



**Jacques Robert  
Real News  
January 2012**

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Dear real estate professionals,

We hope you all enjoyed safe and happy holidays.

We thank those that provided us with some issues/questions that they wanted to see addressed in our next newsletter. In this issue, we discuss client identification and verification.

We hope that in each upcoming newsletter we will continue to address issues which you find relevant and provide you with useful information and tools to continue providing the best service to our mutual clients.

We also include a list of this month's community events for you to share with your new clients moving to Ottawa and interested in getting involved in the community.

We wish you all the best for 2012.

Thank you for your ongoing support

Sincerely,

*Jacques & Sarah*

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## Client Identification and Verification

*By Sarah R. Morgan & Jacques Robert*

As you must know, Real estate brokers and sales representatives have record keeping and client identification obligations pursuant to the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*. Lawyers have similar strict client identification and verification requirements however we are governed by our law society obligations and our duty to the financial institutions providing the mortgage to our mutual client(s).

As you know, some closings occur within a few days from signing the agreement of purchase and sale – this does not leave much time to deal with any issues should they arise. It is possible that a client having improper identification may delay or even prevent a real estate transaction from closing.

### What Does Identifying the Client Mean?

According to the Law Society of Upper Canada (which governs lawyers practising in Ontario), client identification means “obtaining certain basic information about your client and any third party directing, instructing or who has the authority to direct or instruct your client such as a name and address... Verifying the identity of a client means actually looking at an original identifying document from an independent source to ensure that your client and nay third parties are who they say they are.”

### How Do We Confirm Our Client’s Identity?

#### **Individual**

Generally, when representing an individual, we need to obtain their full name, home address and telephone number, occupation, and business address and telephone number. In addition to this information, in order to comply with our law society and bank requirements, we must review two original government issued identifications (at least one with photo) of that individual that are valid and have not expired such as a: driver’s licence, birth certificate, passport or similar record.

Interesting to note, the government of Ontario has recently introduced a [new photo ID card](#) available to individuals 16 years of age and over who do not hold a driver’s licence. This may be a good option for some of our mutual clients.

#### **Corporation**

Generally, when representing a corporation we need to confirm the identity of the individual giving instructions on behalf of the corporation following the guideline outlined above for individuals.

In addition to this, we need to obtain the following information about the corporation:

- full name of the corporation;
- business address and telephone number;
- incorporation or business ID number and the place of issue of its incorporation or business ID number;
- general description of the type of business or activity undertaken; and,
- the name, position and contact information of individual(s) authorized to give instructions with respect to the matter for which we are retained.

Finally, we must verify the corporation’s identity using independent source documents, data or information. For example we can obtain a written confirmation from a government registry as to the existence/name/address, including names of directors and officers of the corporation or obtain a copy

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of a document that confirms the organization's existence, such as a certificate of corporate status or a partnership agreement.

### **For More Information**

For more information about Client Identification and Verification we refer you The Law Society of Upper Canada "[Client Identification and Verification Requirements For Lawyers](#)" and to the article published by the Canadian Bar Association "[Pleased to Meet You: The New "Know Your Client" Regime](#)" available online.

Our guidelines are similar to real estate brokers, developers, sales representatives as published by the *Financial Transactions and Reports Analysis Centre of Canada*. We refer you to [Guideline 6B: Record Keeping and Client Identification for Real Estate](#) and in particular sections 4.6 and 4.7.

Please note that the above is not an exhaustive list of considerations when dealing with client identification. If you have any questions regarding the above or any other matter, please do not hesitate to contact us.

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## **Interested in attending an informational seminar?**

Both Jacques and Sarah are teachers at heart and as such, they offer various seminars on real estate, wills and estates matters free of charge.

If your office is interested in receiving an informational seminar, please [contact us](#) to schedule a date and time.

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## **Client Quarterly Newsletter**

**Next Issue:** March 2012

If you would like to automatically receive our client newsletter, please send us an [email](#).

To access previous issues, click [here](#).

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## **Community Events**

**A list of community events taking place in Ottawa this January:**

- **Christmas Lights Across Canada:** daily until January 7, 2012, from 4:30pm to 2am @ Parliament Hill and Confederation Boulevard. For more information click [here](#).
- **Alight at Night:** daily until January 7, 2012 @ 13740 County Road 2, Morrisburg. For more information click [here](#).
- **Wedding Palace Bridal Show:** January 7-8, 2012 @ 55 Colonel By Drive, Ottawa. For more information click [here](#).
- **The Ottawa International Motorcycle Show:** January 13-15, 2012 @ Capital Exhibition Centre, 4899 Uplands Drive. For more information click [here](#).
- **Fruit Trees for Small Gardens:** January 19, 2012 at 7:30pm @ Nepean Horticultural Society, City View United Church, 6 Epworth Avenue (Nepean). Entry fee \$4.00 for non-members. For more information click [here](#).

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- **The Home Renovations Show:** January 20-22, 2012 @ CE Centre 4899 Uplands Drive, Ottawa. For more information click [here](#).
- **Fitzroy Harbour Winter Carnival:** January 26-28 2012 @ 100 Clifford Campbell Street (Fitzroy Harbour). For more information click [here](#).
- **New Temporary Exhibition: From the Farm to the Freeway: Biocomposite Plastics:** December 8, 2011 until June 10, 2012 Tuesday to Sunday until 5pm @ Canada Science and Technology Museum. For more information click [here](#).
- **10 ans: Gatineau se raconte:** October 4, 2011 until August 24, 2012 various times @ Outaouais Archives Centre, 855 de la Gappe Blvd, Gatineau. For more information click [here](#).
- **Nepean Trail Runs 2012:** the run is taking place on September 16, 2012 however those signing up before January 31, 2012 benefit from 15% off the regular entry fee @ Nepean Sportsplex (Nepean). For more information click [here](#).

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## About Our Law Firm

With the dynamic vision of its key player, Jacques Robert, our firm has grown to be one of the largest real estate law firms in the Ottawa area. To meet the changing face of Real Estate Law we are continually upgrading our systems and competitively adjusting our pricing structures.

Our highly trained legal team, consisting of Sarah Morgan (associate lawyer), Adriana Caruso (law clerk), Melanie Soubliere (law clerk), Katie Moore (law clerk), Eva Mooers (office administrator/receptionist), and Milva Caruso (office manager and law clerk) are all well versed in the areas of real estate law, wills and estates. We offer a fully bilingual service to our clientele - nos services sont également disponibles en français.

Our firm is on the recommended rosters for the Department of National Defence, RCMP as well as many corporate relocation firms. We are on the recommended list for all of the major builders in the region.

We have three (3) locations for our clients signing convenience: the East, West, and South parts of the city. Our Central Administration is conducted at the East office which is located in Orléans just minutes from the Queensway, the main freeway through Ottawa from West to East. We are open daily from 8:30 am until 5:00 pm.

East      Central Administration  
2788 St. Joseph Blvd.  
 Orleans, ON K1C 1G5

South     Capital Corporate Centre  
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Visit our website at [www.jacquesrobert.com](http://www.jacquesrobert.com) for more information.

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In all cases, contact your legal professional immediately for any advice on any matter referenced in this document before making any decision whatsoever.