

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

Chung (Anthony) Tung Cheng

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 penalties based on your having contravened the Designated Provisions:

1. RESA: Section 3 (1) First contravention: Yes; Penalty: \$6,000;

Details: You provided rental property management services, without holding a licence under RESA, from September to November 2024 to the owner of a property located in Richmond B.C. ("Property") and received remuneration from the owner for those services. The services included finding tenants, showing the Property to prospective tenants, collecting the damage deposit and rent for the use of the Property, facilitating the tenancy agreement, and supervising contractors. (The "Contravention")

In determining the appropriate penalty amount, the Superintendent made the following observations with respect to the circumstances:

- The matter came to BCFSA's attention by way of complaint from a member of the public.
- This is the first time BCFSA has become aware of you committing a contravention of RESA.
- Our records indicate that you have never been licensed in British Columbia, nor have you completed the required licensing course.

- The unlicensed rental property management services contained in the Contravention were relatively small in scale and scope. They were provided to one rental unit over a short duration, specifically from September to November 2024.
- There is a need for general deterrence as unlicensed persons providing real estate services put consumers at greater risk of harm including limited protections on consumer funds and no competence requirements. However, there was no evidence of missing consumer funds.

Total administrative penalties: \$6,000

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

- 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”).
- Format:* A Reconsideration Request Form must be completed.
- 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.
- Delivery:* A [Reconsideration Request](mailto:apreconsiderations@bcfsa.ca) 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

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 3rd day of September, 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