

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

PAMELA CHAI

AND

ROYAL LEPAGE BENCHMARK

AMENDED NOTICE OF HEARING

(Pursuant to section 48(2) of the *Real Estate Services Act*)

[This Notice has been redacted before publishing.]

To: Pamela Chai
110 – 7220 Fisher Street SE
Calgary, AB T2H 2H8

To: Royal LePage Benchmark
110 – 7220 Fisher Street SE
Calgary, AB T2H 2H8

TAKE NOTICE that the Superintendent of Real Estate (the “Superintendent”) of the BC Financial Services Authority (“BCFSA”) will hold a hearing pursuant to section 48(2) of the *Real Estate Services Act* (“RESA”) on ~~May 31, 2022~~ September 8, 2022 **commencing at 9:30 am** in the Hearing Room at BCFSA’s offices located at **600 – 750 West Pender Street, Vancouver, British Columbia** or in such other (including virtual) Hearing Room of which BCFSA informs you to provide Pamela Chai and Royal LePage Benchmark an opportunity to be heard prior to the Superintendent making any order under the RESA.

AND TAKE NOTICE that the allegations against one or both of Pamela Chai and Royal LePage Benchmark are as follows:

1. Pamela Chai and Royal LePage Benchmark provided real estate services in British Columbia without being licensed to do so under the provisions of the RESA and without being otherwise exempt from licensing under RESA, contrary to section 3(1) of the RESA, when they, in relation to [Property 1], North Vancouver, British Columbia (the “Property”):
 - a. provided trading services, as that term is defined in the RESA, in respect of, but not limited to the two purchasers of the Property, set out in **Schedule “A”** and attached hereto, including some or all of the following real estate services:

- i. advising on the appropriate price for the real estate;
- ii. making representations about the real estate;
- iii. finding a party to acquire the real estate;
- iv. showing the real estate;
- v. negotiating the price of the real estate or the terms of the trade in real estate;
- vi. presenting offers to acquire the real estate; and
- vii. receiving deposit money paid in respect of the real estate.

AND FURTHER TAKE NOTICE that the Superintendent may make any of the following orders with respect to a party to the hearing if they determine that the party did not hold a licence under the RESA at a time when the party engaged in any activity for which a licence is required:

- 2. Royal LePage Benchmark cease providing real estate services without being licensed to do so under the RESA, pursuant to section 49(2)(a) of the RESA;
- 3. Pamela Chai cease providing real estate services without being licensed to do so under the RESA, pursuant to section 49(2)(a) of the RESA;
- 4. Royal LePage Benchmark pay a penalty in an amount of not more than the \$500,000 maximum permissible pursuant to section 49(2)(d)(ii) of the RESA;
- 5. Pamela Chai pay a penalty in an amount of not more than the maximum \$250,000 permissible pursuant to section 49(2)(d)(ii) of the RESA;
- 6. Royal LePage Benchmark pay an additional penalty pursuant to section 49(2)(e);
- 7. Pamela Chai pay an additional penalty pursuant to section 49(2)(e); and
- 8. Pamela Chai and Royal LePage Benchmark jointly and severally pay the costs of the investigation and hearing, pursuant to section 49(2)(c) of the RESA.

AND FURTHER TAKE NOTICE that if you do not attend 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 FURTHER TAKE NOTICE that you are entitled, at your own expense, to be represented by legal counsel and to participate in the hearing.

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

Dated this ~~18th day of March, 2022~~ 16th day of May, 2022 at the City of Vancouver, British Columbia.

BC Financial Services Authority

“JONATHAN VANDALL”

Per: Jonathan Vandall
Delegate of the Superintendent of Real Estate

SCHEDULE "A"

[illegible]