

解披露在交易 (長租或短租) 中的權益

每當出現以下情況，按照監管規定，房地產業持牌人必須向您提供這份消費者資料：

- 您要將房地產短租或長租給房地產業持牌人或其有聯繫者，對方打算成為您的租客，除非根據《房地產服務規則》(Real Estate Services Rules) 的第53(2)節獲豁免遵守這項披露規定(請看第4頁)，或
- 您打算要短租或長租該名房地產業持牌人或其有聯繫者從中享有權益的房地產。

在您與房地產業持牌人或其有聯繫者*訂立任何短租或長租房地產的協議之前，這份披露表格都必須提供給您。(*關於有聯繫者的定義，請看第4頁)。

提供這份披露表格給您，目的是提高對房地產交易中可能會出現的潛在風險的意識，而在交易裏房地產業持牌人是有直接或間接的個人權益。這些風險可能包括有利益衝突的可能性，或者由於在知識方面的差別所致的議價能力上的差異。在交易中房地產業持牌人通常被視為見多識廣的一方，對相關物業的認識(例如公平市值、發展潛力)及對房地產業整體市道的了解，要比一般消費者(可能包括您)為高。

如果您對這份披露表格或它可能顯示的風險有任何問題，您應該找您的房地產業持牌人談談及/或尋求獨立意見。

強烈建議您(消費者)應該取得您要長租或短租的物業的公平市值方面的獨立意見。

在本文件內

- **Part A** 向您說明誰作出這項披露以及他所代表的是什麼人。
- 當房地產業持牌人或他所代表的有聯繫者以租客身分**短租或長租您的物業**時，必須填妥**Part B**。
- 當房地產業持牌人或他所代表的有聯繫者將他的物業**短租或長租給您**時，必須填妥**Part C**。

卑詩省金融服務管理局 (BC Financial Services Authority) 是個法定監管機構，其工作目標是確保房地產專業人員具備相關技能和知識，可為您提供高水準的服務。所有房地產專業人員都必須遵守那些有助保障消費者(例如您)的規則。我們隨時樂意幫助您了解自己作為房地產消費者有什麼權利。

把這份資料單張留作參考。

PART A – TO BE COMPLETED BY ALL REAL ESTATE LICENSEES

Notice to (indicate name of either the landlord or the tenant): _____

Street address of the property

Legal description of the property

I, _____ (name of real estate licensee), am licensed under the *Real Estate Services Act*, and disclose to you that:

- I am leasing or renting your property as a tenant (proceed to Part B)
- my associate(s) is (are) leasing or renting your property and I am providing them trading services (proceed to Part B)
- I am leasing or renting my property (proceed to Part C)
- my associate(s) is (are) leasing or renting their property and I am providing them trading services (proceed to Part C)

Name of associate(s)

My relationship to the associate(s)

PART B – TO BE COMPLETED WHEN THE REAL ESTATE LICENSEE OR AN ASSOCIATE THEY REPRESENT IS LEASING OR RENTING THE PROPERTY AS A TENANT

I am / my associate is LEASING OR RENTING the property as a tenant:

- for personal use or other use, or
- to sublet it
- and I, and/or my associate intend to sublet the property with the following terms:

Remuneration:

If you accept my and/or my associate's offer, real estate commission or other remuneration is anticipated to be earned or received in the following amounts:

By me: \$ _____

By my associate: \$ _____

From another tenant: \$ _____

PART C – TO BE COMPLETED WHEN THE REAL ESTATE LICENSEE OR AN ASSOCIATE THEY REPRESENT IS LEASING OR RENTING THE PROPERTY AS A LANDLORD

- I own the property
- I am a tenant (where you will be a subtenant)
- My associate owns the property
- My associate is a tenant (where you will be a subtenant)

REAL ESTATE LICENSEE DISCLOSURE DETAILS

Disclosure – To be completed by the real estate licensee:

I make this disclosure to you in compliance with section 53 of the Real Estate Services Rules under the *Real Estate Services Act* at:

_____ (place) on _____ date

Disclosed by _____ (signature of real estate licensee)

Witnessed by _____ (signature of a person other than the person to whom the disclosure is to be made)

CONSUMER ACKNOWLEDGMENT

This is NOT a contract

I acknowledge that I have received the **Disclosure of Interest in Trade** consumer information page and this disclosure form.

Name (optional)

Date

Name (optional)

Date

Initials (optional)

Date

Initials (optional)

Date

BROKERAGE USE ONLY

A COPY OF THIS FORM MUST BE DELIVERED TO YOUR BROKERAGE. **THIS SECTION IS TO BE COMPLETED BY THE BROKERAGE WHOSE REAL ESTATE LICENSEE IS MAKING THE DISCLOSURE.**

I _____ acknowledge receipt of a copy of this disclosure on behalf of the brokerage of the real estate licensee making this disclosure.

Signature of person acknowledging receipt

Date

Title of person acknowledging receipt on behalf of the brokerage

Note: section 83(1)(a) of the Real Estate Services Rules requires a brokerage to maintain a copy of all written disclosures and any other related acknowledgements under Part 5 Division 2 of the Real Estate Services Rules.

定義

有聯繫者

房地產業持牌人的有聯繫者是指：

- 其配偶（按照《家庭法》（Family Law Act）的定義），
- 該名持牌人或其配偶或家庭夥伴擁有巨大權益或擔任受託人的信託或產業，或
- 該名持牌人或其配偶或家庭夥伴持有其資本的5%或以上或者有權獲得其利潤的5%或以上的法團、合夥經營、協會、集團或非法團組織。

就本身是法團或合夥經營的經紀行而言，房地產業持牌人的有聯繫者是指：

- 該經紀行的董事、高級職員或合夥人，
- 持有超過10%有表決權的該經紀行股份的股東，
- 該經紀行或其董事、高級職員或合夥人擁有巨大權益（或擔任受託人）的信託或產業，
- 該經紀行或其董事、高級職員或合夥人持有其資本的5%或以上或者有權獲得其利潤的5%或以上的法團、合夥經營、協會、集團或非法團組織。

53 披露在交易中的權益

2. 如屬以下情況，根據第1小節，本身是持牌人的人士毋須作出披露：

- a. 該房地產是該持牌人或該持牌人的配偶或家庭夥伴購入的出租房地產，而目的是該持牌人、其配偶或家庭夥伴在租約期間會將該房地產用作私人住所，
- b. 該租約或租住該房地產的協議為期不超過一年，
- c. 該租約或協議並不包含購買的選項或優先購買權，及
- d. 任何續租的選項或續租的其他條文，無論是否包括在該租約或協議內，都不會將總租住期，包括任何續約期，延長至超過一年。