalf of the brokerage and submit it to the seller for signature.

**Buyer representation agreements**

**14.** If a brokerage enters into a buyer representation agreement with a buyer and the agreement is not in writing, the brokerage shall, before the buyer makes an offer, reduce the agreement to writing, have it signed on behalf of the brokerage and submit it to the buyer for signature.

**Agreements with customers**

**15.** If a brokerage enters into an agreement with a customer in respect of a trade in real estate and the agreement is not in writing, the brokerage shall, at the earliest practicable opportunity, reduce the agreement to writing, have it signed on behalf of the brokerage and submit it to the customer for signature.

**Disclosure before multiple representation**

**16.** A brokerage shall not represent more than one client in respect of the same trade in real estate unless it has disclosed the following matters to the clients or prospective clients at the earliest practicable opportunity:

1. The fact that the brokerage proposes to represent more than one client in respect of the same trade.
2. The differences between the obligations the brokerage would have if it represented only one client in respect of the trade and the obligations the brokerage would have if it represented more than one client in respect of the trade, including any differences relating to the disclosure of information or the services that the brokerage would provide.

**Nature of relationship**

**17.** If a registrant represents or provides services to more than one buyer or seller in respect of the same trade in real estate, the registrant shall, in writing, at the earliest practicable opportunity and before any offer is made, inform all buyers and sellers involved in that trade of the nature of the registrant's relationship to each buyer and seller.

**Disclosure of interest**

**18.** (1) A registrant shall, at the earliest practicable opportunity and before any offer is made in respect of the acquisition or disposition of an interest in real estate, disclose in writing the following matters to every client represented by the registrant in respect of the acquisition or disposition:

1. Any property interest that the registrant has in the real estate.

2. Any property interest that a person related to the registrant has in the real estate, if the registrant knows or ought to know of the interest.

(2) A brokerage shall, at the earliest practicable opportunity and before any offer is made in respect of the acquisition or disposition of an interest in real estate, disclose in writing the matters referred to in paragraphs 1 and 2 of subsection (1) to every customer with whom the brokerage has entered into an agreement in respect of the acquisition or disposition.

(3) A broker or salesperson shall, at the earliest practicable opportunity and before any offer is made in respect of the acquisition or disposition of an interest in real estate, disclose in writing the matters referred to in paragraphs 1 and 2 of subsection (1) to every customer of the broker or salesperson with whom the brokerage that employs the broker or salesperson has entered into an agreement in respect of the acquisition or disposition.

(4) A registrant shall disclose in writing to a client, at the earliest practicable opportunity, any direct or indirect financial benefit that the registrant or a person related to the registrant may receive from another person in connection with services provided by the registrant to the client, including any commission or other remuneration that may be received from another person.

(5) A brokerage that has entered into an agreement with a buyer or seller that requires the buyer or seller to pay the brokerage a commission or other remuneration in respect of a trade in real estate shall not charge or collect any commission or other remuneration under another agreement entered into with another person in respect of the same trade unless,

- (a) the brokerage discloses at the earliest practicable opportunity to the other person, in writing, the terms of the agreement with the buyer or seller that require the payment of a commission or other remuneration; and
- (b) the brokerage discloses at the earliest practicable opportunity to the buyer or seller, in writing, the terms of the agreement with the other person that require the payment of a commission or other remuneration.

#### **Properties that meet buyer's criteria**

19. If a brokerage has entered into a representation agreement with a buyer, a broker or salesperson who acts on behalf of the buyer pursuant to the agreement shall inform the buyer of properties that meet the buyer's criteria without having any regard to the amount of commission or other remuneration, if any, to which the brokerage might be entitled.

#### **Seller property information statement**

20. If a broker or salesperson has a seller as a client and knows that the seller has completed a written statement that is intended to provide information to buyers about the real estate that is available for acquisition, the broker or salesperson shall, unless the seller directs otherwise,

- (a) disclose the existence of the statement to every buyer who expresses an interest in the real estate; and
- (b) on request, make the statement available to a buyer at the earliest practicable opportunity after the request is made.

#### **Material facts**

21. (1) A broker or salesperson who has a client in respect of the acquisition or disposition of a particular interest in real estate shall take reasonable steps to determine the material facts relating to the acquisition or disposition and, at the earliest practicable opportunity, shall disclose the material facts to the client.

(2) A broker or salesperson who has a customer in respect of the acquisition or disposition of a particular interest in real estate shall, at the earliest practicable opportunity, disclose to the customer the material facts relating to the acquisition or disposition that are known by or ought to be known by the broker or salesperson.

#### **Agreements with third parties**

22. A registrant shall not, on behalf of a client of the registrant, enter into an agreement with a third party for the provision of goods or services to the client unless,

- (a) the registrant has disclosed in writing to the client the subject-matter of the agreement with the third party and the identity of the person responsible for paying for the provision of the goods or services;
- (b) the client has consented to the registrant entering into the agreement with the third party; and
- (c) the registrant has disclosed in writing to the third party the identity of the person responsible for paying for the provision of the goods or services.

#### **Steps taken by registrant**

23. A registrant shall inform a client of all significant steps that the registrant takes in the course of representing the client.

#### **Conveying offers**

24. (1) A registrant shall convey any written offer received by the registrant to the registrant's client at the earliest practicable opportunity.

- (2) A broker or salesperson shall establish a method of ensuring that,
  - (a) written offers are received by someone on behalf of the broker or salesperson, if the broker or salesperson is not available at the time an offer is submitted; and
  - (b) written offers are conveyed to the client of the broker or salesperson at the earliest practicable opportunity, even if the broker or salesperson is not available at the time an offer is submitted.
- (3) Without limiting the generality of subsections (1) and (2), those subsections apply regardless of the identity of the person making the offer, the contents of the offer or the nature of any arrangements for commission or other remuneration.
- (4) Subsections (1) to (3) are subject to any written directions given by a client.
- (5) Subsections (1) to (4) also apply, with necessary modifications, to,
  - (a) written amendments to written offers and any other written document directly related to a written offer; and
  - (b) written assignments of agreements that relate to interests in real estate, written waivers of conditions in agreements that relate to interests in real estate, and any other written document directly related to a written agreement that relates to an interest in real estate.
- (6) Subsections (1) to (5) apply, with necessary modifications, if a brokerage and a customer have an agreement that provides for the brokerage to receive written offers.
- (7) Subsections (1) to (5) apply, with necessary modifications, to brokers and salespersons employed by a brokerage, if the brokerage and a customer have an agreement that provides for the brokerage to receive written offers.

**Agreements relating to commission**

**25.** (1) If a brokerage has a seller as a client and an agreement between the brokerage and the seller contains terms that relate to a commission or other remuneration and that may affect whether an offer to buy is accepted, the brokerage shall disclose the existence of and the details of those terms to any person who makes a written offer to buy, at the earliest practicable opportunity and before any offer is accepted.

(2) Subsection (1) applies, with necessary modifications, to a brokerage that has a seller as a customer, if the brokerage and the seller have an agreement that provides for the brokerage to receive written offers to buy.

**Competing offers**

**26.** (1) If a brokerage that has a seller as a client receives a competing written offer, the brokerage shall disclose the number of competing written offers to every person who is making one of the competing offers, but shall not disclose the substance of the competing offers.

(2) Subsection (1) applies, with necessary modifications, to a brokerage that has a seller as a customer, if the brokerage and the seller have an agreement that provides for the brokerage to receive written offers to buy.

