

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*
S.B.C. 2004, c. 42 as amended**

AND

IN THE MATTER OF

**JIN WEI LUO
(161895)
and
JIN LUO PERSONAL REAL ESTATE CORPORATION
(161895PC)**

AMENDED NOTICE OF DISCIPLINE HEARING

To: Jin Wei Luo
Jin Luo Personal Real Estate Corporation
RE/MAX City Realty
#102 – 2806 Kingsway
Vancouver, BC V5R 5T5

TAKE NOTICE that a Discipline Committee of the Real Estate Council of British Columbia (the “Council”) will hold a discipline hearing under Part 4 of the *Real Estate Services Act* (“RESA”) on **February 9 and 10, 2021 commencing at 9:30 a.m.** in the Hearing Room at the Council’s offices located at **900 – 750 West Pender Street, Vancouver, BC**, to determine whether your conduct contravened the RESA, the regulation made under the RESA (the “Regulation”), or any rules made under the RESA (the “Rules”) in effect at the relevant time.

AND TAKE NOTICE that the allegations against you are as follows:

You committed professional misconduct within the meaning of section 35(1)(a) of the RESA when in your capacity as the designated agent for the buyers-Txx Txxx Hx (Lxxx) Hxxxx, Lxx Nxxx Dxx, Txxxx Hxx Hxxxx, and Hxx Qxx Hxxxx (collectively the “Buyers”):

1. in relation to a residential property located at XXXX East 64th Avenue, Vancouver, British Columbia (“East 64th Property”):
 - a. you permitted Ms. Hxxxx to sign the offer for the Property on behalf of all of the Buyers, without taking any, or in the alternative sufficient, steps to determine whether Ms. Hxxxx had the lawful authority to sign the offer on behalf of any all of the Buyers, contrary to section 3-4 [duty to act with reasonable care and skill] of the Rules; and

2. in relation to a residential property located at XXXX Doman Street, Vancouver, British Columbia ("Doman Street Property"):
 - a. permitted Ms. Hxxxx to sign the offer for the Doman Street Property ("Second Offer"), on behalf of all of Buyers, without taking any, or in the alternative sufficient, steps to determine whether Ms. Hxxxx had the lawful authority to sign the Second Offer on behalf of any or all of the Buyers, contrary to section 3-4 [duty to act with reasonable care and skill] of the Rules;
 - b. failed to promptly disclose to the Buyers the amount of the remuneration paid or payable to your related brokerage in relation to the real estate services you provided to the Buyers when you failed to disclose your payment of a referral fee to the seller of the Second Property, contrary to section 5-11(2) [disclosure of remuneration] of the Rules;
 - c. failed to take reasonable steps to avoid a conflict of interest when you agreed to pay a referral fee to the Seller of the Second Property, contrary to section 3-3(i) [duties to clients] of the Rules; and
 - d. failed to promptly and fully disclose to the Buyers the conflict of interest which arose when you agreed to pay a referral fee to the Seller of the Second Property, contrary to section 3-3(j) [duties to clients] of the Rules.

AND FURTHER TAKE NOTICE that if the discipline committee finds you committed [professional misconduct/conduct unbecoming], the discipline committee must make an order against you, and may also order you to pay enforcement expenses incurred by the Council, under sections 43 and 44 of the RESA.

AND FURTHER TAKE NOTICE that if you do not attend the discipline hearing, the discipline committee may proceed with the discipline hearing in your absence and may make findings and orders under sections 43 and 44 of the RESA without further notice to you.

AND FURTHER TAKE NOTICE that you are entitled, at your own expense, to be represented by legal counsel and to participate in the discipline hearing.

Dated at the City of Vancouver, BC this 16th day of December, 2020.

Real Estate Council of British Columbia

"Charlene McLaughlin"

Per: Charlene McLaughlin
Director, Legal Services