

CITATION: Cheung (Re), 2025 BCSRE 139

Date: 2025-08-15

File # 22-3291

BC FINANCIAL SERVICES AUTHORITY

IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*

SBC 2004, c 42 as amended

AND

IN THE MATTER OF

ALLAN CHUN LUNG CHEUNG

(also known as ALAN CHUN LUNG CHEUNG)

(144537)

CONSENT ORDER

[This Order has been redacted before publication.]

RESPONDENT: Allan Chun Lung Cheung, currently unlicensed, while licensed with Luxmore Group Realty Ltd dba Luxmore Realty

DATE OF CONSENT ORDER: August 15, 2025

COUNSEL: Laesha Smith, Legal Counsel for BC Financial Services Authority
Meghan Forhan, Legal Counsel for the Respondent

PROCEEDINGS:

On August 15, 2025, the Superintendent of Real Estate (the "Superintendent"), or the Superintendent's authorized delegate, of BC Financial Services Authority ("BCFSA") accepted the Consent Order Proposal (the "Proposal") submitted by Allan Chun Lung Cheung.

WHEREAS the Proposal, a copy of which is attached hereto, has been executed by Allan Chun Lung Cheung.

NOW THEREFORE, having made the findings proposed in the attached Proposal, and found that Allan Chun Lung Cheung committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* ("RESA") and section 23(2)(d) of the *Real Estate Services Rules* (the "Rules"), and

committed conduct unbecoming a licensee within the meaning of section 35(2) of the RESA, pursuant to section 43 of the RESA the Superintendent orders that:

1. Allan Chun Lung Cheung's licence be cancelled.
2. Allan Chun Lung Cheung pay enforcement expenses to BCFSA in the amount of \$3,500 within four (4) months from the date of this Order.

Dated this 15th day of August, 2025 at the City of Victoria, British Columbia.

Superintendent of Real Estate

"Original signed by Jonathan Vandall"

Jonathan Vandall
Delegate of the Superintendent of Real Estate
Province of British Columbia

Attch.

File # 22-3291

BC FINANCIAL SERVICES AUTHORITY**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*
SBC 2004, c 42 as amended****IN THE MATTER OF****ALLAN CHUN LUNG CHEUNG
(also known as ALAN CHUN LUNG CHEUNG)
(144537)****CONSENT ORDER PROPOSAL BY ALLAN CHUN LUNG CHEUNG****BACKGROUND AND FACTS**

This Consent Order Proposal (the "Proposal") is made by Allan Chun Lung Cheung also known as Alan Chun Lung Cheung ("A Cheung") to the Superintendent of Real Estate (the "Superintendent") of BC Financial Services Authority ("BCFSA") pursuant to section 41 of the *Real Estate Services Act* ("RESA").

For the purposes of the Proposal, A Cheung and the Superintendent have agreed upon the following facts:

1. A Cheung (144537) was first licensed as a trading services representative on June 20, 2006, with the then Real Estate Council of British Columbia, which amalgamated with BCFSA as of August 1, 2021.
2. A Cheung was unlicensed from September 16-18, 2008, June 20-23, 2010, and between January 7, 2011 and June 9, 2016.
3. Since January 18, 2018, and at all relevant times, A Cheung was licensed as a trading services representative at Luxmore Group Realty Ltd dba Luxmore Realty.
4. As of June 9, 2022, A Cheung has been operating under section 12 of the RESA.
5. On July 10, 2020, A Cheung was charged with an indictable offence, arising from events occurring on November 27, 2018 (the "July 2020 Charge").
6. On March 12, 2021, the Crown Prosecutor amended the indictment to reflect a charge of obtaining for consideration or communicating for the purpose of obtaining for consideration the sexual services of "a person", contrary to section 286.1(1) of the *Criminal Code*.
7. On March 12, 2021, A Cheung pleaded guilty to the amended charge of communicating for the purpose of obtaining for consideration the sexual services of a person, contrary to section 286.1(1) of the *Criminal Code* (the "March 2021 Conviction"). A Cheung was sentenced to a 6-month Conditional Sentence Order ("CSO") following a joint submission proposal made by counsel.
8. A Cheung successfully served his CSO, completing the sentence on September 12, 2021.
9. On May 10, 2022, A Cheung submitted an online application to BCFSA to renew his trading licence (the "2022 Renewal Application").

