Citation: Jovi Realty Inc (Re), 2025 BCSRE 188
Date: 2025-11-21
File # 23-5051

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

**JOVI REALTY INC.
(X032998)**

AND

**RALPH FREDERICK OAKES
(011083)**

AND

**LIGHTHOUSE REALTY LTD
(X022055)**

AND

**COLIN ROSS MCDONALD
(008848)**

AND

**JAMES ROBERT THIESSEN
(083875)**

REASONS FOR ORDER IN URGENT CIRCUMSTNACES AND ORDER TO FREEZE PROPERTY

[These Reasons have been redacted before publication.]

Date of Hearing:	Written Submissions Received November 20, 2025
Counsel for BCFSA:	Laura Forseille Michael Jones
Hearing Officer:	Gareth Reeves

Introduction

1. The BC Financial Services Authority ("**BCFSA**") brings, pursuant to sections 45 *Real Estate Services Act*, SBC 2004, c 42 ("**RESA**"), a without notice application seeking to suspend the licences of Jovi Realty Inc ("**Jovi**"), Lighthouse Realty Ltd ("**Lighthouse**"), Ralph Frederick Oakes, Colin Ross McDonald, and James Robert Thiessen. BCFSA further seeks orders providing that:

    a. Jovi, Lighthouse, Mr. Oakes, Mr. McDonald, and Mr. Thiessen cease providing real estate services to any member of the public;

    b. Mr. Oakes, Mr. McDonald, and Mr. Thiessen be prohibited from acting as authorized signatory on any account for any real estate brokerage in British Columbia licensed under RESA;

    c. Jovi, Lighthouse, Mr. Oakes, Mr. McDonald, and Mr. Thiessen deliver or provide access to books and records in their possession and control to BCFSA; and

    d. Jovi, Lighthouse, Mr. Oakes, Mr. McDonald, and Mr. Thiessen cease all dealings with specific bank accounts currently held by Jovi and Lighthouse.

2. In seeking those orders, BCFSA takes the position that there are reasonable grounds to find that the Superintendent of Real Estate (the "**superintendent**") could make an order under section 43 and that Jovi, Lighthouse, Mr. Oakes, Mr. McDonald, and Mr. Thiessen have contravened RESA or the *Real Estate Services Rules*, BC Reg 209/2021 (the "**Rules**"), that it would take too long to bring these matters to hearing, and that the public interest supports issuing the orders sought.

3. This application was heard by way of written submissions received in the evening of November 19, 2025. I granted most of the orders sought by BCFSA on November 20, 2025, except the orders suspending Mr. Oakes, Mr. McDonald, and Mr. Thiessen, and modifying the order BCFSA sought to compel Mr. Oakes, Mr. McDonald, and Mr. Thiessen to deliver records. I indicated that written reasons would follow. In preparation of the written reasons, I determined that I should make orders suspending Mr. Oakes's, Mr. McDonald's, and Mr. Thiessen's managing broker licenses and allow them to be licensed as associate brokers or representative licensees. These are my written reasons regarding those orders.

4. By way of background, the orders sought in this proceeding follow urgent and freeze orders issued in this same file against Bal Realty Services Incorporated, Fraseridge Realty Ltd. doing business as Amex-Fraseridge ("**Amex**"), and Balpreet Singh Bal on October 30, 2025 (the "**Bal Orders**") with reasons indexed as *Bal (Re)*, 2025 BCSRE 147 and a freeze order issued in this same file against Jovi and Lighthouse on November 5, 2025 (the "**Freeze Order**") with reasons indexed as *Jovi Realty Inc (Re)*, 2025 BCSRE 179 ("***Jovi (Re)***"). These reasons should be read in conjunction with *Bal (Re)* and *Jovi (Re)*.

Issues

5. The issues are:

    a. Should an interim order suspending Jovi's licence be issued pursuant to section 45(2)(a) of RESA?

    b. Should an interim order suspending Lighthouse's licence be issued pursuant to section 45(2)(a) of RESA?

    c. Should an interim order suspending Mr. Oakes's licence be issued pursuant to section 45(2)(a) of RESA?

    d. Should an interim order suspending Mr. McDonald's licence be issued pursuant to section 45(2)(a) of RESA?

e. Should an interim order suspending Mr. Thiessen's licence be issued pursuant to section 45(2)(a) of RESA?

f. Should orders requiring Jovi, Lighthouse, Mr. Oakes, Mr. McDonald, and Mr. Thiessen to cease providing real estate services, deliver access to various books and records, and cease dealings with certain bank accounts and requiring Mr. Oakes, Mr. McDonald, and Mr. Thiessen to cease being an authorized signatory on any bank account for any real estate brokerage in British Columbia be issued pursuant to section 45(2)(c) of RESA?

g. Should an order prohibiting all dealings by Jovi, Lighthouse, Mr. Oakes, Mr. McDonald, and Mr. Thiessen with Jovi's and Lighthouse's bank accounts, be issued pursuant to section 46(2)(c) of RESA?

