

## Listing Opportunities

When submitting paperwork through Command, you will now see 6 different checklist types to choose from. Only 1 type will apply to your situation:

If you are an agent in Nova Scotia, you will always choose a **Standard** checklist

If you are on the KW Commercial Advisors, you will always choose a **KWCommAdvisors** checklist

If you are an agent in PEI, you will always choose a **PEI** checklist

 Pick checklist type ▼

- Standard - Individual Consumer
- Standard - Corporate Consumer
- KWCommAdvisors - Individual Consumer
- KWCommAdvisors - Corporate Consumer
- PEI - Individual Consumer
- PEI - Corporate Consumer

You will then choose the appropriate checklist based on who your client is:

**Individual Consumer:** your sellers are individuals  
**Corporate Consumer:** your seller is a corporation

Once you pick a checklist, you will then see the list of documents required. Specific to FINTRAC, there are some new required documents to be aware of:

### Individual Consumer

Required	Individual Identification Record
Required	Individual Identification Record
<b>NEW</b> Required	Politically Exposed Person/HIO
Conditional	Mandatory/Agent Agreement

See Page 2 & 3 for an explanation of each document and when they are used.

### Corporate Consumer

Required	Individual Identification Record
Required	Corporate Identification Record
Required	Registry of Joint Stocks Record
<b>NEW</b> Required	Authority to Bind
<b>NEW</b> Required	Politically Exposed Person/HIO
<b>NEW</b> Required	Beneficial Ownership Record
Conditional	Mandatory/Agent Agreement
<b>NEW</b> Conditional	Consent Letter to Lawyer

# What are the new forms, and why are they required?

We know that some of the updated Fintrac Requirements are going to be a big change to what you are currently doing but is it important to remember the following:

- These requirements are required by LAW and are not optional. The consequences of not being compliant can result in fines in excess of \$250,000 to a brokerage.
- When we have the **right mindset** about how these new steps will protect our clients and our industry, you will have a better appreciation for their necessity.
- Detailed resources on all of these documents and questions are located in the Fintrac Portal on our internal website: [kwselect.ca/fintrac](http://kwselect.ca/fintrac)

## **Authority to Bind**

**What is it?** This is NOT a CREA form - it is that you are required to obtain proof that the person signing on behalf of the corporate consumer is actually allowed to sign for the company. It can be in the form of the Articles of Incorporation OR proof from their lawyer (use the consent letter to obtain this information from the lawyer - explained below)

**Why do we need this?** This is designed to PROTECT your clients from someone unlawfully using their company for the purposes of money laundering or fraudulently signing on behalf of your corporate client and them being at risk of being caught in a purchase or sale that they didn't agree to.

## **Politically Exposed Person / HIO Record**

**What is it?** It is a CREA form that is used to identify if your buyer or seller is politically exposed. Please see the FAQs on Fintrac in our Fintrac Portal on [kwselect.ca](http://kwselect.ca) for the definitions of who is considered politically exposed on municipal, provincial, federal and international levels.

**Why do we need this?** This is designed to ensure that consumers who are politically exposed essentially are not misusing that power and giving Fintrac the ability to monitor these purchasers & sellers. In the era of transparency, this is a good thing!

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## Beneficial Ownership Record

**What is it?** This is a CREA form used to identify who are the shareholders of your corporate consumer who have 25% or MORE ownership in the company.

**Why do we need this?** If you think about money laundering, companies are one of the most commonly used vehicles to hide who the actual parties are to a transaction. This ensures that there is further screening of the people that make up the company to prevent money laundering and the use of funds from the proceeds of crime from being used or “washed” using a company as the shield.

## Consent Letter

**What is it?** This is a template document that we have been provided so that should a client not have access to their articles of incorporation or other needed documentation, you can have them sign the consent form and send the document to their lawyer for completion and documentation.

**Why do we need this?** There are going to be clients who do not have their documents and/or prefer to have their lawyer complete. This template ensures that you have proper consent to collect the info in order that the lawyer will share the info and/or documentation with you and will ensure that you look professional in the process.