MANITOBA
REAL ESTATE ASSOCIATION

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Registrant's Declaration of Witness to an Electronic Signature
Offer to Purchase

This form is provided by The Manitoba Real Estate Association Inc. to assist registrants under The Real Estate Brokers Act in complying with Order No. 2785 and the related notice to all registrants released by The Manitoba Securities Commission on April 17, 2021 (the Order).

Name of Declarant: _____*
(insert the name of the registrant making this declaration)

Brokerage Represented:_____*
(insert the name of the registrant's brokerage firm)

Name(s) of the party(ies) signing the Offer to Purchase under the direction of the registrant:

_____*

_____
(referred to elsewhere in this declaration as the Signing Party)

Address of the Property:

_____*

_____
(insert the civic address or legal description of the Property to which the Offer relates)

Date and Time: _____, 2021 _____ a.m./p.m.
(insert the date and time of the video conference session relating to the signing of the Offer)

The declarant certifies the following:

1. By utilizing an electronic video link I conducted a video conference session (the Session)with the Signing Party in which I was at all times able to see, hear and communicate electronically with the Signing Party.
2. I am satisfied as to the identity of the Signing Party because their identity has been satisfactorily proven to me in at least one of the following ways:

   □ During the Session the Signing Party produced for me, and I was able to view, the current Manitoba Driver's Licence(s) of the Signing Party and I satisfied myself that the person(s) who identified themselves as the Signing Party is/are the persons(s) shown on the Manitoba Driver's Licence(s) I examined:

   □ During the Session the Signing Party produced for me, and I was able to view, the current Canadian Passport(s) of the Signing Party and I satisfied myself that the person(s) who

identified themselves as the Signing Party is/are the persons(s) shown on the Canadian Passport(s) I examined; or

□ Other: (describe any other means used to identify the Signing Party)

_____

_____
(place a check mark in the applicable box(es) above and provide details where applicable)

3. I had electronically transmitted an Offer to the Signing Party in the following way:

   □ By an email address or facsimile number provided to me by the Signing Party; or

   □ By an e-signature service provider that is connected to my WEBForms® account; the name of the e-service provider is:
   _____

   □ Other: (describe any other means of electronic transmission or communication)

   _____

   _____
   (place a check mark in the applicable box(es) above and provide details where applicable)

4. The purpose of the Session was to discuss signing the Offer digitally, witnessing the digital signature(s), and delivering the Offer electronically.

5. During the Session:
   a. I reviewed the Exemption Order and the Offer with the Signing Party;
   b. I provided opportunity for the Signing Party to ask questions about the Exemption Order and the Offer to satisfy myself the Signing Party understood the contents thereof; and
   c. I observed the Signing Party affix their signature(s) and, where applicable, their initial(s) on the Offer utilizing:
      □ a manual inked writing instrument such as a pen;
      □ a mobile writing device or pad that recorded their signature(s) and, where applicable, their initial(s) electronically;
      □ an e-signature service provider connected to my WEBForms® account that recorded their signature(s) and, where applicable, their initial(s) electronically. The name of the e-signature service provider is: (identify the e-signature service provider, e.g., Docusign® or Authentisign®, etc.)

      _____
      (place a check mark in the applicable box(es) above and provide details where applicable)

6. During the Session, and both prior and subsequent to the signing of the Offer, I was able to confirm:
   a. that the Signing Party was able to view and read an electronic copy of the Offer; and
   b. that it was the same Offer that I had electronically transmitted to the Signing Party for their signature(s).

7. During the Session, or within a short time following the Session, a copy of the signed Offer was transmitted to me by the Signing Party. Upon receipt I personally examined the Offer, and aside from the recording of the signature(s) of the Signing Party, and, where applicable, their initial(s), I satisfied myself that it was identical to the Offer provided to them by me.

8. After satisfying myself as to the authenticity of the execution of the Offer, I affixed my name and/or signature as witness to the Offer, and beside or under my name or signature I added the words "witnessed as viewed".

9. Other statements of the Declarant, if any:

_____

_____

I declare that everything contained in this delaration is true, and may be relied upon as having the same force and effect as if I made this declaration under oath.

Dated _____, 2021 _____
(Signiture of the Declarant who observed the signing of the Offer at the Session)

* All information noted above with " * " must coincide precisely with what is contained in the Offer.

** The signature of the Signing Party confirming consent may be written or typed manually, typed or affixed electronically, or incorporated by reference into an email or text transmission to which a copy of this Declaration is attached.

Acknowledgment and Consent of the Signing Party:

The Signing Party acknowledges that:

a. The Real Estate Brokers Act requires my agent to ensure each offer to purchase contract is physically signed, witnessed and delivered;
b. the Exemption Order exempts my agent from these requirements when;
    i. an offer to purchase contract is signed and delivered electronically in accordance with Part 3 of The Electronic Commerce and Information Act;
    ii. the identity of, and the digital signature(s)of, the party(ies) who signed the offer to purchase contract is verified; and
    iii. the other party to the offer to purchase contract and I each consent to relying on the terms of the Exemption Order in the formation and delivery of the offer to purchase contract.

The Signing Party has received a copy of the Exemption Order and Part 3 of The Electronic Commerce and Information Act and acknowledges that the use of digital signatures and electronic delivery has not been mandated, and is voluntary.
(found at the following links):

https://realestatemanitoba.com/files/updated_esig_files_march31_21/Electronic%20Signatures%20March%202021.pdf

https://web2.gov.mb.ca/laws/statutes/ccsm/e055e.php

The Signing Party hereby consents to reliance on the Exemption Order, and to the use of digital signatures, and the electronic formation and delivery of the offer to purchase contract.

Dated: _____, 2021 _____
(Signature of the Signing Party) **

Dated: _____, 2021 _____
(Signature of the Signing Party) **