Jurisdiction Procedure

6. Pursuant to section 2.1(3) of RESA the superintendent may delegate any of its powers. The Senior Hearing Officer and Hearing Officers of the Hearings Department of BCFSA have been delegated the statutory powers and duties of the Superintendent of Real Estate with respect to sections 42 through 53 of RESA.

Background

7. The evidence and information before me in this application includes the following affidavits from BCFSA staff:

    a. The affidavit of Senior Auditor, [Auditor 1], dated October 20, 2025;

    b. The affidavit of Senior Auditor, [Auditor 2], dated October 20, 2025;

    c. The affidavit of Senior Investigator, [Investigator 1], dated October 27, 2025;

    d. The affidavit of Paralegal, [Paralegal 1], dated November 5, 2025;

    e. The affidavit of Manager of Investigations, [Investigator 2], dated November 5, 2025; and

    f. The affidavit of Manager of Audit, [Auditor 3], dated November 19, 2025.

8. The first three affidavits listed above were provided in relation to the application seeking the Bal Orders. The fourth and fifth affidavits were provided in relation to the application seeking the Freeze Order. The sixth affidavit was provided in relation to this application.

9. As noted in *Bal (Re)* and *Jovi (Re)* the material before me is both voluminous and complex. There have also been no intervening applications since I issued those reasons. The only additional information provided since those applications has been the affidavit of [Auditor 3] and the exhibits thereto, which, for the reasons stated below, do not disturb my previous findings unless otherwise indicated below; instead, as set out below, they amplify the concerns expressed in *Bal (Re)* and *Jovi (Re)*.

10. I will not, in these reasons, recite the background to this matter, which is sufficiently set out in *Bal (Re)* and *Jovi (Re)*. Those reasons are available for review. I therefore will not recite Jovi's, Lighthouse's, Mr. Oakes, Mr. McDonald's, or Mr. Thiessen's licensing histories or status: the information before me does not indicate they have changed since I issued *Jovi (Re)*. The background below, therefore, commences after I issued my decision in *Jovi (Re)*.

11. I note that the affidavit of BCFSA's Paralegal, [Paralegal 1], demonstrates that Mr. McDonald is, in addition to being a managing broker for Lighthouse, a managing broker for Lighthouse Realty International Inc, licence number X027216.

New Information Since Jovi (Re)

12. On November 5, 2025, [Director 1] attended BCFSA's offices and delivered several bank statements for Jovi and Lighthouse and advised [Auditor 1] that he had received the statements from Mr. Bal (the "**Bal Provided Statements**").

13. [Auditor 3] indicates that BCFSA, [Director 1], Mr. Oakes, and Mr. McDonald agreed to have Mr. Oakes, Mr. McDonald and a chartered professional accountant, [Accountant 1], appointed as signatories to Jovi's and Lighthouse's accounts. Subsequently Mr. Oakes and [Accountant 1] were made the dual signing authorities on Jovi's accounts and Mr. McDonald and [Accountant 1] were made dual signing authorities on Lighthouse's accounts. BCFSA received confirmation of these changes on November 12, 2025.

14. On November 14, 2025, [Auditor 3] received, from [Accountant 1], bank statements for Jovi and Lighthouse from August 1, 2025 to October 31, 2025 along with interim transaction statements from November 1 to 5, 2025 (the "**Bank Statements**").

15. [Auditor 3] reviewed the Bank Statements and determined that Jovi's and Lighthouse's accounts held substantially lower amounts over the period from August 1, 2025 to October 31, 2025 than would have been expected by reference to the brokerages' records.

16. The Bank Statements show that Jovi's and Lighthouse's accounts showed evidence that substantial funds had been moved out of them between August 1, 2025 and October 31, 2025. The Bank Statements showed the following, in summary:
    a. Jovi's Operating Account went from:
        i. $824,360.21 on August 1, 2025,
        ii. to $10,063.25 on August 29, 2025,
        iii. to $7,207.72 on October 31, 2025;
    b. Jovi's Trading Trust Account went from:
        i. $260,237.11 on August 1, 2025,
        ii. to $7,049.19 on August 29, 2025,
        iii. to $25,000 on October 31, 2025;
    c. Jovi's Commission Trust Account went from:
        i. $64,800.02 on August 1, 2025,
        ii. to $576.07 on August 29, 2025,
        iii. to $5,245.26 on October 31, 2025;
    d. Jovi's Rental Trust Account went from:
        i. $80,273.04 on August 1, 2025,
        ii. to $11,363.75 on October 31, 2025;
    e. Jovi's Security Deposit Trust Account went from:
        i. $77.27 on August 1, 2025,
        ii. to $617.25 on October 31, 2025;
    f. Lighthouse's Operating Account went from:
        i. $1,596.32 on August 1, 2025,

