

Monday, April 4, 2011

Cara Melbye, Senior Policy Analyst
Licensing and Market Conduct Division
Financial Services Commission of Ontario
5160 Yonge Street, Box 85
Toronto ON M2N 6L9

RE: CE Consultation for the Mortgage Broker Sector

Dear Ms. Melbye:

The Independent Mortgage Brokers Association of Ontario (IMBA), the voice of independent mortgage brokers and agents in Ontario provides industry leadership, fosters professional development, partner relations, and acts as a representative for its 1300 stakeholder members to Ontario government and regulators.

IMBA has developed a comprehensive education program for mortgage professionals and new entrants into the industry. Courses cover brokerage fundamentals in depth and are designed and taught by experienced, practicing Mortgage Brokers.

IMBA fully supports FSCO's position to make continuing education mandatory. IMBA has sought input from their stakeholder members.

IMBA believes that FSCO should oversee the quality and standard of the course(s) being offered by the providers, as FSCO has indicated there will probably be multiple providers of Continuing Education (CE) courses. IMBA recommends that a condensed version of the DACUM meetings take place that would generate a version of the MAQS/MBQS. This will create uniformity of content matter and learning outcomes.

Further, as outlined in the consultation request, IMBA believes that it is critical to establish reciprocity with Alberta and British Columbia as to the topics and standards that they are teaching and in what years.

Mandatory CE, although directed towards increasing the professionalism of the Ontario mortgage brokers and agents, should always have the care of the consumer as its ultimate goal. Therefore a "Best Practices" manual should be developed that encompasses, "giving advice about risks, product suitability etc". This manual could be developed by the approved providers of CE and made available through their respective web sites.

The Mandatory Consultation Proposal presented by FSCO suggests that only one CE topic be completed during each Licensing period. IMBA believes that there should be two (2) topics per licensing period. These topics could be related therefore complementing each other.

IMBA believes that the following topics should be taught as soon as possible. These important areas of professionalism should be introduced to mortgage brokers and agents as quickly as possible.

Therefore, by implementing them commencing in 2012, and yearly thereafter, these standards will meet the goal of FSCO of meeting the criteria by 2018. As FSCO asks that topics for the next three licensing periods be suggested (2012-2018), IMBA recommends that the following topics be considered:

2012-2014 - Legislation

MBLAA Legislation (Rules and Regulations)

Ontario's Mortgages Act

2014-2016 – Professionalism & Best Practices

Ethics & Fiduciary Duties

Professional Liability

2016-2018

Fraud

Privacy (PIPEDA)

Mandatory CE should be 3-5 hours per year. At the end of each two year licensing period, proof of completion of the required courses should be required from all stakeholders.

Some supplementary topics to be considered are:

- As any changes in the MBLAA Legislation or Regulations should be added as supplementary topics or courses for that licensing period
- Aspects of Financial Planning
- Mortgage Law
- Mortgage Mathematics

It is imperative that the current Mortgage Agents Courses be updated on a bi-yearly basis to include the CE of that licensing period, continually bringing the new entrants up to the standard of existing mortgage brokers and agents in the province.

IMBA appreciates the opportunity to provide input on this important issue.

Regards,

Malcolm Eccles, Chair
Education Committee, IMBA