

CITATION: Sutton Group – Alliance Real Estate Services Ltd. (Sutton Group – Alliance R.E.S.)
(Re), 2025 BCSRE 167
Date: 2025-10-16
File # INC 25-6106

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

[Licensee 1]
([License Number])

SUTTON GROUP – ALLIANCE REAL ESTATE SERVICES LTD.
(DBA SUTTON GROUP – ALLIANCE R.E.S.)
(X034896)

CONSENT ORDER

[This Order has been redacted before publication.]

RESPONDENT: Sutton Group – Alliance Real Estate Services Ltd.
(doing business as Sutton Group – Alliance R.E.S.)

DATE OF CONSENT ORDER: October 16, 2025

COUNSEL: Laura Forseille, Legal Counsel for BC Financial Services Authority

PROCEEDINGS:

On October 16, 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 Sutton Group – Alliance Real Estate Services Ltd. (doing business as Sutton Group – Alliance R.E.S.).

WHEREAS the Proposal, a copy of which is attached hereto, has been executed by Sutton Group – Alliance Real Estate Services Ltd. (doing business as Sutton Group – Alliance R.E.S.) (the “**Brokerage**”).

NOW THEREFORE, having made the findings proposed in the attached Proposal, and found that the Brokerage committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* (“**RESA**”) and section 75 of the *Real Estate Services Rules* (the “**Rules**”), pursuant to section 43 of the RESA the Superintendent orders that:

1. The Brokerage be liable to pay a discipline penalty to BCFSa in the amount of \$20,000.
2. The Brokerage be liable to pay enforcement expenses to BCFSa in the amount of \$3,000 within two (2) months from the date of the Order.
3. The Brokerage’s license be cancelled if it does not file its s. 75 accountant’s report filing for the fiscal year ending January 31, 2025 within 30 days of the date of this Order.

If the Brokerage fails to comply with any of the terms of this Order, the Superintendent may suspend or cancel their license without further notice to them, pursuant to sections 43(3) and 43(4) of the RESA.

Dated this 16th day of October, 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.

BC FINANCIAL SERVICES AUTHORITY

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

IN THE MATTER OF

**[Licensee 1]
([License Number])**

AND

**SUTTON GROUP – ALLIANCE REAL ESTATE SERVICES LTD. DBA
SUTTON GROUP – ALLIANCE R.E.S.
(X034896)**

**CONSENT ORDER PROPOSAL BY SUTTON GROUP – ALLIANCE REAL
ESTATE SERVICES LTD. DBA SUTTON GROUP – ALLIANCE R.E.S.**

BACKGROUND AND FACTS

This Consent Order Proposal (the “**Proposal**”) is made by Sutton Group – Alliance Real Estate Services Ltd. dba Sutton Group – Alliance R.E.S. (the “**Brokerage**”) 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 the Brokerage and the Superintendent have agreed upon the following facts:

1. The Brokerage’s 2024 fiscal year ended January 31, 2025. The Brokerage’s s. 75 filing was due 120 days later on May 31, 2025.
2. On May 26, 2025, BCFSA sent a reminder email to the Brokerage regarding the requirement to make the s. 75 filing within 120 days by May 31, 2025.
3. On May 31, 2025, the Brokerage’s former managing broker, [Licensee 1] (“**[Licensee 1]**”) emailed BCFSA requesting a one-month extension. The request was denied and [Licensee 1] was advised that administrative penalties may be assessed.
4. The Brokerage was sent overdue notices on June 1, 5, and 10, 2025.
5. On June 10, 2025, BCFSA sent the Brokerage a non-compliance warning letter advising that the Brokerage was in contravention of s. 75 and if the Brokerage did not submit the complete s. 75 filing on or before July 8, 2025, daily penalties would be considered in addition to the base penalty.
6. On July 3, 2025, [Licensee 1]’s managing broker license with the Brokerage was terminated. [Licensee 2] was appointed as acting managing broker.

7. On July 7, 2025, the Brokerage sent BCFSa an email requesting a one-month extension. The request was denied in an email dated July 9, and the Brokerage was advised that the warning period had expired, and daily penalties were now being considered.
8. On July 21, 2025, [Licensee 3] became licensed as the managing broker of the Brokerage. On August 5, 2025, he emailed BCFSa advising that he was aware that the s. 75 filing was past due.
9. A Notice of Discipline Hearing was issued on September 19, 2025 and served on [Licensee 1] and the Brokerage.

PROPOSED FINDINGS OF MISCONDUCT

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

1. The Brokerage committed professional misconduct within the meaning of section 35(1)(a) of the RESA by breaching the Rules, s. 75 when it failed to file its required review engagement financial statement, accountant's report and brokerage activity report for the year ended January 31, 2025 by May 31, 2025.

PROPOSED ORDERS

Based on the facts herein and the Proposed Findings of Misconduct, the Brokerage 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:

1. The Brokerage be liable to pay a discipline penalty to BCFSa in the amount of \$20,000.
2. The Brokerage be liable to pay enforcement expenses to BCFSa in the amount of \$3,000 within two (2) months from the date of the Order.
3. The Brokerage's license be cancelled if it does not file its s. 75 accountant's report filing for the fiscal year ending January 31, 2025 within 30 days of the date of this Order.
4. If the Brokerage fails to comply with any of the terms of the Order set out above, the Superintendent may suspend or cancel its licence without further notice.

ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT

1. The Brokerage 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. The Brokerage acknowledges that it 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 it has obtained independent legal advice or has chosen not to do so, and that it is making the Proposal with full knowledge of the contents and the consequences if the Proposal is accepted.
3. The Brokerage 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. The Brokerage hereby waives its right to appeal pursuant to section 54 of the RESA.
5. If the Proposal is accepted and/or relied upon by the Superintendent, the Brokerage will not make any public statement(s) inconsistent with the Proposal and its contents. Nothing in this section is intended to restrict the Brokerage from making full answer and defence to any civil or criminal proceeding(s).
6. The Proposal and its contents are made by the Brokerage 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 the Brokerage in any civil proceeding with respect to the matter.

“Original signed by Licensee 3”

**[LICENSEE 3], Authorized Signatory for
SUTTON GROUP – ALLIANCE REAL ESTATE
SERVICES LTD. DBA SUTTON GROUP –
ALLIANCE R.E.S.**

Dated 16th day of October, 2025