

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

**- AND -**

**GEE SING JASON PAO**

**AMENDED NOTICE OF HEARING  
(Pursuant to s. 48(2) of the *Real Estate Services Act*)**

**To:** Gee Sing Jason Pao



**TAKE NOTICE** that the Superintendent of Real Estate ("Superintendent") will hold a hearing pursuant to section 48(2) of the *Real Estate Services Act* (the "Act") at the offices of the Superintendent, located at the BC Financial Services Authority, 600 – 750 West Pender Street, Vancouver, British Columbia, V6C 2T8 to provide you, Gee Sing Jason Pao ("Mr. Pao"), an opportunity to be heard prior to the Superintendent making any order under the Act should it be determined that your conduct contravened the Act or the regulations made under the Act ("Regulations") in effect at the relevant time. The hearing will commence 9:00 am on January 10, 2022 and conclude on January 13, 2022.

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

1. Mr. Pao provided rental property management services in British Columbia without being licensed to do so under the provisions of the Act and without being otherwise exempt from licensing under the Act, contrary to s. 3(1) of the Act, in that from approximately January 2014 until January 2018, in relation to one or more of approximately 22 properties, Mr. Pao:
  - a. provided trading services in relation to the rental properties including finding tenants for the property;
  - b. collected rents or security deposits for the use of the real estate; and
  - c. managed the real estate on behalf of the owners by:
    - i. making payments to third parties;
    - ii. negotiating or entering into tenancy agreements; or
    - iii. managing landlord and tenant matters including arranging repairs to the rental property on behalf of the owners; and

2. Mr. Pao continued to provide rental property management services after entering into a written commitment with the Superintendent to cease providing services, contrary to section 3(1) of the Act, in that:
  - a. Mr. Pao failed to confirm in writing to each person who was receiving real estate services from him that he ceased providing those services by November 30, 2014;
  - b. Mr. Pao failed to, within 5 days of November 30, 2014, pay out any funds held or under his control for a third party in relation to the provision of real estate services to the person entitled to them or place the funds in trust in British Columbia with a licensed real estate brokerage, notary public, or lawyer; and
  - c. Mr. Pao provided unlicensed rental property management services between November 2014 and January 2018.

**AND TAKE FURTHER NOTICE** that the Superintendent may make any of the following orders with respect to Mr. Pao if he determines that Mr. Pao did not hold a licence under the Act at a time when he engaged in an activity for which a licence is required, including the following:

- 1) Mr. Pao cease providing rental property management services without being licensed to do so under the Act, pursuant to section 49(2)(a) of the Act;
- 2) Mr. Pao place any rent payments, security deposits, administration fees, commissions, or other trust monies, which he holds in respect of the rental property management services without being licensed to do so under the Act, in trust in British Columbia with a practicing lawyer, notary public, or licensed real estate brokerage, at the discretion of the Superintendent, pursuant to 49(2)(b) of the Act;
- 3) Mr. Pao pay a penalty in an amount of not more than the \$250,000 per contravention pursuant to section 49(2)(d)(ii) of the Act;
- 4) Mr. Pao pay an additional penalty up to the amount of the remuneration accepted for the real estate services in respect of which the contravention occurred, pursuant to section 49(2)(e) of the Act; and
- 5) Mr. Pao pay the costs of the investigation and hearing, pursuant to section 49(2)(c) of the Act.

**AND TAKE FURTHER NOTICE** that in the event of your non-attendance at the hearing, the Superintendent may proceed with the hearing in your absence. The Superintendent may hear evidence and make findings regarding your conduct and may make orders described above, all without further notice to you.

**AND TAKE FURTHER NOTICE** that you are entitled, at your own expense, to be represented by legal counsel at the hearing and you and your counsel will have the full right to cross-examine all witnesses called and to call evidence in your defence and reply in answer to the allegations.

**AND TAKE FURTHER NOTICE** that Notices of Hearings issued by the Superintendent include allegations which will be considered at a hearing. Please note that the allegations contained in a Notice of Hearing are unproven until the Superintendent or his designate has determined their validity.

Issued at the City of Vancouver, in the Province of British Columbia, this \_9th\_ day of December, 2021.

BC FINANCIAL SERVICES AUTHORITY



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Micheal Noseworthy, Senior Vice President, Compliance and Market Conduct