



Registrar of Mortgage Brokers
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LENDER DISCLOSURE STATEMENT FORM 9- Section 17.1

Neither the Registrar of Mortgage Brokers nor any other authority of the government of the Province of British Columbia has in any way passed on the merits of the matters dealt with in this information statement. This information statement has not been filed with the Registrar of Mortgage Brokers and the registrar has not determined whether or not it complies with Part 2 of the *Mortgage Brokers Act*.

Please write or print clearly. If additional information is required, reference and attach a schedule to this form.

A – CAUTIONS

1. All mortgage investments carry risk. There is a relationship between risk and return. You should very carefully assess the risk of the transaction described in this Lender Disclosure Statement and in the supporting documentation before making a commitment.
2. You are advised to obtain independent legal advice regarding your decision to invest and to ensure that the transaction is structured appropriately to protect your interests.
3. You should only provide mortgage funds “in trust” to a registered mortgage broker or a licensed lawyer or notary. Never provide funds directly to the mortgage borrower or an individual submortgage broker.
4. If you are one of several investors in this mortgage, you may not be able to enforce repayments of your investment on your own if the borrower defaults.
5. You should ensure you have sufficient documentation to support the property valuation quoted in this Investor/Lender Disclosure Statement.
6. You should be satisfied with the borrower’s ability to meet the payments required under the terms of this mortgage.
7. A mortgage broker must not administer, or arrange for another person to administer, a mortgage on your behalf unless the mortgage broker has a written agreement with you that covers matters set out in the *Mortgage Brokers Act*.
8. This Investor/Lender Disclosure Statement and the attached documents are not intended to provide a comprehensive list of factors to consider in making a decision concerning this investment. You should satisfy yourself regarding all factors relevant to this investment before you commit to invest.

B – BORROWER / GUARANTOR / COVENANTOR INFORMATION

FULL NAME OF BORROWER:

FULL NAME OF GUARANTOR/COVENANTOR (if applicable):

ADDRESS - include postal code

ADDRESS – include postal code

C – OTHER PARTIES TO THE TRANSACTION REPRESENTED BY THE MORTGAGE BROKER

The Mortgage Broker represents the following parties to the transaction:

- The lender: _____
Name
- The borrower(s): _____
Name
- Syndicate mortgage lenders: _____
(attach list if more space required)
Name
Name
Name
- A person or entity which will acquire the mortgage from the investor/lender: _____
Name
- Other – please describe: _____

NOTE:

If the Mortgage Broker has NOT indicated that it represents you, the Mortgage Broker must still exercise a duty of care to you and deal with you fairly. It is recommended that you obtain independent advice with respect to the transaction.

D – PRE-EXISTING OR EXISTING MORTGAGE IN DEFAULT

Will the lender/investor be acquiring an interest in a currently registered mortgage ?

- Yes No

If yes, please explain any defaults by the borrower over the past 12 months which the mortgage broker is aware of:

If the mortgage is new, was there a previous mortgage registered against title with the same borrower?

- Yes No

If yes, please explain any defaults by the borrower on the previous mortgage over the past 12 months which the mortgage broker is aware of:

E – REGISTERED INTEREST

- Your interest as a lender will be directly registered in your name on the mortgage document filed at the Land Title Office ; or
- _____ will act as a trustee or nominee and will hold a registered interest in the mortgage in trust for you as beneficial owner; or
- Your interest in the mortgage will be secured under the following arrangements:

F- MORTGAGE INVESTMENT

Your investment represents: the entire mortgage **OR** a portion of the mortgage

Your portion represents _____ % of the total. _____ other parties have an interest in this mortgage.

G - TRUST FUNDS

Will the funds be held in trust pending execution of the mortgage? Yes No

If yes, please indicate the party that will hold the funds in trust:

H – MORTGAGE ADMINISTRATION

Will the mortgage be administered for you? Yes No

If "yes", name and address of administrator:

Describe any fees or attach any fee agreement for the provision of administration services: _____

I – PROPERTY TO BE MORTGAGED

Is this an inter alia mortgage?

Yes No

If yes, please skip Sections I and K of this Form and complete Sections I and K of the Form 9 Addendum for Inter Alia Mortgages

Legal Description of Property:

Municipal Address of Property:

Type of Property:

- Property with existing buildings
 - Single family residential
 - Five or more unit multifamily
 - Industrial
- Two to four unit multifamily
- Commercial
- Other: _____

Vacant land, development or construction project.
Details of project/proposed use:

Other (please describe):

Property Taxes:

Annual Property Taxes: \$ _____

Are taxes in arrears?