**Written and legible agreements**

**27.** (1) A registrant who represents a client in respect of a trade in real estate shall use the registrant's best efforts to ensure that,

- (a) any agreement that deals with the conveyance of an interest in real estate is in writing; and
- (b) any written agreement that deals with the conveyance of an interest in real estate is legible.

(2) Subsection (1) applies, with necessary modifications, if a brokerage and a customer have an agreement that provides for the brokerage to provide services to the customer in respect of any agreement that deals with the conveyance of an interest in real estate.

**Copies of agreements**

**28.** (1) If a registrant represents a client who enters into a written agreement that deals with the conveyance of an interest in real estate, the registrant shall use the registrant's best efforts to ensure that all parties to the agreement receive a copy of the agreement at the earliest practicable opportunity.

(2) Subsection (1) applies, with necessary modifications, if a brokerage and a customer have an agreement that provides for the brokerage to provide services to the customer in respect of any agreement that deals with the conveyance of an interest in real estate.

**Delivery of deposits and documents**

**29.** Except as otherwise provided by law, if a registrant is representing a client or providing services to a customer in connection with a trade in real estate, and the client or customer has entered into an agreement in connection with the trade that requires the registrant to deliver a deposit or documents, the registrant shall deliver the deposit or documents in accordance with the agreement.

**Business records**

**30.** In addition to the records required by Ontario Regulation 579/05 (Educational Requirements, Insurance, Records and Other Matters) made under the Act, a brokerage shall make and keep such records as are reasonably required for the conduct of the brokerage's business of trading in real estate.

**Certificate of registration: broker or salesperson**

**31.** Every broker or salesperson shall carry his or her certificate of registration and, on the request of any person, shall show it to the person.

**Certificate of registration: brokerage**

**32.** (1) A brokerage shall ensure that every certificate of registration issued to the brokerage is kept at the office to which the certificate relates.

(2) A brokerage shall, on the request of any person, show to the person any certificate of registration issued to the brokerage.

**Certificates of registration for brokers and salespersons kept by brokerage**

**33.** (1) A brokerage shall ensure that all duplicate original certificates of registration given to the brokerage in respect of brokers and salespersons employed by the brokerage are kept in a safe place.

(2) A brokerage shall, on the request of any person, show the duplicate original certificate of registration given to the brokerage in respect of a broker or salesperson employed by the brokerage to the person.

**Current forms**

**34.** A registrant shall ensure that forms used by the registrant in the course of a trade in real estate are current.

**Financial responsibility**

**35.** A registrant shall be financially responsible in the conduct of business.

**Advertising**

**36.** (1) A registrant shall clearly and prominently disclose the name in which the registrant is registered in all the registrant's advertisements.

(2) A brokerage that identifies a broker or salesperson by name in an advertisement shall use the name in which the broker or salesperson is registered.

(3) A broker or salesperson shall not advertise in any manner unless the advertisement clearly and prominently identifies the brokerage that employs the broker or salesperson, using the name in which the brokerage is registered.

(4) A registrant who advertises shall,

- (a) use the term "brokerage", "real estate brokerage", "maison de courtage" or "maison de courtage immobilier" to describe any brokerage that is referred to in the advertisement;
- (b) use the term "broker of record", "real estate broker of record", "courtier responsable" or "courtier immobilier responsable" to describe any broker of record who is referred to in the advertisement;
- (c) use the term "broker", "real estate broker", "courtier" or "courtier immobilier" to describe any broker who is referred to in the advertisement; and
- (d) use the term "salesperson", "real estate salesperson", "sales representative", "real estate sales representative", "agent immobilier", "représentant commercial" or "représentant immobilier" to describe any salesperson who is referred to in the advertisement.

(5) Despite clause (4) (c), a registrant who advertises may, before April 1, 2008, use the term "associate broker", "associate real estate broker", "courtier associé" or "courtier immobilier associé" to describe any broker who is referred to in the advertisement.

(6) A registrant who advertises shall not use a term to describe any registrant that is referred to in the advertisement if the term could reasonably be confused with a term that is required or authorized by subsection (4) or (5).

(7) A registrant shall not include anything in an advertisement that could reasonably be used to identify a party to the acquisition or disposition of an interest in real estate unless the party has consented in writing.

(8) A registrant shall not include anything in an advertisement that could reasonably be used to identify specific real estate unless the owner of the real estate has consented in writing.

(9) A registrant shall not include anything in an advertisement that could reasonably be used to determine any of the contents of an agreement that deals with the conveyance of an interest in real estate, including any provision of the agreement relating to the price, unless the parties to the agreement have consented in writing.

**Inaccurate representations**

37. (1) A registrant shall not knowingly make an inaccurate representation in respect of a trade in real estate.

(2) A registrant shall not knowingly make an inaccurate representation about services provided by the registrant.

**Error, misrepresentation, fraud, etc.**

38. A registrant shall use the registrant's best efforts to prevent error, misrepresentation, fraud or any unethical practice in respect of a trade in real estate.

**Unprofessional conduct, etc.**

39. A registrant shall not, in the course of trading in real estate, engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming a registrant.

**Abuse and harassment**

40. A registrant shall not abuse or harass any person in the course of trading in real estate.

**Duty to ensure compliance**

41. (1) A brokerage shall ensure that every salesperson and broker that the brokerage employs is carrying out their duties in compliance with this Regulation.

(2) A broker of record shall ensure that the brokerage complies with this Regulation.

PROCEDURES OF DISCIPLINE COMMITTEE AND APPEALS COMMITTEE

**Composition and appointment of committees**

42. (1) The discipline committee and appeals committee shall each consist of at least five members, at least one of whom has never been a registrant or a shareholder, officer, director or employee of a registrant or former registrant.

(2) A person may be appointed under subsection 21 (3) of the Act as a member of both committees.

(3) A member of the board of the administrative authority shall not be appointed under subsection 21 (3) of the Act as a member of the discipline committee or the appeals committee.

(4) An appointment under subsection 21 (3) of the Act expires at the end of the day on the day before the second anniversary of the day the appointment took effect.

(5) If the term of office of a member of the discipline committee or appeals committee who has participated in a hearing expires before the hearing is completed or a decision is given, the term shall be deemed to continue, but only for the purpose of completing the hearing and participating in the decision and for no other purpose.

(6) The board of the administrative authority may at any time terminate an appointment under subsection 21 (3) of the Act for cause.

(7) Subsection (5) does not apply to a member whose appointment is terminated for cause under subsection (6).

(8) The board of the administrative authority shall appoint,

(a) from among the members of the discipline committee, one person as chair of the discipline committee and one person as vice-chair of the discipline committee; and

(b) from among the members of the appeals committee, one person as chair of the appeals committee and one person as vice-chair of the appeals committee.

(9) Subsections (4) and (6) apply, with necessary modifications, to an appointment under subsection (8).

(10) The vice-chair of a committee may exercise and perform the powers and duties of the chair on the request of the chair or if the chair is absent or unable to act.

(11) Every person appointed under subsection (8) or under subsection 21 (3) of the Act as a chair, vice-chair or member of a committee shall, before beginning his or her duties, take and sign the following oath or affirmation in either English or French:

I solemnly swear (*affirm*) that I will faithfully, impartially and to the best of my skill and knowledge execute the duties of ..... and that, except as I may be legally authorized or required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being .....

