

Registration or Appointment Requirements for New, Renewal and Reinstatement Applications *(Businesses and Branches)*

**Bailiff Appointment,
*Bailiffs Act*** – Any person who acts, assists any person to act or holds himself or herself out as being available to act for or on behalf of any other person in the repossession or seizure of chattels or in any eviction.

**Collection Agency
Registration,
*Collection Agencies Act*** – Businesses who collect or arrange for payment of monies owed to a third party.

**Consumer Reporting Agency
Registration
*Consumer Reporting Act*** – Companies that furnish personal or consumer information.

Requirements for all Registrations / Appointments –

- 18 years of age or over;
- a Canadian citizen, landed immigrant or have a valid employment authorization document;
- Operate from a permanent place of business in Ontario, which is open to public during normal business hours and is not a residence.

For Bailiffs only -

- a minimum of two years actual or related experience;
- an applicant cannot be registered as a Collector / Collection Agency under the *Collection Agencies Act* or a Private Investigator under the *Private Investigators and Security Guards Act*;
- indicate the name of the territorial division for which appointment is sought;
- a trust account must be set up in the name of the Company exactly as noted in the application and designated “*Bailiffs Act – Trust Account*”. The trust account may be set up after appointment and the Registrar will require confirmation;
- a minimum of ten (10) letters from businesses supporting the application and indicating that they would use your services. The number of letters required may be higher in some metropolitan areas;
- detailed resume of education and employment history for principal bailiffs of the corporation/partnership or applicant in the case of a sole proprietorship, identifying a minimum of two years actual related experience;
- evidence of successful completion of the Bailiff qualification examination administered by the Registrar; Contact 416 326-6203;
- a personal bond accompanied by collateral security; a bond of a guarantee company approved under the *Guarantee Companies Securities Act*; or a bond guarantor, other than a guarantee company, accompanied by collateral security in the amount of \$5,000.00 in the name of the Corporation as it appears on your Articles of Incorporation and your application.

For Collection Agencies only -

- a minimum of two years actual or related experience in all phases of the Collection Agency business;
- an applicant cannot act as a Bailiff under the *Bailiffs Act* or a Private Investigator under the *Private Investigators and Security Guards Act*;
- a trust account must be set up in the name of the Company exactly as noted in the application and designated “*Collection Agencies Act – Trust Account*”; The trust account may be set up after appointment and the Registrar will require confirmation;
- initial registration requires an original bond in the amount of \$5,000.00, issued in the corporate and trade name;
- on a renewal, an endorsement for additional bonding if required. The amount of the bond is calculated based upon the amount of money collected in the calendar year immediately preceding the date of the application for renewal. Where the amount collected was:

| <u>Amount collected</u> | <u>Bond amount</u> |
|-------------------------------|--------------------|
| \$50,000 and less | \$5,000 |
| \$50,000 less than \$100,000 | \$10,000 |
| \$100,000 less than \$150,000 | \$15,000 |
| \$150,000 less than \$250,000 | \$20,000 |
| \$250,000 and more | \$25,000 |

- provide a copy of the most recent / opening financial statement prepared by a person licensed under the *Public Accountancy Act*;
- all individuals, including partners and active officers and directors of a corporation must pass an examination in order to qualify for registration; Applications for examination please call the office of the Registrar at 416 326-6203 for further information;
- for Corporations / Partnerships a minimum of one completed Collector application / Notice of Employee Change form is required;
- if the shareholder listed in question 5 of the **Application for Registration or Bailiff Appointments** another corporation, a separate application form must be submitted for each corporate shareholder;
- if the application is for a Sole Proprietorship, the owner should return his/her current certificate of registration.

For renewals -

- a copy of the most recent financial statement with the following certification –

Pursuant to the provisions of Section 13(6) and Section 14 of Ontario Regulation 74 made under the *Collection Agencies Act*, I (name of accountant) certify:

1. that I am licensed under the *Public Accountancy Act*;
2. that I have prepared the Financial Statement of (registered name of collection agency), a collection agency registered under the *Collection Agency Act* for the year ended _____ and:
3. that the registrant has complied with all the provisions of Ontario Regulation 74 respecting trust accounts as set out in Sections 17 and 18.

Dated at _____ this _____ day of _____ 20 ____.

For Consumer Reporting Agencies –

- minimum of two years actual/related experience in all phases of Consumer Reporting;
- when the application is for a first time registration, provide an opening financial statement;
- if the shareholder listed in question 5 of the **Application for Registration or Bailiff Appointments** another corporation, a separate application form must be submitted for each corporate shareholder.

FEES

A fee of \$190.00 is required for Bailiff appointments and \$290.00 is required for all other applications. Payments should be made by way of cheque, money order or credit card payable to the Minister of Finance. **Note: Do not send cash by mail.**

There will be an additional Service Charge of \$35.00 for any cheque returned by a financial institution.

Fee exemption applies to Consumer Reporting Agencies who have a valid license under the *Private Investigators and Security Guards Act*.

If assistance is required, contact the Registrar's office at 416 326-6203.

Mail Applications to:

**Ministry of Consumer Services
Consumer Protection Branch
5775 Yonge Street, Suite 1500
Toronto ON M7A 2E5**

Note:

- A check of the Canadian Police Information Computer is conducted on all applications.
- It is an offence for which you may be charged to make a false statement in this application. In addition to any charges that may be laid, a false statement will delay the processing of this application, and may result in its refusal.
- Only fully completed applications, accompanied by all required documentation will be processed. All others will be returned.
- If the application and fees are not received prior to the expiry date on your "certificate of registration", your registration will be terminated.