



MORTGAGE BROKERAGE

STATUTORY DECLARATION – NOT HANDLE TRUST PROPERTY

Legislative Requirements

Section 49 of *The Mortgage Brokerages and Mortgage Administrators Act* (the “Act”) requires every brokerage that did not hold an endorsement during the preceding fiscal year to provide the Superintendent of Financial Institutions (the “Superintendent”) a statutory declaration within ninety days of the brokerages fiscal year end. The contents of the statutory declaration can be found in section 44 of *The Mortgage Brokerages and Mortgage Administrators Regulations* (the “Regulations”). Section 44(b), in particular, states that the statutory declaration includes a confirmation that the mortgage brokerage did not receive or handle trust property during the fiscal year to which the statutory declaration relates.

Clauses 49(b)(ii)&(iii) of the Act require partnerships and corporations to provide a statutory declaration from two partners or two directors as the case may be. In the case where there is only one director, the director must provide the statutory declaration. Similarly, in the case of limited liability partnerships, the general partner must provide the statutory declaration.

General Instructions

Complete the attached form and have it sworn before a Commissioner of Oaths or Notary Public. Sole proprietorships must provide a statutory declaration sworn by the sole proprietor. Partnerships and corporations must provide two statutory declarations (each sworn by a partner or director as the case may be).

How to submit the form

The form should be delivered to the office of the Superintendent by mail, email or fax to the address above no later than 90 days after the end of the mortgage brokerage’s fiscal year.

If you have any questions, please contact the Financial Institutions Division of the Saskatchewan Financial Services Commission at (306) 787-6700.

**Mortgage Brokerage
Statutory Declaration – Not Handle Trust Property**

This statutory declaration is being completed for a:

- ☐ Sole Proprietorship
- ☐ Corporation with only one director
- ☐ Corporation with more than one director (ensure a separate statutory declaration is submitted by each of two different directors)
- ☐ Limited Liability Partnership (only one statutory declaration from general partner is required)
- ☐ Partnership (ensure that a separate statutory declaration is submitted by each of two different partners)

Statutory Declaration

I, the undersigned, Sole Proprietor/Partner/Director (*choose one*) of

(brokerage name)

(hereinafter referred to as the “Mortgage Brokerage”), do solemnly declare as follows:

1. That during the Mortgage Brokerage’s fiscal year of _____ to _____, the Mortgage Brokerage did not receive or handle trust property.

2. I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Sworn/Affirmed before me at the _____)
of _____ in the Province _____)
of _____ this _____)
day of _____, _____)
_____)
_____)

Signature of Sole Proprietor/Partner/Director

Print Name

A Commissioner for Oaths in and for the
Province of _____

My commission expires _____

A Notary Public in and for the Province of

My appointment expires _____