So help me God. (*Omit this line in an affirmation.*)

**Assignment of discipline committee panels**

43. (1) When a matter is referred to the discipline committee, the chair of the committee shall assign a panel in accordance with this section to hear and determine the matter.

(2) The panel has all the jurisdiction and powers of the discipline committee with respect to hearing and determining the matter.

(3) Subject to subsection 4.2.1 (1) of the *Statutory Powers Procedure Act*, the panel must be composed of at least three members of the discipline committee.

(4) If the panel is composed of three or more members of the discipline committee,

- (a) at least two of the members of the panel must be registrants;
- (b) if a broker of record is the subject of the proceeding, at least one of the registrants must be a broker of record;
- (c) if a broker is the subject of the proceeding, at least one of the registrants must be a broker;
- (d) if a salesperson is the subject of the proceeding, at least one of the registrants must be a salesperson; and
- (e) at least one of the members of the panel must never have been a registrant or a shareholder, officer, director or employee of a registrant or former registrant.

**Parties: discipline committee**

44. The parties to a proceeding before the discipline committee are the registrant who is the subject of the proceeding, the administrative authority and any other person added as a party by the discipline committee.

**Notice of hearing**

45. Subject to section 6 of the *Statutory Powers Procedure Act*, the discipline committee shall give the parties to a proceeding at least 45 days notice of a hearing by the committee.

**Disclosure of evidence**

46. (1) A party who intends to tender evidence at a hearing before the discipline committee shall, not later than the date specified by subsection (3), disclose the following to every other party:

- 1. In the case of written or documentary evidence, a copy of the evidence.
- 2. In the case of oral evidence of a witness, the identity of the witness and a written statement containing the substance of the witness' anticipated oral evidence.
- 3. In the case of oral evidence of an expert, the identity of the expert and a copy of a written report signed by the expert containing the substance of the expert's anticipated oral evidence.
- 4. In the case of evidence that is not oral, written or documentary evidence, a written description of the evidence.

(2) A party who intends to tender written or documentary evidence, or other evidence that is not oral evidence, at a hearing before the discipline committee shall give every other party a reasonable opportunity to examine the original evidence before the hearing.

(3) The date referred to in subsection (1) is,

- (a) in the case of evidence tendered by the administrative authority, the date that is 30 days before the date the hearing begins; and
- (b) in the case of evidence tendered by any other party, the date that is 15 days before the date the hearing begins.

**Disclosure from closed hearing**

47. If a hearing before the discipline committee is closed to the public, the committee may order that evidence given and submissions made at the hearing not be disclosed to any member of the public.

**Notice of decision to complainant**

48. If a proceeding before the discipline committee arises from a complaint by a person who is not a party to the proceeding, the committee shall send the person a copy of its final decision or order, including the reasons if any have been given, at the same time that it complies with section 18 of the *Statutory Powers Procedure Act*.

**Notice of appeal rights**

49. When the discipline committee sends a copy of its final decision or order to a party who participated in the proceeding, or the party's counsel or agent, under section 18 of the *Statutory Powers Procedure Act*, it shall also send a notice outlining



the party's right to appeal under subsection 21 (5) of the *Real Estate and Business Brokers Act, 2002* and the procedures applicable to an appeal.

#### Commencement of appeals

**50.** (1) A party may commence an appeal under subsection 21 (5) of the *Real Estate and Business Brokers Act, 2002* by delivering the following to the appeals committee within 30 days after the discipline committee sends notice, under section 18 of the *Statutory Powers Procedure Act*, of the order being appealed:

1. A notice of appeal that,
  - i. identifies the appellant and the other parties to the appeal,
  - ii. identifies the order being appealed,
  - iii. sets out the grounds for the appeal, and
  - iv. sets out the relief that is sought.
2. The fee for commencing the appeal, as set by the administrative authority under clause 12 (1) (b) of the *Safety and Consumer Statutes Administration Act, 1996*, payable to the administrative authority.

(2) The appellant shall, within the 30-day period referred to in subsection (1), deliver a copy of the notice of appeal referred to in paragraph 1 of subsection (1),

- (a) to the other parties to the appeal; and
- (b) to the discipline committee.

(3) When a party commences an appeal under subsection 21 (5) of the *Real Estate and Business Brokers Act, 2002*, the discipline committee shall at the earliest practical opportunity forward to the appeals committee the record compiled under section 20 of the *Statutory Powers Procedure Act*.

#### Assignment of appeal committee panels

**51.** (1) The chair of the appeals committee shall assign a panel in accordance with this section to hear and determine an appeal to the committee under subsection 21 (5) of the Act.

(2) The panel has all the jurisdiction and powers of the appeals committee with respect to hearing and determining the appeal.

(3) Subject to subsection 4.2.1 (1) of the *Statutory Powers Procedure Act*, the panel must be composed of at least three members of the appeals committee.

- (4) If the panel is composed of three or more members of the appeals committee,
  - (a) at least two of the members of the panel must be registrants;
  - (b) if a broker of record is the subject of the proceeding, at least one of the registrants must be a broker of record;
  - (c) if a broker is the subject of the proceeding, at least one of the registrants must be a broker;
  - (d) if a salesperson is the subject of the proceeding, at least one of the registrants must be a salesperson; and
  - (e) at least one of the members of the panel must never have been a registrant or a shareholder, officer, director or employee of a registrant or former registrant.

(5) A person who was a member of the panel of the discipline committee that made the order being appealed must not be assigned to the panel of the appeals committee that hears and determines the appeal.

#### Parties: appeals committee

**52.** The parties to a proceeding before the appeals committee are the appellant, the other persons who were parties to the proceeding before the discipline committee, and any other person added as a party by the appeals committee.

#### Application of ss. 45 to 48

**53.** Sections 45 to 48 apply, with necessary modifications, to proceedings before the appeals committee.

## COMMENCEMENT

#### Commencement

**54.** This Regulation comes into force on March 31, 2006.

**RÈGLEMENT DE L'ONTARIO 580/05**

pris en application de la

**LOI DE 2002 SUR LE COURTAGE COMMERCIAL ET IMMOBILIER**pris le 9 novembre 2005  
déposé le 10 novembre 2005**CODE DE DÉONTOLOGIE****SOMMAIRE**

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## INTERPRÉTATION

**Interprétation**

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«acheter» Acquérir ou chercher à acquérir un intérêt sur un bien immobilier. Le terme «acheteur» a un sens correspondant. («buy», «buyer»)

«convention de représentation de l'acheteur» Convention de représentation conclue entre une maison de courtage et un acheteur. («buyer representation agreement»)

«convention de représentation du vendeur» Convention de représentation, y compris la convention d'inscription qui est une convention de représentation, conclue entre une maison de courtage et un vendeur. («seller representation agreement»)

«fait important» À l'égard de l'acquisition ou de la disposition d'un intérêt sur un bien immobilier, s'entend d'un fait qui influencerait sur la décision d'une personne raisonnable d'y procéder. («material fact»)

(2) Pour l'application du présent règlement, deux personnes sont liées si, selon le cas :

- a) l'une est associée avec l'autre au sens du paragraphe 1 (2) de la Loi;
- b) elles sont liées par le sang, l'adoption ou des liens conjugaux.

