

DELEGATION of BROKER RESPONSIBILITY
(Permanent Delegation of Real Estate Broker Responsibilities)

I, (NAME of BROKER), am the registered broker with (NAME of BROKERAGE).

In accordance with the *Real Estate Act* Rules section 52(1), I hereby delegate the following broker duties and responsibilities to (NAME of DELEGATE). This delegation takes effect (COMMENCEMENT DATE) and continues until revoked by the broker.

DUTIES and RESPONSIBILITIES

(NAME of DELEGATE) will (check all that apply):

- be actively engaged in the management of the real estate brokerage with which the delegate is registered;
- trade in real estate only in the name that appears on the delegate's licence and in the name of the brokerage with which the delegate is registered;
- ensure the name of the brokerage is clearly indicated in the course of trading in real estate, including any related advertisements;
- ensure the business of the brokerage is carried out competently and in accordance with the Act, Regulations, Rules and Bylaws;
- ensure there is an adequate level of supervision for associate brokers or associates, as the case may be, within the brokerage and employees who perform duties on behalf of the brokerage;
- provide all industry members of the brokerage and other personnel with written policies and procedures by which they are expected to operate, including written policies and procedures for personal trades;
- ensure that for all monies held in trust, the bank records are maintained in accordance with the Act, Regulations, Rules, Bylaws and the law as it relates to trustees;
- ensure adequate control over any access to ABM cards used for electronic deposits and transfers and any access codes used for Internet banking or ABM cards;
- review all real estate agreements in a timely manner, including but not limited to client/customer relationships and accepted offers to purchase;
- ensure proper management and control of documents or records related to licensing, registrations and related regulatory requirements;
- ensure all documents and records related to trades in real estate required under the Act and Rules are maintained or made available by the brokerage for the purposes of a review at the registered business office of the brokerage;
- ensure that all parties to an agreement giving effect to a trade in real estate are immediately notified if:

- i. a deposit contemplated by the agreement that, if received, would be held by the related brokerage under the Act has not been received; or
 - ii. a deposit cheque or other negotiable instrument that the brokerage received in respect of a deposit referred to above has not been honoured; and
- ensure notice under the above circumstances is given in writing or confirmed in writing.

Additional responsibilities _____

I, (NAME of BROKER) acknowledge the *Real Estate Act* Rules section 52(2) states, “In the event a real estate broker delegates the broker’s duties and responsibilities to a delegate, the broker remains accountable for the conduct of the delegate and all associate brokers, associates or employees in the brokerage.”

Signed this _____ day of _____, 20____.

 Broker Signature

 Witness Signature

 Print Name of Broker

 Print Name of Witness

ACCEPTANCE

I, (NAME of DELEGATE), am registered with (NAME of BROKERAGE). I am qualified to carry out these responsibilities and hereby accept the delegation of the above broker duties and responsibilities.

Signed this _____ day of _____, 20____.

 Delegate Signature

 Witness Signature

 Print Name of Delegate

 Print Name of Witness