10. The 2022 Renewal Application disclosed the March 2021 Conviction and included a letter from A Cheung's counsel describing the March 2021 Conviction.
11. Prior to submitting the 2022 Renewal Application, A Cheung did not disclose the March 2021 Conviction to BCFSA.
12. On May 4, 2023, A Cheung provided BCFSA with a copy of the indictment underlying the July 2020 Charge.
13. Prior to May 4, 2023, A Cheung did not disclose the July 2020 Charge to BCFSA.
14. A Notice of Discipline Hearing was issued on March 14, 2024 and served on A Cheung.
15. A Cheung has no prior discipline history.

PROPOSED FINDINGS OF MISCONDUCT

For the sole purposes of the Proposal and based on the Facts outlined herein, A Cheung proposes the following findings of misconduct be made by the Superintendent:

1. Allan Chun Lung Cheung committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that, while licensed as a trading representative with Luxmore Group Realty Ltd dba Luxmore Realty, he:
 - a. failed to promptly notify BCFSA (formerly, the Real Estate Council of British Columbia) in writing after being charged with the July 2020 Charge, contrary to section 23(2)(d) [formerly, 2-21(2)(d)] of the Rules; and
 - b. failed to promptly notify BCFSA (formerly, the Real Estate Council of British Columbia) in writing of the March 2021 Conviction, contrary to section 23(2)(d) [formerly, 2-21(2)(d)] of the Rules.
2. Allan Chun Lung Cheung committed conduct unbecoming a licensee within the meaning of section 35(2) of the RESA in that he communicated for the purpose of obtaining sexual services for consideration, contrary to section 286.1(1)(b) of the *Criminal Code* for which he was convicted on or about March 12, 2021.

PROPOSED ORDERS

Based on the facts herein and the Proposed Findings of Misconduct, A Cheung proposes that the Notice of Discipline Hearing in this matter be resolved through the following Orders being made by the Superintendent, pursuant to section 43 of the RESA:

3. Allan Chun Lung Cheung's licence be cancelled.
4. Allan Chun Lung Cheung pay enforcement expenses to BCFSA in the amount of \$3,500 within four (4) months from the date of this Order.

ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT

1. A Cheung acknowledges and understands that the Superintendent may accept or reject the Proposal. If the Proposal is rejected by the Superintendent, the matter may be referred to a disciplinary hearing.

2. A Cheung acknowledges that he has 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 Discipline Hearing, and the execution and submission of the Proposal to the Superintendent; and, that he has obtained independent legal advice or has chosen not to do so, and that he is making the Proposal with full knowledge of the contents and the consequences if the Proposal is accepted.
3. A Cheung acknowledges and is 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. A Cheung hereby waives his right to appeal pursuant to section 54 of the RESA.
5. If the Proposal is accepted and/or relied upon by the Superintendent, A Cheung will not make any public statement(s) inconsistent with the Proposal and its contents. Nothing in this section is intended to restrict A Cheung from making full answer and defence to any civil or criminal proceeding(s).
6. A Cheung acknowledges and is aware that the Superintendent is not bound to accept any application for a new licence in the future. If applying for a licence in the future, A Cheung must satisfy the Superintendent that he meets the requirements for a licence in section 10 of the RESA, and any Rules, regulations or other instruments made pursuant to the RESA.
7. The Proposal and its contents are made by A Cheung for the sole purpose of resolving the Notice of Discipline Hearing in this matter and do not constitute an admission of civil liability. Pursuant to section 41(5) of the RESA, the Proposal and its contents may not be used without the consent of A Cheung in any civil proceeding with respect to the matter.

"Original signed by Allan Cheung"

ALLAN CHUN LUNG CHEUNG

Dated 2 day of Aug, 2025