

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

AND

IN THE MATTER OF

WEI (VICKY) WANG
160830

AND

VICKY WANG PERSONAL REAL ESTATE CORPORATION
160830PC

SECOND AMENDED NOTICE OF DISCIPLINE HEARING

To: Wei (Vicky) Wang
Vicky Wang Personal Real Estate Corporation
c/o Sutton Group-West Coast Realty
200-5511 West Boulevard
Vancouver, BC, V6M 3W6

TAKE NOTICE ~~that the Superintendent of Real Estate (the "Superintendent") of the BC Financial Services Authority ("BCFSA") 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* (the RESA) on **November 25 & November 26, 2019** **January 26-27, 2022 commencing at 9:30 am** in the Hearing Room at the ~~Council's BCFSA's~~ offices located at **900-600-750 West Pender Street, Vancouver, BC, or in such other (including virtual) Hearing Room of which the BCFSA informs you**, 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:

1. You committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that while licensed as a representative with Sutton Group West Coast and acting as buyer's agent in relation to the purchase of properties located on XXXXXXXX Road in Richmond, BC and on W XXth Avenue in Vancouver, BC:
 - a. you failed to avoid a conflict of interest when you provided the buyer a loan towards the deposit required under the contract of purchase and sale for the property located at W XXth Avenue, contrary to section 30 (i) ~~[take reasonable steps to avoid any conflict of interest]~~ (formerly s. 3-3(i)) ~~3-3(i) [take reasonable steps to avoid conflict of interest]~~ of the Rules;
 - b. you failed to advise the buyer that the loan towards the deposit referred to in para 1(a) above constituted a conflict of interest, contrary to section 30 (i) ~~[promptly and fully disclose conflict of interest to client]~~ (formerly 3-3(i) ~~3-3(j) [promptly disclose conflict of interest]~~) of the Rules;
 - c. ~~you agreed to a commission rebate at the request of the buyer client without reducing the agreement to writing and in circumstances where she did not accept the arrangement as equitable and/or did not intend to pay the commission rebate, contrary to section 33 [act honestly] and section 34 [act with reasonable care and skill] (formerly 3-4) of the Rules.~~
 - d. ~~you promised to make a payment to the buyer in the amount equivalent to 55% of commissions earned on the purchase of the properties referred to in paragraph (1) above, respecting a rebate or reduction of her commissions, and you failed to carry out this promise, contrary to section 35(1)(e) [wrongful taking or deceptive dealing] of the RESA, and section 3-4 act honestly with reasonable care and skill] of the Rules;~~

~~e.—you provided rental property management services separate from your brokerage and while unlicensed to provide such services from approximately January—October 2017, contrary to section 7(3) [must not provide real estate services separate from brokerage] of the RESA and section 3.4 [reasonable care and skill] of the Rules; and~~

~~f.—you provided rental property management services from approximately June—October 2017 subsequent to being instructed by your managing broker to cease providing such services, contrary to section 3.2(5) [licensee failed to notify managing broker of misconduct] of the Rules.~~

AND FURTHER TAKE NOTICE that if you are found by the ~~Superintendent~~ ~~Discipline Committee~~ to have committed professional misconduct, the ~~Superintendent~~ ~~Discipline Committee~~ will make discipline orders against you and may also order you to pay enforcement expenses incurred by BCFSA ~~the Council~~ under sections 43 and 44 of the RESA.

AND FURTHER TAKE NOTICE that if you do not attend the hearing, the ~~Superintendent~~ ~~Discipline Committee~~ may proceed with the hearing in your absence upon proof of service of this Notice of Discipline Hearing. The ~~Superintendent~~ ~~Discipline Committee~~ may hear evidence and make findings regarding your conduct and may make 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 at the hearing and to cross-examine witnesses called by ~~the Council~~ ~~BCFSA~~ and call evidence in your defence and reply to the allegations.

Dated at the City of Vancouver, BC this ~~8~~ ~~8~~ day of ~~May~~ ~~October~~, ~~2019~~ ~~2021~~.

~~BC Financial Services Authority~~ ~~Real Estate Council of British Columbia~~

“Charlene McLaughlin”

Per: _____
Charlene McLaughlin
~~Manager~~, Legal – Market Conduct ~~Legal Services~~