



BC FINANCIAL SERVICES AUTHORITY

Official Change of Name

On November 1, 2019, BC Financial Services Authority (BCFSA) replaces the Financial Institutions Commission (FICOM) as BC's regulator of credit unions, trust companies, insurance companies, pension plans and mortgage brokers. All references in the attached document to **FICOM** and the **Financial Institutions Commission** should be read as **BCFSA** and **BC Financial Services Authority** until revised or replaced by the name of the Authority. The attached form or document will continue to be used until otherwise revised or cancelled.

If you have any questions, please contact us at 604-660-3555.
Email: mortgagebrokers@BCFSA.ca

Frequently Asked Questions for Registered Submortgage Brokers

QUESTION	ANSWER
<p>What is the difference between a Mortgage Broker and a Submortgage Broker?</p>	<p>The current <i>Mortgage Brokers Act</i> refers to the business entity (brokerage) as being the “Mortgage Broker”, and an individual who is employed by a Mortgage Broker as being a “Submortgage Broker” of the brokerage.</p>
<p>As a Submortgage Broker how do I renew my registration?</p>	<p>The Designated Individual of your brokerage will submit your renewal application through E-filing.</p> <p>The following will be required to process your application:</p> <ul style="list-style-type: none"> • Clear color copy of government issued picture ID. • Signed Form 16. • Registration fee in the amount of \$1500. • If the renewal documentation is submitted past the renewal date, late fees will apply (\$50 per day to a maximum of \$500). • Criminal Record Check, no more than 6 months old. • Complete the Regulatory Update webinar and two online modules outlined in Information Bulletin # MB 14-002. which can be found at: https://www.bcfssa.ca/pdf/mortgagebrokers/mb-14-002.pdf <p>Important: It is each registrant’s <u>personal</u> responsibility to ensure they renew on time to avoid late filing fees. We recommend that you diarize your renewal at least 30 days prior to expiry of your registration.</p>
<p>How do I print my registration certificate?</p>	<p>Please be advised that certificates are no longer being provided by our office.</p> <p>However, you are able to print a certificate from our website at: https://www.bcfssa.ca/web_listings/mbsblisting.aspx</p> <ul style="list-style-type: none"> • Scroll down to search by – select the Mortgage Broker or Submortgage Broker button. • Type the name and click on “GO”. • Select the name. • Select “GO” under certificate column; this will bring you to a Registration Information page which can be printed.

<p>What is my registration number?</p>	<p>You can send an email to mortgagebrokers@bcfsa.ca to request your registration number. Be sure to include your birthdate.</p>
<p>Are electronic signatures acceptable in mortgage transactions?</p>	<p>The Office of the Registrar of Mortgage Brokers does not have jurisdiction over how documents can be signed. For guidance you may refer to the Electronic Transactions Act of British Columbia which can be found at: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_01010_01</p>
<p>How can I advertise myself as a Submortgage Broker?</p>	<p>You are required to advertise under your own legal name as it is registered with our office. You must also display the full registered trade name of the Mortgage Broker you are either employed with or are a partner or director of, in any advertising.</p> <p>Further information can be found at: https://www.bcfsa.ca/pdf/mortgagebrokers/MB-06-002.pdf</p>
<p>I just changed my legal name. Do I need to update my registration? What is the fee for this?</p>	<p>Yes. You can scan and email a copy of the legal documentation for the name change to the MB Department at: mortgagebrokers@bcfsa.ca</p> <p>The Designated Individual of the Mortgage Broker you are with will make the change electronically on MBE-File.</p> <p>The fee for amending your registration is \$200.</p>
<p>Can I as a Submortgage Broker set up a personal corporation and have my brokerage pay my commissions to the corporation?</p>	<p>The current <i>Mortgage Brokers Act</i> refers to Submortgage Brokers as being employees of the Mortgage Broker. Submortgage Brokers are not able to have commissions paid to personal corporations.</p>
<p>What happens with my commissions for pending deals if I transfer my Submortgage Broker registration to a different brokerage?</p>	<p>If the deal starts with the brokerage you are leaving – the file is owned by that brokerage. In order for the new brokerage to take over the deal, the client must provide written authorization for the original brokerage to release their information to the new brokerage before you can continue with the deal at your new brokerage. The Registrar expects that the original brokerage will promptly forward the complete client file to the new brokerage once authorization from the client is received.</p> <p>Important: Under the <i>Mortgage Brokers Act</i> “ownership” of a client lies with the Mortgage Broker - not the Submortgage Broker. However, some brokerages may include specific terms around client “ownership” in their employment contracts with Submortgage Brokers. Contractual disputes between Submortgage Brokers and their employing Mortgage Broker are <u>not</u> a regulatory matter over which the Registrar has authority.</p>

<p>Can a Submortgage Broker or a Mortgage Broker hold out under a trade name?</p>	<p>Submortgage Brokers employed by a brokerage are not permitted to operate under a personal trade name.</p> <p>A brokerage can use a trade name provided it is registered with the BC Corporate Registry and with the Registrar of Mortgage Brokers.</p> <p>An individual may choose to register themselves as a sole proprietor brokerage; in which case they may register a trade name on their Mortgage Broker registration.</p> <p>Note: Both Submortgage Brokers and Mortgage Brokers are required to hold themselves out to the public in a manner that clearly states the name under which the Submortgage Broker or Mortgage Broker is registered with this office.</p> <p>For information about registering a trade name, refer to the BC Corporate Registry website at: http://www.bcregistryservices.gov.bc.ca/bcreg/corppg/companies/index.page</p>
<p>Are Mortgage Brokers and Submortgage Brokers required to carry Errors and Omissions Insurance in BC?</p>	<p>Currently there is no requirement for Mortgage Brokers or Submortgage Brokers to carry Errors and Omissions Insurance in BC.</p>