Citation: Applicant 36 (Re), 2025 BCSRE 137
Date:2025-08-11
File # 25-5917

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

[APPLICANT 36 ([Brokerage Number])] AND [Licensee 1 ([License Number])]

NOTICE OF ADMINISTRATIVE PENALTY

[This Notice has been redacted before publication.]

The Superintendent of Real Estate ("Superintendent") of the BC Financial Services Authority ("BCFSA") issues this Notice of Administrative Penalty ("Notice") pursuant to sections 57(1) and (3) of the *Real Estate Services Act*, SBC 2004, c 42 ("RESA").

TAKE NOTICE that the Superintendent is satisfied that you have contravened one or more provisions designated as subject to administrative penalties under section 56(1)(a) of the RESA and section 26 of the *Real Estate Services Rules* ("Rules"), collectively, the "Designated Provisions".

TAKE NOTICE the Superintendent is imposing the following administrative penalty based on your having contravened the Designated Provisions:

1. Section 93.1: First contravention; Penalty: $1,000;

   Details: The 2025 Real Estate Brokerage Data Call ("2025 Data Call") records and information were to be received by our office by March 31, 2025, in the manner prescribed the Superintendent, pursuant to section 93.1 of the Rules. The 2025 Data Call records and information included all sales of residential property with a firm contract date between February 16, 2025, and March 15, 2025, as well as all Home Buyer Recission Period recissions that occurred during the 2024 calendar year where [Applicant 36] provided services to the seller. The manner prescribed by the Superintendent included a requirement that it be submitted through the IRIS portal. The 2025 Data Call records and information for [Applicant 36] were not received by our office in the manner prescribed or at all, despite numerous reminders provided by BCFSA staff. This deadline was also missed by [Applicant 36] in the 2024 Data Call; at that time no penalty was issued, but multiple reminders were issued, in addition to a written warning once the contravention had occurred.

Total administrative penalties: $1,000

TAKE FURTHER NOTICE you may respond to this Notice by requesting an opportunity to be heard as follows (a "Reconsideration Request"):

a. *Time limit:* You must deliver any Reconsideration Request so that BCFSA receives it within thirty (30) calendar days of the date you received this Notice (the "Response Deadline").
b. *Format:* A Reconsideration Request Form must be completed.
c. *Content:* A Reconsideration Request should explain how you exercised due diligence to prevent contravention of the Designated Provisions. You may also provide any other information you believe the Superintendent should consider.
d. *Delivery:* A Reconsideration Request may be delivered by email to apreconsiderations@bcfsa.ca and/or delivered to BCFSA's offices at 600 – 750 West Pender Street, Vancouver, BC V6C 2T8, Attention: Legal Services – Reconsiderations.

The date you received this Notice is the earliest date on which:

- the Superintendent personally served you with the Notice (s 57(3)(a) or (b) of the RESA);
- the Superintendent provided "substituted service" by a method provided for in a court order (s 12 of the RESA); or
- the Superintendent provided this Notice to Canada Post for delivery to your mailing address (ss. 18 and 19 of the Rules). This will normally also be the day it was emailed to you.

If BCFSA receives your Reconsideration Request by the Response Deadline, the Superintendent will consider your Reconsideration Request and may cancel or confirm each of the administrative penalties. If BCFSA confirms an administrative penalty, payment is due immediately.

TAKE FURTHER NOTICE if you fail to deliver a Reconsideration Request by the Response Deadline, you are deemed to acknowledge your having contravened the specified Designated Provisions (s 57(2)(d) of the RESA).

TAKE FURTHER NOTICE that unless you deliver a Reconsideration Request by the Response Deadline, you must pay the administrative penalties within thirty (30) calendar days of the date you received this Notice. The Reconsideration Request may be by email or otherwise in writing and should attach or include information respecting the due diligence exercised to avoid the contravention, any extenuating circumstances that prevented compliance, and any other information that you wish BCFSA to consider.

Dated this 11th day of August, 2025 at the City of Vancouver, British Columbia.

Superintendent of the BC Financial Services Authority

"Originally signed by Raheel Humayun"

Per: Raheel Humayun
Delegate of the Superintendent of Real Estate
Province of British Columbia