CITATION: Chu (Re), 2025 BCSRE 80

Date: 2025-04-29 File # INC2692

THE BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

PETER HO CHIU CHU (UNLICENSED)

AND

168 ROCK SOLID HOMES LTD. (UNLICENSED)

CONSENT ORDER

[This Order has been redacted before publication.]

RESPONDENT: Peter Ho Chiu Chu

168 Rock Solid Homes Ltd

DATE OF CONSENT ORDER: April 29, 2025

COUNSEL: Catherine Davies, Legal Counsel for the BC Financial Services Authority

Christopher Watson, Legal Counsel for the Respondents

PROCEEDINGS:

On April 29, 2025, the Superintendent of Real Estate (the "Superintendent") of the BC Financial Services Authority ("BCFSA") accepted the Consent Order Proposal (the "Proposal") submitted by Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd.

WHEREAS the Proposal, a copy of which is attached hereto, has been executed by Peter Ho Chiu Chu on their own behalf and on behalf of 168 Rock Solid Homes Ltd.

Classification: Protected A

NOW THEREFORE, having made the findings proposed in the attached Proposal, and found that Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd. provided rental property management services in British Columbia for remuneration without being licensed to do so under the provisions of the *Real Estate Services Act* ("RESA") and without being otherwise exempt from licensing requirements under the RESA, contrary to section 3(1) of the RESA, pursuant to sections 48(4)(d) and 49 of the RESA, the Superintendent orders that:

- 1. Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd. jointly and severally pay a penalty to BCFSA in the amount of \$75,000 within ninety (90) days from the date of this Order, pursuant to section 49(2)(d)(i) and (ii) of the RESA;
- Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd cease offering or providing unlicensed rental property
 management services as that term is defined in RESA until such time as they are licensed to provide
 rental property management services, pursuant to section 49(2)(a) of RESA; and
- 3. Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd jointly and severally pay investigative costs to BCFSA in the amount \$5,000 within ninety (90) days from the date of this Order, pursuant to section 49(2)(c) of the RESA.

An amount ordered to be paid under sections 49(2)(c), (d), or (e) of the RESA is a debt owing to BCFSA and may be recovered as such.

Dated this 29 day of April 2025 at the City of Vancouver, British Columbia.

Superintendent of the BC Financial Services Authority

"Original signed by Jonathan Vandall"

Jonathan Vandall

Delegate of the Superintendent of Real Estate

Province of British Columbia

Attch.

File # INC2692

BC FINANCIAL SERVICES AUTHORITY

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

IN THE MATTER OF

PETER HO CHIU CHU (UNLICENSED)

AND

168 ROCK SOLID HOMES LTD. (UNLICENSED)

CONSENT ORDER PROPOSAL BY PETER HO CHIU CHU AND 168 ROCK SOLID HOMES LTD.

BACKGROUND AND FACTS

This Consent Order Proposal (the "Proposal") is made by Peter Ho Chiu Chu ("Mr. Chu") and 168 Rock Solid Homes Ltd ("Rock Solid Homes") to the Superintendent of Real Estate (the "Superintendent") of the BC Financial Services Authority ("BCFSA") pursuant to sections 41 and 48(4)(d) of the *Real Estate Services Act* ("RESA").

For the purposes of the Proposal, Mr. Chu, Rock Solid Homes and the Superintendent have agreed upon the following facts:

- 1. 168 Rock Solid Homes Ltd. ("Rock Solid Homes") is a company incorporated under the laws of British Columbia with a registered and records office at 8130 Oak Street, Vancouver, BC.
- 2. Rock Solid Homes has never been licensed to provide real estate services and has never met the criteria to be exempted from licensing under the *Real Estate Services Act* ("RESA") or the *Real Estate Services Regulations* (the "Regulations").
- 3. At all material times, Peter Ho Chiu Chu ("Mr. Chu") was the sole director of Rock Solid Homes.
- 4. Mr. Chu has never held a licence under RESA to provide real estate services in British Columbia and has never met the criteria to be exempted under RESA or the Regulations.
- On August 8, 2019, staff of the then Office of the Superintendent of Real Estate ("OSRE") received a complaint alleging that Mr. Chu and Rock Solid Homes were providing unlicensed rental property management services including in relation to a property located at [Property 1], West Vancouver, BC.
- 6. OSRE Staff issued a Notice of Investigation to Mr. Chu dated March 24, 2020, and commenced an investigation into Mr. Chu's and Rock Solid Homes' alleged unlicensed activities.