(3) Pour l'application du présent règlement :

- a) deux personnes sont liées par le sang si, selon le cas :
  - (i) l'une est le descendant, notamment l'enfant, de l'autre,
  - (ii) l'une est le frère ou la soeur de l'autre;
- b) deux personnes sont liées par l'adoption si :
  - (i) d'une part, elles ne sont pas liées par le sang,
  - (ii) d'autre part, elles seraient liées par le sang si tous les enfants adoptés étaient réputés les enfants naturels de leurs parents adoptifs;
- c) deux personnes sont liées par des liens conjugaux si, selon le cas :
  - (i) l'une est mariée à l'autre ou à une personne liée à l'autre par le sang ou l'adoption,
  - (ii) l'une vit dans une union conjugale hors du mariage avec l'autre ou avec une personne liée à l'autre par le sang ou l'adoption.

## OBLIGATIONS DES PERSONNES INSCRITES

**Courtiers et agents immobiliers**

2. (1) Le courtier ou l'agent immobilier ne doit pas faire ou omettre de faire quoi que ce soit qui entraîne une contravention au présent règlement par la maison de courtage qui l'emploie.

(2) Le paragraphe (1) ne s'applique pas à une contravention à l'article 32, 33 ou 41 commise par la maison de courtage.

**Équité et honnêteté**

3. La personne inscrite traite avec équité, honnêteté et intégrité les personnes avec qui elle fait affaire au cours d'une opération immobilière.

**Intérêt véritable**

4. La personne inscrite favorise et protège l'intérêt véritable des clients qu'elle représente.

**Services fournis consciencieusement et avec compétence**

5. La personne inscrite fournit ses services consciencieusement aux clients qu'elle représente et à ceux qu'elle ne représente pas et fait preuve de connaissances, d'une aptitude, d'un jugement et d'une compétence raisonnables lorsqu'elle les fournit.

**Opinions**

6. (1) La personne inscrite fait preuve de connaissances, d'une aptitude, d'un jugement et d'une compétence raisonnables lorsqu'elle donne à quiconque des opinions, des conseils ou des renseignements à l'égard d'une opération immobilière.

(2) Sans préjudice de la portée générale du paragraphe (1) ou de l'article 5 :

- a) d'une part, la maison de courtage ne peut donner à quiconque une opinion ou un conseil sur la valeur d'un bien immobilier que par l'intermédiaire d'un courtier ou d'un agent immobilier qui a reçu une formation ou qui a de l'expérience en évaluation des biens immobiliers;
- b) d'autre part, le courtier ou l'agent immobilier ne peut donner à quiconque une opinion ou un conseil sur la valeur d'un bien immobilier que s'il a reçu une formation ou s'il a de l'expérience en évaluation des biens immobiliers.

**Rapports avec d'autres personnes inscrites**

7. (1) La personne inscrite qui sait ou qui devrait savoir qu'une personne est un client représenté par une autre personne inscrite ne lui communique des renseignements relativement à une opération immobilière que par l'intermédiaire de cette dernière, sauf avec le consentement écrit de celle-ci.

(2) Le courtier ou l'agent immobilier qui sait ou qui devrait savoir qu'une autre maison de courtage que celle qui l'emploie a conclu avec un acheteur ou un vendeur une convention relativement à une opération immobilière ne doit pas inciter celui-ci à rompre la convention.

**Services fournis par d'autres**

8. (1) La personne inscrite conseille aux clients qu'elle représente ou non d'obtenir d'une autre personne les services qu'elle n'est pas en mesure de fournir en faisant preuve de connaissances, d'une aptitude, d'un jugement et d'une compétence raisonnables ou que la loi ne l'autorise pas à fournir.

(2) La personne inscrite qui ne peut fournir un type donné de services en faisant preuve de connaissances, d'une aptitude, d'un jugement et d'une compétence raisonnables ou qui n'est pas autorisée par la loi à les fournir ne doit pas dissuader les clients qu'elle représente ou non de chercher à se procurer les services de ce type.

**Commissions**

9. La personne inscrite ne doit indiquer à personne, directement ou indirectement, que les commissions ou l'autre rémunération qu'elle touche sont fixées ou approuvées par l'organisme d'application, un organisme gouvernemental ou une chambre ou une association immobilière.

**Renseignements à fournir avant de conclure la convention**

10. (1) Avant de conclure une convention avec un acheteur ou un vendeur à l'égard d'opérations immobilières, la maison de courtage l'informe à la première occasion possible de ce qui suit :

1. Les autres types de services disponibles dans les circonstances, y compris une convention de représentation ou un autre type de convention.
2. Les services qu'elle fournirait aux termes de la convention.
3. Le fait qu'elle pourrait, dans certaines circonstances, représenter plus d'un client à l'égard d'une même opération immobilière, mais qu'elle ne peut le faire que si tous les clients qu'elle représente à cet égard y consentent par écrit.
4. La nature des services qu'elle fournirait à chaque client si elle en représentait plusieurs à l'égard de la même opération immobilière.
5. Le fait qu'elle pourrait, dans certaines circonstances, fournir des services à plusieurs clients qu'elle ne représente pas à l'égard de la même opération immobilière.
6. Le fait qu'elle pourrait, dans certaines circonstances, à la fois représenter des clients et fournir des services à des clients qu'elle ne représente pas à l'égard de la même opération immobilière.
7. La nature limitée des services qu'elle fournirait au client qu'elle ne représente pas à l'égard d'une opération immobilière si elle représentait également un client à l'égard de l'opération.

(2) La maison de courtage fait de son mieux, à la première occasion possible et avant qu'une offre soit faite, pour que l'acheteur ou le vendeur lui confirme par écrit avoir reçu les renseignements visés au paragraphe (1).

**Contenu de la convention écrite**

11. (1) La maison de courtage ne peut conclure une convention écrite avec l'acheteur ou le vendeur aux fins d'opérations immobilières que si, de manière claire et compréhensible et bien en évidence, celle-ci :

- a) précise ses dates de prise d'effet et d'expiration;
- b) précise ou décrit le mode de calcul de ce qui suit :

- (i) la commission ou l'autre rémunération payable à la maison de courtage,
  - (ii) dans le cas d'une convention conclue avec un vendeur, la commission ou l'autre rémunération payable à toute autre maison de courtage;
- c) décrit le mode de paiement de la commission ou de l'autre rémunération payable à la maison de courtage;
  - d) énonce les services que la maison de courtage fournira aux termes de la convention.
- (2) La maison de courtage ne doit pas, aux fins d'opérations immobilières, conclure avec l'acheteur ou le vendeur une convention écrite qui prévoit que sa date d'expiration tombe plus de six mois après sa date de prise d'effet, sauf si :
- a) d'une part, sa date d'expiration figure bien en évidence à sa première page;
  - b) d'autre part, l'acheteur ou le vendeur a apposé ses initiales à côté de la date visée à l'alinéa a).
- (3) La maison de courtage veille à ce que la convention écrite qu'elle conclut avec l'acheteur ou le vendeur aux fins d'opérations immobilières ne mentionne qu'une seule date d'expiration.

#### **Copie de la convention**

12. La maison de courtage veille à ce que chaque personne avec qui elle conclut une convention écrite relativement à une opération immobilière en reçoive immédiatement une copie.

#### **Convention de représentation du vendeur**

13. À la première occasion possible et avant qu'un acheteur fasse une offre, la maison de courtage qui conclut une convention de représentation du vendeur non écrite la met par écrit, la fait signer pour son compte et la remet au vendeur pour qu'il la signe.

