

Privacy policy

François Chicoine (hereinafter, the "BROKER") provides a secure Web environment to its Internet users.

The BROKER is governed by the Act respecting the protection of personal information in the private sector (RLRQ, c. P-39. 1) (hereinafter, the "Act") and as such the BROKER endeavours to maintain the highest standards of confidentiality with respect to personal information provided to it by its clients, suppliers and other businesses in the course of its real estate brokerage activities, including but not limited to, through the BROKER's website (the "Website"), its social networks, its advertisements and for the purposes of its Customer Relationship Management (CRM) and Electronic Document Management (EDM) systems, in accordance with its obligations under the Act.

What is meant by « personal information »?

Personal information is information about a natural person that directly or indirectly allows that person to be identified. A written document, an image, a video or a sound recording may contain personal information. In the course of its professional activities, the BROKER may collect personal information such as a person's name, home address, date of birth, identity document information, social insurance number, income information, marital status, etc. The protection principles listed below apply to all personal information collected by the BROKER.

The protection principles listed below apply to the collection, use and transmission of personal information that Internet users may provide when using the Website.

1. Responsibility

The BROKER is responsible for protecting the personal information it holds in the course of real estate brokerage activities. To this end, the BROKER has adopted a confidentiality policy as well as policies and practices governing the governance of personal information, the purpose of which is to govern the collection, use, communication, retention and destruction of personal information.

2. Collection of personal information

The BROKER collects only the personal information required to carry out its real estate brokerage activities. For example, this information may be collected for the purposes of carrying out a real estate transaction, maintaining files, monitoring professional practice by the Organisme d'autoréglementation du courtage immobilier du Québec (OACIQ) or any other purpose determined by the BROKER and brought to the attention of the person whose consent is being sought.

The BROKER invites the members of its staff, its team or any administrative assistant, as the case may be, to explain in simple and clear terms to the person concerned the reasons for collecting his or her personal information and to ensure that they understand.

For the purposes of collecting personal information, the BROKER encourages the members of its staff, team or any administrative assistant, as the case may be, to use the standardized forms developed by the OACIQ.

The BROKER may also collect personal information verbally during correspondence with the persons involved in a transaction or through various documents submitted as part of a real estate transaction (identification, financial documents, powers of attorney, etc.).

3. Use and disclosure of personal information

Personal information is used and communicated for the purposes for which it was collected and with the consent of the person concerned. In certain cases provided for by law, personal information may be used for other purposes, for example, to detect and prevent fraud or to provide a service to a person.

The BROKER may be required to communicate personal information to third parties, for example, suppliers, co-contractors, subcontractors, agents, insurers (such as the Fonds d'assurance responsabilité professionnelle du courtage immobilier du Québec [FARCIQ], the Fonds d'indemnisation du courtage immobilier du Québec [FICI]), professionals, financial or credit verification institutions, electronic document management (EDM) system providers and other regulators, or outside Québec.

The BROKER may, without the consent of the person concerned, communicate personal information to a third party if such communication is necessary for the execution of a mandate or a service or business contract. In this case, the BROKER shall draw up a written mandate or contract in which he shall indicate the measures that his mandatary must take to ensure the protection of the personal information entrusted to him, to ensure that it is used only in the performance of the mandate or contract and that it is destroyed once the mandate or contract has ended. The co-contractor must also undertake to cooperate with the BROKER in the event of a breach of confidentiality of personal information.

Before communicating personal information outside Québec, the BROKER takes into account the sensitivity of the information, the purpose for which it is to be used and the protection measures that will be in place outside Québec. The BROKER will communicate personal information outside Quebec only if its analysis demonstrates that it will benefit from adequate protection in the place where it is to be communicated.

4. Retention and destruction of personal information

Once the purposes for which the personal information was collected or used have been fulfilled, the BROKER must destroy it, subject to a retention period stipulated by law. In this regard, the BROKER's professional obligations require it to keep its files for at least six (6) years following their final closure.

