



# Terms and Conditions

## Operating from Residential Location

In addition to and without limiting the Travel Seller’s obligations to comply with all requirements of the legislation, the Travel Seller agrees to comply with the following provisions of the *Travel Industry Act, 2002* (the “Act”) and Ontario Regulation 26/05 (the “Regulation”):

### Compliance Requirements

#### **Travel Industry Act, 2002**

- Section 17(1) provides that the Registrar, or an Inspector designated by the Registrar, may conduct an inspection and may, as part of that inspection, enter and inspect at any reasonable time the business premises of a travel seller. If the travel seller is operating from a residential location, the part of the residence that is used for operating the business is subject to such inspections.

#### **Ontario Regulation 26/05**

- Section 10(1) provides that a travel seller must operate from a permanent place of business in Ontario.
- Section 10(2) states that operating from a residential location is subject to certain requirements:
  - Pursuant to section 10(2)1, the travel seller shall attach a letter of confirmation from the municipality to verify that carrying on business from the residential location is permitted by the municipality responsible for enforcing local zoning requirements.
  - Pursuant to section 10(2)1, the travel seller shall have a separate business telephone number (landline or mobile phone) that is listed under the name under which the travel seller carries on business and is different from any residential and/or personal telephone number.
  - Pursuant to section 10(2)3, the travel seller shall maintain all books and records at the business premises and ensure that the same are accessible to any Inspector designated by the Registrar.
- Section 31(2)(a) provides that the travel seller shall include its business address (as well as the business name and registration number) in every written representation. Therefore, if a travel seller is operating from a residential location, the travel seller must include this residential address in its representations.

### Additional Conditions of Registration

**The travel seller acknowledges and declares that they have read and understood this document and agree to comply with the conditions contained herein.**

The travel seller agrees to all the abovementioned Conditions for operating from a residential location.

\_\_\_\_\_  
Initials

As the signatory to this form, I have the legal authority to bind the company.

\_\_\_\_\_  
Initials

The travel seller (and signatory of this form) will be legally responsible for the consequences resulting from its non-compliance with the abovementioned conditions.

\_\_\_\_\_  
Initials

The travel seller (and signatory of this form) recognize(s) that it is an offence to furnish false information in a TICO registration application and that:

- a) An individual who is convicted of this offence may be subject to a fine of up to \$50,000 and/or to imprisonment for up to two years; and
- b) A corporation that is convicted of this offence may be subject to a fine of up to \$250,000.

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Address of Residential Location

\_\_\_\_\_  
Business Telephone Number

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Print Name (authority to bind company)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness Name

\_\_\_\_\_  
Witness Signature