

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

TIAN YING PU (150202)

AMENDED NOTICE OF DISCIPLINE HEARING

[This Notice has been redacted before publication.]

To: Tian Ying Pu
c/o Royal Pacific Realty Corp.
100 – 1200 West 73rd Avenue
Vancouver, BC, V6P 6G5

TAKE NOTICE that the Superintendent of Real Estate (the “Superintendent”) of the BC Financial Services Authority (“BCFSA”) will hold a discipline hearing under Part 4 of the *Real Estate Services Act* (“RESA”) from ~~January 16 to 20~~ **January 23 - 27, 2023 commencing at 9:30 am** in the Hearing Room at the 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 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, in your capacity as a trading services representative for Royal Pacific Realty Corp. (the “Brokerage”) and in relation to the residential property located [Property 1], Vancouver, BC (the “Property”) in and around October, 2016 to December, 2018, you:
 - a. provided rental property management services for the Property, when not licensed to do so, contrary to section 3(1) of the RESA and section 3-4 [*act honestly and with reasonable care and skill*] of the Rules;
 - b. provided rental property management services for the Property, separate and apart from the Brokerage, contrary to section 7(3)(a) of the RESA and section 3-4 [*act honestly and with reasonable care and skill*] of the Rules;
 - c. failed to promptly pay or deliver to the Brokerage all money held or received from, for or on behalf of a principal in relation to the rental property management services for the Property, contrary to section 27(1)(a) of the RESA and section 3-4 [*act honestly and with reasonable care and skill*] of the Rules;
 - d. failed to promptly pay or deliver to the Brokerage all money held or received on account of remuneration for the rental property management services for the Property, contrary to section 27(1)(b) of the RESA

and section 3-4 [*act honestly and with reasonable care and skill*] of the Rules; and,

e. failed to obtain written authorization to sign the rental tenancy agreement dated October 8, 2016 on behalf of the owner of the Property before signing said agreement, contrary to sections 5-3(1) and 3-4 [*act honestly and with reasonable care and skill*] of the Rules.

2. You committed professional misconduct within the meaning of section 35(1)(c) [*wrongful taking*] of the RESA in that, in your capacity as a licensee, you intentionally failed to account for or pay over, within a reasonable time, the money you received that belonged to the owner in relation to the rental property management services you provided for the Property.

AND FURTHER TAKE NOTICE that if the Superintendent finds you committed professional misconduct or conduct unbecoming, 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 ~~13th~~ 1st day of ~~July~~ December, 2022 at the City of Vancouver, British Columbia.

Superintendent of BC Financial Services Authority

“DAVID AVREN”

David Avren
Vice President, Legal
BCFSa