- 7. Mr. Chu and Rock Solid Homes' activity at issue relates to a total of at least 31 properties listed in Schedule A.
- 8. Mr. Chu as agent on behalf of Rock Solid Homes signed property management agreements with owners of properties listed in Schedule A.
- 9. The property management services included renting, leasing, operating and managing the properties, including the following duties:
 - a. advertising the property for rent;
 - b. screening prospective tenants;
 - c. obtaining necessary reference and credit history of prospective tenants;
 - d. signing, renewing, modifying, canceling tenancy agreements;
 - e. signing property inspection reports;
 - f. securing security deposits;
 - g. collecting rents and remitting to owner;
 - h. making, supervising repairs and alterations;
 - i. representing owners at residential tenancy branch disputes; and
 - j. hiring, discharging and supervising all contractors required for operation and maintenance of the property.
- 10. Rock Solid Homes charged the following for its services:
 - a. 8.333% of rental income plus 5% GST on maintenance fees; and
 - b. \$100 per appearance at hearings (e.g., RTB, arbitration, strata meetings)
- 11. Mr. Chu, on behalf of Rock Solid Homes as landlord, signed residential tenancy agreements with tenants with respect to the properties listed in Schedule A.
- 12. On May 6, 2020, Mr. Chu signed an undertaking pursuant to section 53.1 of RESA on behalf of himself and Rock Solid Homes to cease providing real estate services unless he holds a valid license to provide real estate services (the "Undertaking").
- 13. Staff requested documents from Mr. Chu to verify his compliance with the Undertaking.
- 14. On July 17, 2020, Staff issued a Notice to Verify Compliance with Undertaking to Cease Activity to Mr. Chu and Rock Solid Homes, requiring them to provide:
 - a. an outline of measures taken to demonstrate compliance with the Undertaking;
 - b. records to demonstrate compliance with the Undertaking.
- 15. Mr. Chu provided Staff with certain financial and tax documents and told Staff that he continued to provide rental property management services for free in anticipation of future remuneration once he became licensed.

- 16. On October 23, 2020, Staff issued a Second Notice to Verify Compliance with Undertaking to Cease Activity to Mr. Chu and Rock Solid Homes, requiring further demonstration of compliance with the Undertaking.
- 17. Mr. Chu provided additional documentation and information, including some financial documents and copies of communication with certain property owners.
- 18. Staff continued to not be satisfied with Mr. Chu's and Rock Solid Homes demonstration of compliance with the Undertaking.
- 19. On March 11, 2021, the Superintendent of Real Estate issued an Order in Urgent Circumstances to Mr. Chu and Rock Solid Homes pursuant to section 45 of RESA, ordering Mr. Chu and Rock Solid Homes to "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 RESA. This includes rental property management services provided without a fee but in expectation of future remuneration" (the "Cease Order").
- 20. Mr. Chu told Staff that following the Cease Order, he ceased providing all rental property management services.
- 21. Mr. Chu subsequently commenced steps towards applying for licensure with BCFSA:
 - i. on October 5, 2021, Mr. Chu completed the rental property management exam; and
 - ii. on November 26, 2021 Mr. Chu applied for licensing with BCFSA.
- 22. Mr. Chu's application for licensure was put on hold pending the outcome of the investigation.
- 23. A Notice of Hearing ("NOH") was issued to Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd. on April 24, 2024. The NOH was amended on March 7, 2025.
- 24. Mr. Chu told Staff that prior to receipt of the Notice of Investigation, Mr. Chu was not aware of the requirement to be licensed in order to provide rental property management services.
- 25. Mr. Chu was cooperative throughout the investigation by providing documents in his possession or control and attending an interview with investigative Staff as requested.
- 26. Mr. Chu's understanding of the scope of the Undertaking is that it prohibited the provision of rental property management services for or in expectation of remuneration, and that provision of such services for free was not prohibited.
- 27. Mr. Chu has no prior discipline history with BCFSA or its predecessor(s).

PROPOSED FINDINGS

For the sole purposes of the Proposal and based on the Facts outlined herein, Peter Ho Chiu Chu and 168 Rock Solid Homes propose the following findings be made by the Superintendent:

1. Peter Ho Chiu Chu and 168 Rock Solid Homes Ltd. provided rental property management services in British Columbia during the time period 2012-2020 for or in expectation of remuneration and without being licensed to do so and without being otherwise exempt from licensing, contrary to

section 3(1) of the RESA, when, in relation to a property including one or more of at least 31 properties listed in Schedule "A", they:

- a. provided trading services in relation to the rental property including advertising that property for rent and/or screening prospective tenants;
- b. collected rents and security deposits for the use of the property;
- c. managed the property by:
 - i. negotiating or entering into tenancy agreements;
 - ii. managing contractors required for the operation and maintenance of the property;
 - iii. serving notices of eviction;
 - iv. representing the owners in residential tenancy breach disputes, including attending hearings; and/or
 - v. making and/or supervising repairs and alterations.

PROPOSED ORDERS

Based on the facts herein and the Proposed Findings, Peter Ho Chiu Chu and 168 Rock Solid Homes propose that the Notice of Hearing in this matter be resolved through the following Orders being made by the Superintendent without conducting a hearing:

- 1. Mr. Chu and Rock Solid Homes jointly and severally, pay a penalty to BCFSA in the amount of \$75,000 within 90 days of this Order, pursuant to section 49(2)(d)(i) and (ii) of RESA;
- 2. Mr. Chu and Rock Solid Homes cease offering or providing unlicensed rental property management services as that term is defined in RESA until such time as they are licensed to provide rental property management services, pursuant to section 49(2)(a) of RESA; and
- 3. Mr. Chu and Rock Solid Homes jointly and severally, pay to BCFSA, the costs of investigation in the amount of \$5,000 within 90 days of this Order, pursuant to section 49(2)(c) of RESA.

ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT

- Mr. Chu and Rock Solid Homes acknowledge and understand that the Superintendent may accept or reject the Proposal. If the Proposal is rejected by the Superintendent, the matter may be referred to an enforcement hearing.
- 2. Mr. Chu and Rock Solid Homes acknowledge that they have been urged and given the opportunity to seek and obtain independent legal advice with respect to the disciplinary process, the allegations contained in the Notice of Hearing, and the execution and submission of the Proposal to the Superintendent; and, that they have obtained independent legal advice or has chosen not to do so, and that they are making the Proposal with full knowledge of the contents and the consequences if the Proposal is accepted.
- 3. Mr. Chu and Rock Solid Homes acknowledge and are aware that BCFSA will publish the Proposal and the Consent Order or summaries thereof on BCFSA's website, on CanLII, a website for legal

- research and in such other places and by such other means as BCFSA in its sole discretion deems appropriate.
- 4. Mr. Chu and Rock Solid Homes hereby waive their right to appeal pursuant to section 54 of RESA.
- 5. If the Proposal is accepted and/or relied upon by the Superintendent, Mr. Chu and Rock Solid Homes will not make any public statement(s) inconsistent with the Proposal and its contents. Nothing in this section is intended to restrict Mr. Chu and Rock Solid Homes from making full answer and defence to any civil or criminal proceeding(s).
- 6. The Proposal and its contents are made by Mr. Chu and Rock Solid Homes for the sole purpose of resolving the Notice of Hearing in this matter and do not constitute an admission of civil liability. Pursuant to section 41(5) of RESA, the Proposal and its contents may not be used without the consent of Mr. Chu and Rock Solid Homes in any civil proceeding with respect to the matter.

"Original signed by Peter Chu"		
Peter Ho Chiu Chu on his own to and on behalf of 168 Rock Solid		
Dated 28 th day of APRIL	, 202 <u>5</u>	

SCHEDULE A

	PROPERTY ADDRESS	PROPERTY PID
1.	[Property 2], Vancouver BC [Postal Code Redacted]	[Redacted]
2.	[Property 3], Vancouver BC [Postal Code Redacted]	[Redacted]
3.	[Property 4], Delta, BC [Postal Code Redacted]	[Redacted]
4.	[Property 5,] Vancouver BC [Postal Code Redacted]	[Redacted]
5.	[Property 6], Richmond, BC [Postal Code Redacted]	[Redacted]
6.	[Property 7], Vancouver BC [Postal Code Redacted]	[Redacted]
7.	[Property 8], Richmond BC [Postal Code Redacted]	[Redacted]
8.	[Property 9], Richmond BC [Postal Code Redacted]	[Redacted]
9.	[Property 10], Vancouver BC [Postal Code Redacted]	[Redacted]
10.	[Property 11], Vancouver BC [Postal Code Redacted]	[Redacted]
11.	[Property 12], Vancouver BC [Postal Code Redacted]	[Redacted]
12.	[Property 13], Richmond, BC [Postal Code Redacted]	[Redacted]
13.	[Property 14], Richmond BC [Postal Code Redacted]	[Redacted]
14.	[Property 15], Vancouver BC [Postal Code Redacted]	[Redacted]
15.	[Property 16], Vancouver BC [Postal Code Redacted]	[Redacted]
16.	[Property 17, Richmond, BC [Postal Code Redacted]	[Redacted]
17.	[Property 18], Richmond, BC [Postal Code Redacted]	[Redacted]
18.	[Property 19], Vancouver BC [Postal Code Redacted]	[Redacted]
19.	[Property 20], Richmond BC [Postal Code Redacted]	[Redacted]

20.	[Property 21], Burnaby BC [Postal Code Redacted]	[Redacted]
21.	[Property 22], Richmond BC [Postal Code Redacted]	[Redacted]
22.	[Property 23], Vancouver BC [Postal Code Redacted]	[Redacted]
23.	[Property 24], Richmond BC [Postal Code Redacted]	[Redacted]
24.	[Property 25], Tsawwassen (Delta), BC [Postal Code Redacted]	[Redacted]
25.	[Property 26], Richmond BC [Postal Code Redacted]	[Redacted]
26.	[Property 27], Burnaby BC [Postal Code Redacted]	[Redacted]
27.	[Property 28], Richmond BC [Postal Code Redacted]	[Redacted]
28.	[Property 29], Vancouver BC [Postal Code Redacted]	[Redacted]
29.	[Property 30], Richmond BC, [Postal Code Redacted]	[Redacted]
30.	[Property 31], West Vancouver BC, [Postal Code Redacted]	[Redacted]
31.	[Property 32], Richmond BC, [Postal Code Redacted]	[Redacted]