

ORDER
No. 187, dated 4.5.2022

**ON THE ESTABLISHMENT OF THE DETAILED RULES ON THE SUBMISSION AND
PROCESSING OF EXPRESSIONS OF INTEREST, AS WELL AS VERIFICATION OF
COMPLIANCE WITH THE LEGAL CRITERIA OF PERSONS SEEKING TO BE
CERTIFIED AS REAL ESTATE INTERMEDIARY**

Pursuant to Article 102, paragraph 4, of the Constitution; Article 7, paragraph 2, of Law No. 8678, dated 14.5.2001, "On the Organization and Functioning of the Ministry of Justice", as amended; and Article 8, paragraph 8, of Law No. 9/2022, "On the Profession of Real Estate Intermediary", I hereby

ORDER:

1. Establishment of the rules for the submission, handling of expressions of interest, as well as the verification of compliance with the legal criteria of persons seeking to be certified as real estate intermediary.

2. Management of expressions of interest and verification of the legal criteria of candidates applying for real estate intermediary shall be carried out by the structure responsible for monitoring regulated professions in the Ministry of Justice.

3. The call for expressions of interest shall be issued at least 4 times a year and is published on the official website of the Ministry of Justice and in the Official Gazette of the Republic of Albania and shall remain open for a period of 15 days from the publication date.

4. The candidate for real estate intermediary must submit the expression of interest and the accompanying documentation, within 15 days from the expiration of the publication deadline, set forth in paragraph 3 of this order.

5. A candidate for real estate intermediary, who seeks to be certified as a real estate intermediary, shall submit to the Ministry of Justice, by postal service or in person, the following documentation:

- a) the application for expression of interest for certification as a real estate intermediary;
- b) a copy of the identification document;
- c) a family certificate;
- ç) a certified copy of the secondary education diploma, issued by an accredited educational institution in the Republic of Albania or a diploma issued by a foreign educational institution, recognized and certified by the ministry responsible for education;
- d) a certificate from the prosecution stating that s/he is not under investigation for criminal offenses in the field of money laundering, terrorist financing or weapons of mass destruction;
- dh) a certificate from the court stating that s/he is not under trial for criminal offenses in the field of money laundering, terrorist financing or weapons of mass destruction;
- e) self-declaration of the judicial status of the candidate and of persons associated with them;
- ë) self-declaration that the applicant has not been subject to any administrative fine or other administrative measure, requiring the applicant to stop a certain behavior, work or business practice, as well as nor is the applicant prohibited from repeating it in the future, for violation of the applicable legislation in force on the prevention of money laundering and that no such penalties have been imposed at least 6 months within preceding submission of the application;
- f) certificate for the successful completion of the mandatory training program for candidates for real estate intermediary;
- g) document proving proficiency in the Albanian language, issued by the competent authorities, according to the applicable legislation (for foreign nationals).

6. The verification procedure for the legal criteria of the candidates is completed no later than 45 days from the expiration of the deadline for submitting expressions of interest, according to paragraph 4 of this order.

7. If the request of the interested party for the initiation of the administrative procedure is not submitted in accordance with the requirements of this order, the structure responsible for monitoring

regulated professions in the Ministry of Justice shall notify the applicant of the discrepancies. The applicant shall have 5 days from the date of receipt of the notification to correct the discrepancies.

8. If the applicant fails to correct the discrepancies within the 5-day period, and these discrepancies cannot be rectified by the responsible structure, the application shall be returned to the applicant together with the accompanying documents.

9. The candidate interested in real estate intermediary may be denied the right to obtain a certificate if any individual associated with them have been convicted by a final decision for criminal offenses in the field of money laundering, financing of terrorism or weapons of mass destruction.

10. In the case referred to in paragraph 9, the minister may request information, documents, facts or other means of evidence for the involvement of the candidate for certification as intermediary in the illegal activity of the associated person from any public body, natural or legal person that has valid data for the purposes of verification.

11. The Minister shall order the refusal of the right to obtain the certificate when he/she is convinced that, based on the detailed assessment of the reports submitted by the competent institutions, according to paragraph 10 of this order, as well as on the overall result of the administrative investigation, the candidate for certification as intermediary is involved in the illegal activity of the associated person, regardless of whether the candidate for certification as intermediary is not under investigation for committing a criminal offense.

12. The right to obtain a certificate for exercising mediation activity in the Republic of Albania shall be suspended until a final court decision is taken, if the applicant at the time of submitting the application to be provided with the certificate for exercising the profession is suspected, under investigation or in trial for one of the criminal offenses of money laundering, financing of terrorism or weapons of destruction.

13. Upon completion of the process of verifying the fulfillment of the certification criteria, each candidate shall be notified of the decision on whether or not the legal criteria are met.

14. The Minister shall issue the certificate within 60 days from the date of submission of the necessary documentation, which confirms the fulfillment of the legal criteria for real estate intermediary.

15. The structure responsible for regulated professions in the Ministry of Justice is charged with the implementation of this order.

16. The Archives-Protocol Sector is charged with taking measures for the communication of this order.

This order becomes immediately effective and shall be published in the Official Gazette.

MINISTER OF JUSTICE
Ulsi Manja