#### **Convention de représentation de l'acheteur**

14. La maison de courtage qui conclut une convention de représentation de l'acheteur non écrite la met par écrit, la fait signer pour son compte et la remet à l'acheteur pour qu'il la signe, avant qu'il fasse une offre.

#### **Convention conclue avec un client non représenté**

15. À la première occasion possible, la maison de courtage qui conclut avec un client qu'elle ne représente pas une convention non écrite à l'égard d'une opération immobilière la met par écrit, la fait signer pour son compte et la lui remet pour qu'il la signe.

#### **Divulcation préalable à la représentation de plusieurs clients**

16. La maison de courtage ne peut représenter plus d'un client à l'égard de la même opération immobilière que si elle a divulgué à la première occasion possible les questions suivantes aux clients effectifs ou éventuels :

1. Le fait qu'elle envisage de représenter plus d'un client à l'égard de la même opération.
2. Les différences entre les obligations qui lui seraient imposées si elle représentait un seul client à l'égard de l'opération et celles qui lui seraient imposées si elle en représentait plus d'un au même égard, y compris les différences relatives à la divulgation de renseignements ou aux services qu'elle fournirait.

#### **Nature des rapports**

17. La personne inscrite qui représente plus d'un acheteur ou d'un vendeur ou qui fournit des services à plus d'un acheteur ou d'un vendeur à l'égard de la même opération immobilière informe, par écrit, à la première occasion possible et avant qu'une offre soit faite, tous les acheteurs et tous les vendeurs concernés de la nature de ses rapports avec chacun d'eux.

#### **Divulcation des intérêts**

18. (1) À la première occasion possible et avant qu'une offre soit faite à l'égard de l'acquisition ou de la disposition d'un intérêt sur un bien immobilier, la personne inscrite divulgue ce qui suit par écrit à chaque client qu'elle représente à cet égard :

1. Tout intérêt de propriété qu'elle a sur le bien immobilier.
2. Tout intérêt de propriété qu'une personne qui lui est liée a sur le bien immobilier, si elle le connaît ou devrait le connaître.

(2) À la première occasion possible et avant qu'une offre soit faite à l'égard de l'acquisition ou de la disposition d'un intérêt sur un bien immobilier, la maison de courtage divulgue par écrit les questions visées aux dispositions 1 et 2 du paragraphe (1) à chaque client qu'elle ne représente pas et avec qui elle a conclu une convention à cet égard.

(3) À la première occasion possible et avant qu'une offre soit faite à l'égard de l'acquisition ou de la disposition d'un intérêt sur un bien immobilier, le courtier ou l'agent immobilier divulgue par écrit les questions visées aux dispositions 1 et 2 du paragraphe (1) à chaque client qu'il ne représente pas et avec qui la maison de courtage qui l'emploie a conclu une convention à cet égard.

(4) À la première occasion possible, la personne inscrite divulgue par écrit au client qu'elle représente tout avantage financier direct ou indirect, y compris une commission ou une autre rémunération, qu'elle ou une personne qui lui est liée pourrait recevoir d'un tiers relativement aux services qu'elle fournit au client.

(5) La maison de courtage qui a conclu avec un acheteur ou un vendeur une convention exigeant qu'il lui paie une commission ou une autre rémunération à l'égard d'une opération immobilière ne peut en exiger ni en percevoir une aux termes d'une autre convention qu'elle conclut avec une autre personne à l'égard de la même opération que si les conditions suivantes sont réunies :

- a) à la première occasion possible, elle divulgue par écrit à l'autre personne les termes de la convention conclue avec l'acheteur ou le vendeur qui exigent le paiement d'une commission ou d'une autre rémunération;
- b) à la première occasion possible, elle divulgue par écrit à l'acheteur ou au vendeur les termes de la convention conclue avec l'autre personne qui exigent le paiement d'une commission ou d'une autre rémunération.

#### **Biens immobiliers qui répondent aux critères de l'acheteur**

19. Si la maison de courtage a conclu une convention de représentation avec un acheteur, le courtier ou l'agent immobilier qui agit pour le compte de ce dernier aux termes de la convention l'informe des biens immobiliers qui répondent à ses critères sans égard au montant de la commission ou de l'autre rémunération à laquelle la maison de courtage pourrait éventuellement avoir droit.

#### **Déclaration du vendeur sur la propriété**

20. Sauf s'il lui enjoint de ne pas le faire, le courtier ou l'agent immobilier qui sait que le vendeur qu'il représente comme client a préparé une déclaration écrite visant à informer les acheteurs sur le bien immobilier qui est en vente :

- a) d'une part, en divulgue l'existence à chaque acheteur qui exprime son intérêt pour le bien immobilier;
- b) d'autre part, sur demande d'un acheteur, la met à sa disposition à la première occasion possible.

#### **Faits importants**

21. (1) Le courtier ou l'agent immobilier qui représente un client dans le cadre de l'acquisition ou de la disposition d'un intérêt donné sur un bien immobilier prend des mesures raisonnables pour déterminer les faits importants se rapportant à l'opération et les divulgue au client à la première occasion possible.

(2) À la première occasion possible, le courtier ou l'agent immobilier divulgue les faits importants qu'il connaît ou devrait connaître se rapportant à l'acquisition ou à la disposition d'un intérêt donné sur un bien immobilier au client qu'il ne représente pas dans le cadre de l'opération.

#### **Convention conclue avec une tierce partie**

22. La personne inscrite ne peut conclure avec une tierce partie, pour le compte d'un client qu'elle représente, une convention prévoyant la fourniture de biens ou de services à ce dernier que si les conditions suivantes sont réunies :

- a) elle a divulgué par écrit au client l'objet de la convention, y compris l'identité de la personne chargée de payer la fourniture des biens ou des services;
- b) le client a consenti à ce qu'elle conclue la convention;
- c) elle a divulgué par écrit à la tierce partie l'identité de la personne chargée de payer la fourniture des biens ou des services.

#### **Mesures prises par la personne inscrite**

23. La personne inscrite informe le client qu'elle représente des mesures importantes qu'elle prend dans le cadre de la représentation.

#### **Communication des offres**

24. (1) À la première occasion possible, la personne inscrite communique au client qu'elle représente les offres écrites qu'elle reçoit.

(2) Le courtier ou l'agent immobilier se dote d'un procédé pour que :

- a) d'une part, quelqu'un reçoive les offres écrites pour son compte, s'il n'est pas disponible au moment de leur présentation;
- b) d'autre part, les offres écrites soient communiquées au client à la première occasion possible même s'il n'est pas disponible au moment de leur présentation.

(3) Sans préjudice de la portée générale des paragraphes (1) et (2), ces paragraphes s'appliquent peu importe l'identité de la personne qui fait l'offre, le contenu de celle-ci ou la nature de tout arrangement relatif à une commission ou à une autre rémunération.

(4) Les paragraphes (1) à (3) s'appliquent sous réserve des directives écrites du client.

(5) Les paragraphes (1) à (4) s'appliquent également, avec les adaptations nécessaires :

- a) d'une part, aux modifications écrites d'une offre écrite et à tout autre document écrit lié directement à une offre écrite;
- b) d'autre part, à la cession écrite d'une convention se rapportant à un intérêt sur un bien immobilier, à une dispense écrite de l'obligation d'en observer les conditions d'une telle convention et à tout autre document écrit lié directement à une telle convention écrite.

