

**IN THE MATTER OF THE *MORTGAGE BROKERS ACT*,
RSBC 1996, c. 313 as amended**

- AND -

IN THE MATTER OF GRANT BRIAN CURTIS

CONSENT ORDER

(Pursuant to sections 8 and 8(1.2) of the *Mortgage Brokers Act*)

WHEREAS Grant Brian Curtis (“Mr. Curtis”) was a submortgage broker with Dominion Lending Centres Mountain View Ltd. dba DLC Mountain View under the *Mortgage Brokers Act*, RSBC 1996, c. 313 (“Act”) from July 11, 2008 to February 27, 2019;

AND WHEREAS the Registrar of Mortgage Brokers (“Registrar”) issued a Notice of Hearing (“Notice of Hearing”) pursuant to sections 8 and 8(1) of the Act to Mr. Curtis on April 5, 2019;

AND WHEREAS the following agreement has been reached between Mr. Curtis and the Staff of the Registrar (“Staff”), and the Registrar agrees to the following terms of a consent order:

A. FINDINGS

The Registrar makes the following findings against Mr. Curtis, and Mr. Curtis accepts the following findings made against him:

1. In his capacity as a submortgage broker, Mr. Curtis conducted business in a manner that is prejudicial to the public interest contrary to section 8(1)(i) of the Act in that Mr. Curtis facilitated the unregistered mortgage broker activities of [Company 1] (“[Company 1]”) and the unregistered mortgage activities of [Individual 1] (“[Individual 1]”), when he carried out one or more of the following, in respect of six borrowers and five mortgage applications:
 - a. Permitted [Individual 1] to direct the course of mortgage applications, including submitting borrowers’ personal, employment and financial information, and supporting documents as provided by [Individual 1] to lenders in support of mortgage applications, despite having had notice, by way of an Industry Alert dated October 23, 2014 that, on September 12, 2011, the Registrar had issued a Cease and Desist Order relating to the unregistered mortgage activity of [Company 1] and [Individual 1];
 - b. Accepting borrowers’ personal, employment and financial information, and supporting documents as provided by [Individual 1] without contacting borrowers to verify, or otherwise verifying, the accuracy or authenticity of the documents and information provided;

- c. Submitting borrowers' personal, employment and financial information, and supporting documents as provided by [Individual 1] to lenders in support of mortgage applications;
- d. Permitting [Individual 1] and [Company 1] to carry on as a submortgage broker and mortgage broker by permitting [Individual 1] on behalf of [Company 1] to arrange and obtain property appraisal reports and perform credit checks in support of mortgage applications which Mr. Curtis submitted to lenders; and
- e. Permitting [Individual 1] on behalf of [Company 1] to complete mortgage applications and negotiate mortgage commitment agreements that Mr. Curtis arranged to have submitted to lenders.

B. ORDERS AND PENALTY

Pursuant to sections 4 and 8(1.2) of the Act, Mr. Curtis hereby consents to, and the Registrar hereby makes the following orders:

1. Mr. Curtis (currently unregistered) is not eligible to apply and agrees to never reapply for registration under the Act as either a mortgage broker or a submortgage broker, and the Registrar will not accept an application for registration by Mr. Curtis under the Act.

C. AGREED FACTS

As a basis for this Consent Order, Mr. Curtis acknowledges the following facts as correct and makes the following admissions:

1. In June 2010, the Registrar issued Bulletin Number MB 10-005 on the topic of 'Co-Brokering: Requirement for both mortgage brokers in a co-brokering arrangement to be registered', in which it states, in part:

Mortgage brokers and submortgage brokers must ensure that they do not co-broker a mortgage transaction with a person in British Columbia who is not registered under the Mortgage Brokers Act, or with a person in another jurisdiction, who is not licensed or registered as a mortgage broker in that other jurisdiction.

Both brokers in a co-brokering arrangement are equally liable for the mortgage transaction and will share regulatory responsibility for compliance issues. However, if an individual in a co-brokering arrangement is not registered, and there are regulatory compliance issues with the transaction, it is likely that the registered broker will be the focus of disciplinary proceedings.

In addition, brokers should be aware that compliance problems are more likely to occur in co-brokered transactions with unregistered individuals. In some cases, brokers who co-broker mortgages with unregistered individuals may be participating in fraudulent transactions. For example, FICOM has recently received reports from industry members that an unregistered individual is presenting fully completed mortgage application forms to registered mortgage brokers and asking that they present the applications to their lenders.

2. On September 12, 2011, [Individual 1] and [Company 1] were the subject of a Cease and Desist Order of the Registrar for engaging in unregistered mortgage broker activity in British Columbia. On October 23, 2014, an Industry Alert was sent to all registrants advising of the Cease and Desist Order and informing registrants that Staff of the Registrar had received information that [Individual 1] may be approaching mortgage brokers to partner on mortgage transactions.
3. Mr. Curtis acknowledges that he received the October 23, 2014 Industry Alert.

4. Mr. Curtis was registered as a submortgage broker from July 11, 2008 to February 27, 2019 when Mr. Curtis' registration as a submortgage broker was terminated by the brokerage as a result of the investigation in these proceedings. At the time of the transactions in question, Mr. Curtis was an active submortgage broker at DLC Mountain View.
5. Mr. Curtis knew that [Individual 1] had direct contact with the borrowers on the identified transactions, and [Individual 1] provided financial information and personal documentation relating to the borrowers to Mr. Curtis as well as providing instructions to Mr. Curtis on each transaction. Mr. Curtis had no direct contact with the borrowers himself.
6. Mr. Curtis knew that [Individual 1], through [Company 1], arranged and received appraisals on properties on behalf of borrowers which were then provided by [Individual 1] to Mr. Curtis.
7. Mr. Curtis knew that [Individual 1] was directly involved with obtaining financial information from the borrowers.
8. Mr. Curtis admits that he facilitated the unregistered mortgage activities of both [Individual 1] and [Company 1] as set out in paragraphs A.1(a)-(c) above, in respect of six borrowers and five mortgage applications to various lenders.
9. Mr. Curtis has no prior history of discipline.

D. WAIVER

Mr. Curtis waives his right to a hearing under section 8(1) of the Act and waives his right to appeal under section 9 of the Act.

Approved as to form and content by:

"CLINT HARCOURT"

_____ this 29 day of June, 2022.

CLINT HARCOURT

Counsel for Grant Brian Curtis

"SIMON ADAMS"

_____ this 29 day of June, 2022.

SIMON ADAMS

Legal Counsel for the Staff of the
Registrar of Mortgage Brokers

Issued this 14th day of July, 2022, at Vancouver, British Columbia.

"BLAIR MORRISON"

Blair Morrison, Registrar of Mortgage Brokers
Province of British Columbia