

**BC FINANCIAL SERVICES AUTHORITY**

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

**AND**

**IN THE MATTER OF**

**DEANNA MICHELLE MCMILLAN  
(174643)**

**NOTICE OF DISCIPLINE HEARING**

**[This Notice has been redacted before publication.]**

To: McMillan, Deanna Michelle  
460 Realty (X033508)  
Parksville  
314 Island Highway East  
Parksville, BC V9P 1K8

**TAKE NOTICE** that the Superintendent of Real Estate (the “Superintendent”) of the BC Financial Services Authority will hold a discipline hearing under Part 4 of the *Real Estate Services Act* (“RESA”) from **October 17, 2022 to October 21, 2022 commencing at 9:30 am** in the Hearing Room at the Council’s offices located at **900 – 750 West Pender Street, Vancouver, BC**, or in such other (including virtual) Hearing Room of which the Council informs you to determine whether your conduct contravened the RESA, the regulations made under the RESA (the “Regulation”), or any Real Estate 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 sections 35(1)(a) and (d) [Misconduct by licensee] of the RESA while purportedly acting as the designated agent for two senior citizen buyers (the “Buyers”) in their purchase of a property located at [Property 1], Coombs, British Columbia (the “Property”) in or about October 2018 in that you:
  - a. Demonstrated incompetence by allowing yourself to appear as a designated agent for the Buyers when you met briefly with the Buyers, but provided no representation or under-represented the interests of the Buyers;
  - b. Failed to act in the best interests of the Buyers; or to act honestly and with reasonable care and skill when you allowed yourself to be described as the designated agent for the Buyers in the October 2018 Contract of Purchase and Sale for the Property and related transaction documents, when you offered no or no

meaningful agency or representation to the Buyers, contrary to sections 3-3(a) [Duties to clients] and 3-4 [Duty to act honestly and with reasonable care and skill] of the Rules; and/or

- c. Failed to make reasonable efforts to discover relevant facts about the Property when you made no enquiries about the Property, which was a new construction, and/or relied entirely on the Property's sellers' agent's representation(s), contrary to sections 3-3(h) [Duties to clients] and 3-4 [Duty to act honestly and with reasonable care and skill] of the Rules.

**AND FURTHER TAKE NOTICE** that if the Superintendent finds you committed professional misconduct, the Superintendent must make an order against you, and may also order you to pay enforcement expenses incurred by BCFSa, under sections 43 and 44 of the RESA.

**AND FURTHER TAKE NOTICE** that if you do not attend the discipline hearing, the Superintendent 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 this 2<sup>nd</sup> day of June, 2022 at the City of Vancouver, British Columbia.

BC Financial Services Authority

"JONATHAN VANDALL"

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Per: Jonathan Vandall  
 Delegate of the Superintendent of Real Estate