5. Security measures

When collecting, using, storing and destroying personal information, the BROKER applies the necessary security measures to protect the confidentiality of personal information. The personal data collected will be stored on servers and in electronic data management systems equipped with mechanisms and using recognized standards of protection to ensure the security of personal information provided to the BROKER by its clients, suppliers and other companies in the course of its real estate brokerage activities, in particular but without limitation, through the Website, its social networks, its advertisements and for the purposes of its Customer Relationship Management (CRM) and Electronic Document Management (EDM) systems, in accordance with its obligations under the Act.

Privacy incident

A confidentiality incident is any access, use or disclosure of personal information that is not authorized by the Act, or the loss of personal information or any other breach in the protection of personal information.

The BROKER has established a protocol for managing a confidentiality incident, which identifies the persons who assist the Privacy Officer and sets out the concrete actions to be taken in the event of an incident. This protocol sets out the responsibilities expected at each stage of incident management, including the measures to be taken to ensure data security.

6. Roles and responsibilities

A. The BROKER, his staff, the members of his team or any administrative assistant, as the case may be

- Ensures the confidentiality of information through good information management practices. In particular, it provides guidelines, training and instructions to staff members on the collection, use, storage, modification, consultation, communication and permitted destruction of personal information.
- Adopts appropriate safeguards to reduce the risk of confidentiality incidents, e.g. computer security, updating personal information policies, staff training, etc.
- Has standardised methods for filing documents containing personal information.
- Has standardised methods for conserving documents containing personal information, particularly with regard to the digitisation procedure.
- Manages physical and IT access to personal information, depending in particular on its sensitivity.
- Securely destroys personal information. In particular, he/she gives directives or instructions to staff members regarding the secure destruction method, destruction deadlines, etc.

B. Person responsible for the protection of personal information

In accordance with the Act, the BROKER is responsible for the protection of personal information.

In particular, he or she ensures that these policies are complied with and that they comply with the applicable regulations. The name and contact details of this person appear in the "Complaints" section.

The BROKER is responsible for managing confidentiality incidents and, in this context, takes the actions provided for by the Act.

The BROKER handles requests for access to and rectification of personal information. It also handles complaints relating to the processing of personal information by the BROKER.

The BROKER establishes privacy factors for any project involving the acquisition, development or redesign of an information system or the electronic delivery of services involving the collection, use, disclosure, retention or destruction of personal information. It may suggest measures to ensure the protection of personal information as part of such a project.

C. Members of staff, team or any administrative assistant

A member of the BROKER's staff, team or any of the BROKER's administrative assistants may inspect personal information only insofar as this is essential for the performance of his duties or his mandate.

The member of staff, the team or any administrative assistant of the BROKER :

- Ensures the integrity and confidentiality of the personal information held by the BROKER.
- Complies with all the BROKER's policies and directives on access, collection, use, disclosure and destruction of personal information and on information security, and complies with the instructions provided.
- Respects the security measures in place at the workstation and on any equipment containing personal information.
- Use only the equipment and software authorised by the BROKER.
- Ensures, when the time comes, that personal information is securely destroyed in accordance with instructions received. Immediately report to his/her superior any act of which he/she is aware that may constitute an actual or suspected breach of security rules relating to personal information.

7. Right of access, withdrawal and rectification

An individual (or his/her authorized representative) may request access to his/her personal information held by the BROKER. An individual may withdraw his or her consent to the collection, use and disclosure of his or her personal information at any time. This withdrawal will be recorded in writing.

An individual may ask to correct, in a file concerning him or her, personal information that he or she believes to be inaccurate, incomplete or equivocal.

A person may request that personal information held by the BROKER be transferred electronically to a third party.

The BROKER may refuse a request for access or rectification in the cases provided for by the Act (<https://www.legisquebec.gouv.qc.ca/fr/document/lc/P-39.1>).

8. Complaints

A person who considers that he or she has been wronged may lodge a complaint regarding the processing of his or her personal information by the BROKER. This complaint will be dealt with diligently by the BROKER within a maximum of 30 days and a written reply will be sent to you.

To make a request for access, rectification of your personal information or any other request to which you are entitled, as well as to submit a complaint relating to the processing of personal information, please contact :

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