(6) Les paragraphes (1) à (5) s'appliquent, avec les adaptations nécessaires, si la maison de courtage a conclu avec un client qu'elle ne représente pas une convention qui prévoit qu'elle reçoit des offres écrites.

(7) Les paragraphes (1) à (5) s'appliquent, avec les adaptations nécessaires, au courtier ou à l'agent immobilier qui est employé par une maison de courtage et qui a conclu avec un client qu'elle ne représente pas une convention écrite qui prévoit qu'elle reçoit des offres écrites.

#### **Convention relative à la commission**

**25.** (1) La maison de courtage qui représente un vendeur comme client divulgue à quiconque fait une offre d'achat écrite, à la première occasion possible et avant l'acceptation de toute offre, l'existence et les détails des termes de toute convention qu'elle a conclue avec le vendeur si ces termes se rapportent à une commission ou à une autre rémunération et qu'ils peuvent influencer sur l'acceptation d'une offre.

(2) Le paragraphe (1) s'applique, avec les adaptations nécessaires, à la maison de courtage qui ne représente pas un vendeur comme client si elle a conclu avec lui une convention écrite qui prévoit qu'elle reçoit des offres d'achat écrites.

#### **Offres rivales**

**26.** (1) La maison de courtage qui représente un vendeur comme client et qui reçoit une offre écrite rivale avise l'auteur de chacune des offres rivales de leur nombre, sans toutefois en divulguer la substance.

(2) Le paragraphe (1) s'applique, avec les adaptations nécessaires, à la maison de courtage qui ne représente pas un vendeur comme client si elle a conclu avec lui une convention écrite qui prévoit qu'elle reçoit les offres d'achat écrites.

#### **Conventions écrites et lisibles**

**27.** (1) La personne inscrite qui représente un client à l'égard d'une opération immobilière fait de son mieux pour que :

- a) d'une part, toute convention traitant du transport d'un intérêt sur un bien immobilier soit écrite;
- b) d'autre part, toute convention écrite traitant du transport d'un intérêt sur un bien immobilier soit lisible.

(2) Le paragraphe (1) s'applique, avec les adaptations nécessaires, si la maison de courtage et un client qu'elle ne représente pas ont conclu une convention qui prévoit qu'elle lui fournit des services à l'égard de toute convention traitant du transport d'un intérêt sur un bien immobilier.

#### **Copie de la convention**

**28.** (1) La personne inscrite qui représente un client qui conclut une convention écrite traitant du transport d'un intérêt sur un bien immobilier fait de son mieux pour veiller à ce que toutes les parties à la convention en reçoivent une copie à la première occasion possible.

(2) Le paragraphe (1) s'applique, avec les adaptations nécessaires, si la maison de courtage et un client qu'elle ne représente pas ont conclu une convention qui prévoit qu'elle lui fournit des services à l'égard de toute convention traitant du transport d'un intérêt sur un bien immobilier.

#### **Remise de dépôts et de documents**

**29.** Sauf si la loi le prévoit autrement, la personne inscrite qui représente un client, ou qui fournit des services à un client qu'elle ne représente pas, relativement à une opération immobilière remet, conformément à cette convention, le dépôt ou des documents que la convention conclue par le client relativement à cette opération l'oblige à remettre.

#### **Dossiers commerciaux**

**30.** Outre les dossiers exigés par le Règlement de l'Ontario 579/05 (Exigences en matière de formation, assurance, dossiers et autres questions) pris en application de la Loi, la maison de courtage prépare et tient les dossiers raisonnablement nécessaires à l'exploitation de son entreprise qui consiste à mener des opérations immobilières.

#### **Certificat d'inscription : courtier ou agent immobilier**

**31.** Le courtier ou l'agent immobilier porte son certificat d'inscription et le montre à quiconque le demande.

#### **Certificat d'inscription : maison de courtage**

**32.** (1) La maison de courtage veille à ce que chaque certificat d'inscription qui lui est délivré soit gardé au bureau auquel il se rapporte.

(2) La maison de courtage montre tout certificat d'inscription qui lui est délivré à quiconque le demande.

**Garde des certificats des courtiers et agents immobiliers par la maison de courtage**

**33.** (1) La maison de courtage veille à ce que les doubles originaux des certificats d'inscription qui lui sont remis à l'égard des courtiers et agents immobiliers qu'elle emploie soient gardés en lieu sûr.

(2) La maison de courtage montre à quiconque le demande le double original du certificat d'inscription qui lui est remis à l'égard d'un courtier ou d'un agent immobilier qu'elle emploie.

**Formules à jour**

**34.** La personne inscrite veille à ce que les formules qu'elle utilise dans une opération immobilière soient à jour.

**Saine gestion financière**

**35.** La personne inscrite pratique une saine gestion financière dans l'exploitation de son entreprise.

**Publicité**

**36.** (1) La personne inscrite divulgue dans ses publicités, de manière qu'il soit clair et bien en évidence, le nom sous lequel elle est inscrite.

(2) La maison de courtage qui identifie nommément un courtier ou un agent immobilier dans une publicité utilise le nom sous lequel il est inscrit.

(3) Le courtier ou l'agent immobilier ne peut faire une publicité que si le nom sous lequel la maison de courtage qui l'emploie est inscrite y figure clairement et bien en évidence.

(4) La personne inscrite qui fait une publicité fait ce qui suit :

- a) elle utilise le terme «maison de courtage», «maison de courtage immobilier», «brokerage» ou «real estate brokerage» pour y désigner une maison de courtage;
- b) elle utilise le terme «courtier responsable», «courtier immobilier responsable», «broker of record» ou «real estate broker of record» pour y désigner un courtier responsable;
- c) elle utilise le terme «courtier», «courtier immobilier», «broker» ou «real estate broker» pour y désigner un courtier;
- d) elle utilise le terme «agent immobilier», «représentant commercial», «représentant immobilier», «salesperson», «real estate salesperson», «sales representative» ou «real estate sales representative» pour y désigner un agent immobilier.

(5) Malgré l'alinéa (4) c), la personne inscrite qui fait une publicité peut, avant le 1<sup>er</sup> avril 2008, utiliser le terme «courtier associé», «courtier immobilier associé», «associate broker» ou «associate real estate broker» pour y désigner un courtier.

(6) La personne inscrite qui fait une publicité ne doit pas, pour y désigner une personne inscrite, utiliser un terme qui pourrait raisonnablement être confondu avec un terme exigé ou autorisé par le paragraphe (4) ou (5).

(7) La personne inscrite ne peut inclure dans une publicité quoi que ce soit qui puisse raisonnablement servir à identifier une partie à l'acquisition ou à la disposition d'un intérêt sur un bien immobilier qu'avec son consentement écrit.

(8) La personne inscrite ne peut inclure dans une publicité quoi que ce soit qui puisse raisonnablement servir à identifier un bien immobilier particulier qu'avec le consentement écrit de son propriétaire.

(9) La personne inscrite ne peut inclure dans une publicité quoi que ce soit qui puisse raisonnablement servir à déterminer le contenu d'une convention traitant du transport d'un intérêt sur un bien immobilier, y compris une disposition de celle-ci se rapportant au prix, qu'avec le consentement écrit des parties à la convention.

**Assertions inexactes**

**37.** (1) La personne inscrite ne doit pas sciemment faire une assertion inexacte à l'égard d'une opération immobilière.

