Citation: Bakker (Re), 2022 BCSRE 6

File: INV20.024.53695

#### **BC FINANCIAL SERVICES AUTHORITY**

# IN THE MATTER OF THE REAL ESTATE SERVICES ACT SBC 2004, c 42 as amended

#### AND

## IN THE MATTER OF

## KATHY ALAINA BAKKER

## ORDER

(Orders under sections 49 and 51 of the Real Estate Services Act)

## [This Order has been redacted before publication]

Upon reading the sworn Affidavit of [Investigator] and upon hearing the submission of Amandeep K. Sandhu, counsel for the BC Financial Services Authority ("BCFSA"), I am satisfied that the requirements under section 51(1) of the *Real Estate Services Act*, SBC 2004, c 42 ("RESA") have been met:

- 1. there has been conduct on the part of Kathy Alaina Bakker in respect of which the Superintendent of Real Estate could make an order under section 49 of the RESA;
- 2. the length of time required to complete an investigation or hold a disciplinary hearing, or both, would be detrimental to the public interest;
- 3. it is in the public interest to make an order under sections 49 and 51 of the RESA against Kathy Alaina Bakker; AND

I THEREFORE ORDER pursuant to sections 51(2) and 49(2)(a) and (b) of the RESA as follows:

Kathy Alaina Bakker cease providing, including offering to provide, directly or indirectly, real
estate services, including rental property management services, in British Columbia, effective
immediately, unless and until they become licensed to do so under the RESA.

Classification: Public

- 2. Kathy Alaina Bakker shall provide to BCFSA staff within 30 days of notice of this Order:
  - a full list of properties for which she has provided real estate services (the "Properties"), whether it be under her own name, GFI Properties or any other name;
  - b. copies of all agreements entered into with the owners of those Properties regarding the provision of real estate services;
  - c. copies of all agreements entered into with prospective or current tenants with respect to those Properties; and
  - d. copies of financial records relating to the provision of real estate services whether it be under her own name, GFI Properties or any other name, including records of all remuneration collected, of all fees paid and copies of such transactions including e-transfers and deposit, and fees paid out.

**TAKE NOTICE** that Kathy Alaina Bakker may require a hearing before the Superintendent under sections 51(3) and 45(6) of the RESA or appeal these orders to the Financial Services Tribunal under section 54(1)(e) of the RESA.

This Order is made this \_10 day of February, 2022 at the City of Vancouver, British Columbia.

"ANDREW PENDRAY"

Andrew Pendray
Chief Hearing Officer