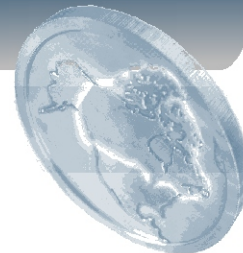


# REAL ESTATE BROKERS OR SALES REPRESENTATIVES

## Legislative Requirements



The following is a summary of the legislative requirements under the PCMLTFA applicable to real estate brokers or sales representatives when they engage in any of the following activities on behalf of any person or entity in the course of a real estate transaction:

- Receiving or paying of funds
- Deposit or withdrawal of funds or
- Transfer of funds by any means

Where a real estate broker or sales representative is an employee of a reporting entity, these requirements are the responsibility of the employer except with respect to reporting suspicious transactions and terrorist property, which is applicable to both.

Where a real estate agent is acting on behalf of a broker, these requirements are the responsibility of the broker except with respect to reporting suspicious transactions and terrorist property, which is applicable to both.

### REPORTING

#### Suspicious Transactions

You must report where there are reasonable grounds to suspect that a transaction is related to the commission of money laundering offence or to the financing of a terrorist activity.

*See Guideline 2: Suspicious Transactions and Guideline 3: Submitting Suspicious Transaction Reports to FINTRAC*

#### Terrorist Property

You must report where you know that there is property in your possession or control that is owned or controlled by or on behalf of a terrorist or a terrorist group.

*See Guideline 5: Submitting Terrorist Property Reports to FINTRAC*

#### Large Cash Transactions

Effective January 31, 2003, large cash transactions involving amounts of \$10,000 or more received in cash, must be reported.

*See Guideline 7: Submitting Large Cash Transaction Reports to FINTRAC*

### RECORD KEEPING

The following records must be kept:

- Large cash transactions records

*See Guideline 6: Record Keeping and Client Identification*

### ASCERTAINING IDENTIFICATION

Specific measures must be taken to identify the following individuals:

- Any individual who conducts a large cash transaction

*See Guideline 6: Record Keeping and Client Identification*

### THIRD-PARTY DETERMINATION

Where a large cash transaction record is required, you must take reasonable measures to determine whether the individual is acting on behalf of a third party.

In cases where a third party is involved, specific information about the third party and the relationship with the individual providing the cash must be obtained.

*See Guideline 6: Record Keeping and Client Identification*

### COMPLIANCE REGIME

The following four elements must be included in a compliance regime:

- The appointment of a compliance officer
- The development and application of compliance policies and procedures
- Periodic review of the effectiveness of policies and procedures
- Implementation of an ongoing compliance training program

*See Guideline 4: Implementation of a Compliance Regime*