(2) La personne inscrite ne doit pas sciemment faire une assertion inexacte sur les services qu'elle fournit.

**Erreur, assertion fautive, fraude**

**38.** La personne inscrite fait de son mieux pour prévenir toute erreur, assertion fautive, fraude ou pratique contraire à l'éthique à l'égard d'une opération immobilière.

**Conduite non professionnelle**

**39.** La personne inscrite ne doit pas, dans le cadre d'une opération immobilière, commettre un acte ou une omission qui, compte tenu des circonstances, serait raisonnablement considéré comme honteux, déshonorant, non professionnel ou indigne d'une personne inscrite.

**Mauvais traitements et harcèlement**

**40.** La personne inscrite ne doit infliger de mauvais traitements à qui que ce soit ni harceler qui que ce soit dans le cadre d'une opération immobilière.



**Obligation de veiller à la conformité**

41. (1) La maison de courtage veille à ce que chaque agent immobilier et courtier qu'elle emploie exerce ses fonctions conformément au présent règlement.

(2) Le courtier responsable veille à ce que la maison de courtage observe le présent règlement.

**PROCÉDURE DU COMITÉ DE DISCIPLINE ET DU COMITÉ D'APPEL****Composition des comités et nomination de leurs membres**

42. (1) Le comité de discipline et le comité d'appel se composent chacun d'au moins cinq membres, dont au moins un n'a jamais été une personne inscrite ni un actionnaire, un dirigeant, un administrateur ou un employé d'une personne inscrite ou d'une ancienne personne inscrite.

(2) Une personne peut être nommée membre des deux comités en application du paragraphe 21 (3) de la Loi.

(3) Les membres du conseil d'administration de l'organisme d'application ne doivent pas être nommés membres du comité de discipline ou du comité d'appel en application du paragraphe 21 (3) de la Loi.

(4) Le mandat des personnes nommées en application du paragraphe 21 (3) de la Loi expire à la fin de la veille du deuxième anniversaire de l'entrée en vigueur de leur nomination.

(5) Si le mandat d'un membre du comité de discipline ou du comité d'appel qui a participé à une audience expire avant la conclusion de l'audience ou la remise d'une décision, il est réputé se prolonger aux seules fins de la conclusion de l'audience et de sa participation à la décision.

(6) Le conseil d'administration de l'organisme d'application peut, pour un motif valable, révoquer la nomination fait en application du paragraphe 21 (3).

(7) Le paragraphe (5) ne s'applique pas au membre dont la nomination est révoquée pour un motif valable en vertu du paragraphe (6).

(8) Le conseil d'administration de l'organisme d'application nomme :

- a) d'une part, un membre du comité de discipline à la présidence et un à la vice-présidence de ce comité;
- b) d'autre part, un membre du comité d'appel à la présidence et un à la vice-présidence de ce comité.

(9) Les paragraphes (4) et (6) s'appliquent, avec les adaptations nécessaires, à la nomination faite en application du paragraphe (8).

(10) Le vice-président d'un comité peut exercer les pouvoirs et les fonctions du président si celui-ci le lui demande, s'absente ou a un empêchement.

(11) Avant d'entrer en fonction, quiconque est nommé président, vice-président ou membre d'un comité en vertu du paragraphe (8) ou du paragraphe 21 (3) de la Loi prête le serment ou fait l'affirmation solennelle qui suit, en français ou en anglais, et y appose sa signature :

Je jure (*ou j'affirme*) solennellement que je remplirai avec loyauté et impartialité, selon mes aptitudes et mes connaissances, les fonctions de ..... et que, à moins d'y être autorisé(e) ou tenu(e) de par la loi, je ne divulguerai ni ne donnerai à quiconque un renseignement ou un document dont j'aurai eu connaissance ou que j'aurai eu en ma possession dans l'exercice de mes fonctions.

Que Dieu me soit en aide. (*Supprimer cette phrase dans le cas d'une affirmation solennelle.*)

**Affectation aux sous-comités du comité de discipline**

43. (1) Lorsqu'une affaire est renvoyée au comité de discipline, son président constitue, conformément au présent article, un sous-comité chargé de l'entendre et d'en décider.

(2) Le sous-comité a la compétence et les pouvoirs du comité de discipline à l'égard de la décision relative à l'affaire.

(3) Sous réserve du paragraphe 4.2.1 (1) de la *Loi sur l'exercice des compétences légales*, le sous-comité doit comprendre au moins trois membres du comité de discipline.

(4) Si le sous-comité se compose d'au moins trois membres du comité de discipline :

- a) au moins deux des membres du sous-comité doivent être des personnes inscrites;
- b) si un courtier responsable fait l'objet de l'instance, au moins une des personnes inscrites doit être un courtier responsable;
- c) si un courtier fait l'objet de l'instance, au moins une des personnes inscrites doit être un courtier;
- d) si un agent immobilier fait l'objet de l'instance, au moins une des personnes inscrites doit être un agent immobilier;

- e) au moins un des membres du sous-comité doit ne jamais avoir été une personne inscrite ou un actionnaire, un dirigeant, un administrateur ou un employé d'une personne inscrite ou d'une ancienne personne inscrite.

**Parties : comité de discipline**

44. Sont parties à une instance tenue devant le comité de discipline la personne inscrite qui en fait l'objet, l'organisme d'application et les autres parties qu'ajoute le comité.

**Avis d'audience**

45. Sous réserve de l'article 6 de la *Loi sur l'exercice des compétences légales*, le comité de discipline donne aux parties à une instance un avis d'au moins 45 jours de la tenue d'une audience devant lui.

**Divulgence de la preuve**

46. (1) La partie qui prévoit présenter des éléments de preuve à une audience tenue devant le comité de discipline divulgue ce qui suit aux autres parties au plus tard à la date précisée au paragraphe (3) :

1. Une copie de tout élément de preuve écrit ou documentaire.
2. L'identité de tout témoin qui témoignera oralement et une déclaration écrite comprenant la substance du témoignage prévu.
3. L'identité de tout expert qui témoignera oralement et une copie d'un rapport écrit qu'il a signé et qui comprend la substance du témoignage prévu.
4. Une description écrite de tout élément de preuve qui n'est pas oral, écrit ou documentaire.

(2) La partie qui prévoit de présenter des éléments de preuve non oraux, notamment des éléments de preuve écrits ou documentaires, à une audience tenue devant le comité de discipline donne aux autres parties une occasion raisonnable d'en examiner les originaux avant l'audience.

(3) La date visée au paragraphe (1) est :

- a) dans le cas d'éléments de preuve présentés par l'organisme d'application, celle qui tombe 30 jours avant le début de l'audience;
- b) dans le cas d'éléments de preuve présentés par une autre partie, celle qui tombe 15 jours avant le début de l'audience.

**Divulgence en cas d'audience à huis clos**

47. Le comité de discipline peut ordonner que les éléments de preuve et les observations présentés à une audience qu'il tient à huis clos ne soient divulgués à aucun membre du public.

**Remise d'un avis de décision au plaignant**

48. Si une instance tenue devant le comité de discipline découle d'une plainte déposée par une personne qui n'y est pas partie, le comité lui envoie une copie de sa décision ou de son ordonnance définitives, accompagnée des motifs, le cas échéant, au moment où il se conforme à l'article 18 de la *Loi sur l'exercice des compétences légales*.