   ii. to $2,864.83 on October 31, 2025;

g. Lighthouse's General Trust Account went from:
   i. $105,458.89 on August 1, 2025,
   ii. to $14,619.71 on August 29, 2025,
   iii. to $32,031.39 on October 31, 2025;

h. Lighthouse's Commission Trust Account went from:
   i. $10,277.18 on August 1, 2025,
   ii. to $18,291.17 on October 31, 2025;

i. Lighthouse's Rental Trust Account went from:
   i. $121,613.58 on August 1, 2025,
   ii. to $22,286.73 on August 29, 2025,
   iii. to $105,998.87 on September 29, 2025,
   iv. to $38,035.61 on October 31, 2025; and

j. Lighthouse's Security Deposit Trust Account went from:
   i. $249.82 on August 1, 2025,
   ii. to $349.82 on October 31, 2025.

17. I note that there were substantial fluctuations in many of these accounts, sometimes on the order of hundreds of thousands of dollars, and that some of these fluctuations would be associated with the normal operation of a brokerage trust account as funds came and went. It is important to note that at no point between August 1, 2025 and October 31, 2025 did Jovi's Operating Account hold more than $824,360.21.

18. The Bank Statements also revealed that Jovi and Lighthouse received substantial transfers from M&M Property Services & Management, formerly known as Bruce Mills Realtor Inc, ("**Bruce Mills**"), a company in California of which Mr. Bal was the CEO. These transfers included, but were not limited to, the following amounts received by Jovi on the following dates:

    a. $1,855,734.00 deposited to Jovi's Operating Account on November 3, 2025;
    b. $1,076,543.00 deposited to Jovi's Trading Trust Account on November 3, 2025;
    c. $944,532.32 deposited to Jovi's Commission Trust Account on November 3, 2025;
    d. $74,108.37 deposited to Jovi's Rental Trust Account on November 3, 2025;
    e. $290,483.39 deposited to Jovi's Security Deposit Trust Account on November 3, 2025;
    f. $346,967.40 deposited to Jovi's Operating Account on November 3, 2025; and
    g. $1,549,985.00 deposited to Jovi's Operating Account on November 4, 2025.

19. The bank statements for Jovi also disclosed that there were periodic transfers of large sums of money from Bruce Mills to Jovi's operating account from August 1, 2025 to October 31, 2025.

20. The Bank Statements also showed transfers from Jovi's operating account on November 3, 2025, according to [Auditor 3]'s summary:

    a. $90,000 to Jovi's Commission Trust Account;
    b. $530,599.22 to Jovi's Trading Trust Account;

c. $333,697.92 to Lighthouse's General Trust Account; and

d. $8,127.42 to Lighthouse's Commission Trust Account.

21. Further, the Bank Statements showed transfers from Bruce Mills to Lighthouse on the following dates, according to [Auditor 3]'s summary:

a. $2,413.00 to Lighthouse's General Trust Account on November 4, 2025;

b. $146,146.06 to Lighthouse's Rental Trust Account on November 4, 2025;

c. $162,319.67 to Lighthouse's Security Deposit Trust Account on November 4, 2025; and

d. $60,000.00 to Lighthouse's General Trust Account on November 5, 2025;

22. The net result of these transfers were the following balances on November 5, 2024, when the Freeze Order was issued:

a. Jovi's Operating Account had balance of $2,793,160.84;

b. Jovi's Trading Trust Account had a balance of $1,640,599.22, which was $37,434.09 more than was reflected in Jovi's Trust Liability Listing as of November 4, 2025;

c. Jovi's Commission Trust Account had a balance of $957,359.06;

d. Jovi's Rental Trust Account had a balance of $477,042.60, which was $2,726.55 more than was reflected in Jovi's Trust Liability Listing as of November 4, 2025;

e. Jovi's Security Deposit Trust Account had a balance of $290,700.31, which was $5,261.94 more than was reflected in Jovi's Trust Liability Listing as of November 4, 2025;

f. Lighthouse's Operating Account had a balance of $2,014.58;

g. Lighthouse's General Trust Account had a balance of $399,902.81, which was $81,724.40 more than was reflected in Lighthouse's Trust Liability Listing as of November 5, 2025;

h. Lighthouse's Commission Trust Account had a balance of $78,858.99;

i. Lighthouse's Rental Trust Account had a balance of $320,731.51; and

j. Lighthouse's Security Deposit Trust Account had a balance of $162,653.49.[1]

23. Looking at the accounts in general, it appears that substantial trust funds were moved out of Jovi's and Lighthouse's trust accounts between August 1, 2025 to October 31, 2025 and then the accounts were replenished from time to time, at least in part by transfers from Bruce Mills, to keep the accounts in a position to meet their ongoing obligations.