Yes No

If yes, amount arrears: \$ _____

Zoning

If mortgage proceeds are to be used for construction financing, is the zoning on the property to be developed appropriate for the proposed use?

Yes No

If no, details:

Property Valuation:

Amount: \$ _____

Based on:

- Appraisal, dated _____
- Municipal Assessment, Year _____
- Sale Price \$ _____
- Other (please describe) _____

If appraisal obtained:

Name and address of appraiser:

Valuation is: Current, as at date: _____ Projected Value: \$ _____

J – MORTGAGE PARTICULARS

Terms of the Mortgages

Amount of your investment: \$ _____ Maximum Indebtedness of Mortgage: \$ _____

Interest rate is fixed at _____ % per annum **OR** Interest rate is variable, explain: _____

Compounding period: _____ Payment Frequency: _____

Interest only payments: Yes No Payments to be made by Borrower: \$ _____

Term: _____ Amortization: _____ Borrower's first payment due: _____

Maturity Date: _____ Balance on maturity: \$ _____

Mortgage secures a running account: Yes No If running account, provide details _____

K – RANK OF MORTGAGE AND LOAN TO VALUE RATIO

Rank of mortgage

This mortgage will rank: First Second Third Other: _____

Prior encumbrances (existing or anticipated)

None **OR**

(i) Lender/Charge Holder: _____ Priority: _____

Amount Owing: \$ _____ Maximum potential indebtedness allowable under Mortgage: \$ _____

In default? Yes No

(ii) Lender/Charge Holder: _____ Priority: _____

Amount Owing: \$ _____ Maximum potential indebtedness allowable under Mortgage: \$ _____

In default? Yes No

(iii) Lender/Charge Holder: _____ Priority: _____

Amount Owing: \$ _____ Maximum potential indebtedness allowable under Mortgage: \$ _____

In default? Yes No

(iv) Lender/Charge Holder: _____ Priority: _____

Amount Owing: \$ _____ Maximum potential indebtedness allowable under Mortgage: \$ _____

In default? Yes No

Loan to value ratio

a) Total amount owing or maximum indebtedness (whichever figure is higher) of all encumbrances which rank in priority:

\$ _____

b) Maximum Indebtedness of mortgage:

\$ _____

c) Total amount of mortgages: \$ _____
(a+b)

d) Value: \$ _____
(from Part I)

e) Loan to value: _____ %
(c/d x 100)

L – ATTACHED DOCUMENTS

You should review the following documents carefully and assess the risks of this investment before committing to invest. The following documents are attached:

- A copy of any existing mortgage on the property;
- A copy of any appraisal;
- A copy of any purchase and sale contract entered into by borrower for the purchase of the property;
- Any documentary evidence respecting the borrower's ability to meet the mortgage payments, such as a credit bureau report or a letter from an employer disclosing the borrower's earnings.
- A copy of the borrower's application for a mortgage.
- If the mortgage is a new mortgage, documentary evidence of any down payment made by the borrower for the purchase of the property.

- A copy of any agreement that you may be asked to enter into with the mortgage broker or other administrator.
- A copy of the Cost of Credit Disclosure provided to the borrower.

The Mortgage Broker is also required to provide you with all other information an investor of ordinary prudence would consider to be material to a decision whether to lend money on the security of the property or the credit worthiness of the borrower, so that you can make an informed decision before you commit to invest. This information might include the following:

1. If the mortgage is for a construction or development project:
 - a. A detailed description of the project;
 - b. A schedule of the funds that have been advanced or are to be advanced to the borrower; and
 - c. The identity of any person who will monitor the disbursements of funds to the borrower and the use of those funds by the borrower.
2. If the property is rental property, details of leasing arrangements and vacancy status.
3. Environmental considerations affecting the value of the property.

M – CERTIFICATION

This Lender Disclosure Statement has been completed by:

_____ Name and address of Mortgage Broker

I have fully completed the above Lender Disclosure Statement in accordance with the *Mortgage Brokers Act* and regulations and declare it to be accurate in every respect.

Date: _____

Signature of Mortgage Broker, or of a person authorized to sign on behalf of the mortgage broker

Print name of person signing

N – ACKNOWLEDGEMENT

I, _____, of _____
Print name Address

acknowledge receipt of this Lender Disclosure Statement, signed by the mortgage broker.

Date: _____

Signature: _____

Dated by Investor/Lender: _____

One copy of this form must be provided to the prospective lender, and one copy must be retained by the mortgage broker.