**Avis du droit d'appel**

49. Lorsque le comité de discipline envoie une copie de sa décision ou de son ordonnance définitives à une partie à l'instance, à son avocat ou à son représentant en application de l'article 18 de la *Loi sur l'exercice des compétences légales*, il envoie également un avis énonçant le droit d'appel de la partie prévu au paragraphe 21 (5) de la *Loi de 2002 sur le courtage commercial et immobilier* et la procédure applicable à l'appel.

**Interjection d'un appel**

50. (1) Une partie peut interjeter appel en vertu du paragraphe 21 (5) de la *Loi de 2002 sur le courtage commercial et immobilier* en remettant ce qui suit au comité d'appel au plus tard 30 jours après que le comité de discipline a envoyé, en application de l'article 18 de la *Loi sur l'exercice des compétences légales*, l'avis de l'ordonnance portée en appel :

1. Un avis d'appel qui réunit les conditions suivantes :
  - i. il nomme l'appelant et les autres parties à l'appel,
  - ii. il précise l'ordonnance portée en appel,
  - iii. il énonce les motifs de l'appel,
  - iv. il énonce le redressement demandé.
2. Les droits pour interjeter appel qui sont payables à l'organisme d'application et que celui-ci fixe en vertu de l'alinéa 12 (1) b) de la *Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs*.

(2) L'appelant remet une copie de l'avis d'appel visé à la disposition 1 du paragraphe (1) dans le délai de 30 jours prévu à ce paragraphe :

- a) d'une part, aux autres parties à l'appel;
- b) d'autre part, au comité de discipline.

(3) Lorsqu'une partie interjette appel en vertu du paragraphe 21 (5) de la *Loi de 2002 sur le courtage commercial et immobilier*, le comité de discipline remet à la première occasion possible au comité d'appel le dossier établi en application de l'article 20 de la *Loi sur l'exercice des compétences légales*.

#### **Affectation aux sous-comités du comité d'appel**

**51.** (1) Le président du comité d'appel constitue, conformément au présent article, un sous-comité chargé de décider de tout appel interjeté devant le comité en vertu du paragraphe 21 (5) de la Loi.

(2) Le sous-comité a la compétence et les pouvoirs du comité d'appel à l'égard de la décision relative à l'appel.

(3) Sous réserve du paragraphe 4.2.1 (1) de la *Loi sur l'exercice des compétences légales*, le sous-comité doit comprendre au moins trois membres du comité d'appel.

(4) Si le sous-comité se compose d'au moins trois membres du comité d'appel :

- a) au moins deux des membres du sous-comité doivent être des personnes inscrites;
- b) si un courtier responsable fait l'objet de l'instance, au moins une des personnes inscrites doit être un courtier responsable;
- c) si un courtier fait l'objet de l'instance, au moins une des personnes inscrites doit être un courtier;
- d) si un agent immobilier fait l'objet de l'instance, au moins une des personnes inscrites doit être un agent immobilier;
- e) au moins un des membres du sous-comité doit ne jamais avoir été une personne inscrite ou un actionnaire, un dirigeant, un administrateur ou un employé d'une personne inscrite ou d'une ancienne personne inscrite.

(5) Les membres du sous-comité du comité de discipline qui a rendu l'ordonnance portée en appel ne doivent pas être affectés au sous-comité du comité d'appel qui décide de l'appel.

#### **Parties : comité d'appel**

**52.** Sont parties à une instance tenue devant le comité d'appel l'appelant, les autres personnes qui étaient parties à l'instance tenue devant le comité de discipline et les autres parties qu'ajoute le comité d'appel.

#### **Application des art. 45 à 48**

**53.** Les articles 45 à 48 s'appliquent, avec les adaptations nécessaires, aux instances tenues devant le comité d'appel.

### **ENTRÉE EN VIGUEUR**

#### **Entrée en vigueur**

**54.** Le présent règlement entre en vigueur le 31 mars 2006.

Made by:  
Pris par :

*Le ministre des Services gouvernementaux,*

GERRY PHILLIPS  
*Minister of Government Services*

Date made: November 9, 2005.  
Pris le : 9 novembre 2005.

**ONTARIO REGULATION 581/05**

made under the

**REAL ESTATE AND BUSINESS BROKERS ACT, 2002**

Made: November 9, 2005

Filed: November 10, 2005

**DELEGATION OF REGULATION-MAKING AUTHORITY TO THE BOARD OF THE ADMINISTRATIVE AUTHORITY****Delegation of regulation-making authority**

1. (1) Subject to subsections (2) and (3), the power to make regulations under subsection 50 (1) of the Act is delegated to the board of the administrative authority.

(2) The authority to make regulations under paragraph 20 of subsection 51 (1) of the Act that require information required under the Act to be in a form approved by the Minister is not delegated to the board of the administrative authority.

(3) A regulation made by the board of the administrative authority pursuant to subsection (1) is subject to the approval of the Minister.

**Commencement**

2. **This Regulation comes into force on September 30, 2007.**

**RÈGLEMENT DE L'ONTARIO 581/05**

pris en application de la

**LOI DE 2002 SUR LE COURTAGE COMMERCIAL ET IMMOBILIER**pris le 9 novembre 2005  
déposé le 10 novembre 2005**DÉLÉGATION DE POUVOIRS RÉGLEMENTAIRES À L'ORGANISME D'APPLICATION****Délégation de pouvoirs réglementaires**

1. (1) Sous réserve des paragraphes (2) et (3), est délégué au conseil d'administration de l'organisme d'application le pouvoir de prendre des règlements en application du paragraphe 50 (1) de la Loi.

(2) N'est pas délégué au conseil d'administration de l'organisme d'application le pouvoir de prendre, en application de la disposition 20 du paragraphe 51 (1) de la Loi, des règlements qui exigent que les renseignements exigés en vertu de la Loi se présentent sous la forme qu'approuve le ministre.

(3) Les règlements que le conseil d'administration de l'organisme d'application prend en application du paragraphe (1) sont assujettis à l'approbation du ministre.

**Entrée en vigueur**

2. **Le présent règlement entre en vigueur le 30 septembre 2007.**

Made by:

Pris par :

*Le ministre des Services gouvernementaux,*GERRY PHILLIPS  
*Minister of Government Services*

Date made: November 9, 2005.

Pris le : 9 novembre 2005.

**ONTARIO REGULATION 582/05**

made under the

**EDUCATION ACT**

Made: November 10, 2005

Filed: November 10, 2005

Amending O. Reg. 400/05

(Grants for Student Needs — Legislative Grants for the 2005-2006 School Board Fiscal Year)

Note: Ontario Regulation 400/05 has not previously been amended.

- 1. Subparagraphs 3 iv and v of section 18 of Ontario Regulation 400/05 are revoked.**

**RÈGLEMENT DE L'ONTARIO 582/05**

pris en application de la

**LOI SUR L'ÉDUCATION**

pris le 10 novembre 2005

déposé le 10 novembre 2005

modifiant le Règl. de l'Ont. 400/05

(Subventions pour les besoins des élèves — subventions générales pour l'exercice 2005-2006 des conseils scolaires)

Remarque : Le Règlement de l'Ontario 400/05 n'a pas été modifié antérieurement.

- 1. Les sous-dispositions 3 iv et v de l'article 18 du Règlement de l'Ontario 400/05 sont abrogées.**

48/05

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website ([www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca)) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne ([www.lois-en-ligne.gouv.on.ca](http://www.lois-en-ligne.gouv.on.ca)) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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