24. I note that I found in *Jovi (Re)*, at para 43, that there were reasonable grounds to believe that Mr. Bal had transferred $2,750,000 from Amex's trust account to Jovi's operating account no later than September 29, 2025. From the evidence in [Auditor 3]'s affidavit, this appears to be incorrect in that the funds did not flow directly from Amex to Jovi. In particular, the balances of Jovi's Operating Account indicate that these funds could not have been held in Jovi's Operating Account between August 1, 2025 and October 31, 2025 and the only reason the balance ended at more than $2,750,000 was because Bruce Mills had transferred substantial sums, totaling $6,138,353.49 to Jovi between November 3 and 5 2025, after I had issued the Bal Orders. It appears, therefore, that Jovi did not in fact hold the funds that were supposed to be held in trust by Amex in relation to the transaction involving [Complainant 1] ("**[Complainant 1]**") described in *Bal (Re)*. Instead, it appears other funds were transferred into Jovi's Operating Account after the Bal Orders were issued to make it appear that Amex held those funds.

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[1] Not all Trust Liability Listings were available for Lighthouse and Jovi for November 4 and 5, 2025 in [Auditor 3's] affidavit. Where relative amounts are not listed they were not available.

25. On November 16, 2025, [Accountant 1] and [Director 1] emailed [Accountant 1] to provide certain trust account reconciliations for Jovi and Lighthouse. [Accountant 1] advised that [Director 1]'s attempts to re-reconcile the accounts indicated that the existing reconciliations' opening balances for August 2025 did not match with the Bank Statements. [Accountant 1] indicated that this likely meant that the preceding reconciliations were incorrectly prepared. [Accountant 1] also identified potential shortages in Jovi's trust accounts based on the reconciliations and Jovi's actual trust accounts. These identified potential shortages exceeded $2,700,000, cumulatively, between Jovi's Trading and Commission Trust Accounts in August and September 2025 and over $350,000, cumulatively, between Lighthouse's Trading and Commission Trust Accounts in August and September 2025. Given the payments from Bruce Mills, there were overages in Jovi's Commission Trust Account and Lighthouse's General and Commission Trust Accounts by November 5, 2025, but there still appeared to be a shortage of $175,685.85 in Jovi's Trading Trust Account. The net balance of these overages and shortages resulted in a net overage of $16,129.61 compared to the reconciliations.

26. BCFSA compared the Bank Statements to the Bal Provided Statements and determined that the Bal Provided Statements were inaccurate. By way of example, the Bal Provided Statements show a closing balance for Jovi's Trading Trust Account of $1,952,918.60 in August 2025 when the Bank Statements show a closing balance of $7,049.19. I note that the closing balance for August 2025 for the Bal Provided Statements equal the closing balance indicated by [Accountant 1] for Jovi's Trading Trust Account for August 2025.

27. BCFSA also compared the Bank Statements, the Bal Provided Statements, and the Trust Liability and Asset Reconciliations provided by Jovi and Lighthouse and identified similar shortages to those identified by [Accountant 1].

28. [Director 1] advised [Auditor 3] on November 17, 2025 that he was unaware that the Bal Provided Statements were inaccurate.

29. On November 19, 2025, a licensee at Jovi advised that Mr. Oakes told him that Jovi would become inactive on November 20 and that its licensees should transfer to [Brokerage 1] within 24 hours.

Reasons and Findings

Applicable Legislation

30. RESA provides, in relevant part, as follows:

Misconduct by licensee

35(1) A licensee commits professional misconduct if the licensee does one or more of the following:

(a) contravenes this Act, the regulations under this Act or under section 43 [*regulations for residential real property right of rescission*] of the Property Law Act or the rules;

(b) breaches a restriction or condition of the licence;

(c) does anything that constitutes wrongful taking or deceptive dealing;

(d) demonstrates incompetence in performing any activity for which a licence is required;

(e) fails or refuses to cooperate with an investigation under section 37 [*investigations of licensees*];

(f) fails to comply with an order of the superintendent;

(f.1) fails to comply with an undertaking that the licensee gave under section 53.1;

(g) makes or allows to be made any false or misleading statement in a document that is required or authorized to be produced or submitted under this Act.

(2) A licensee commits conduct unbecoming a licensee if the licensee engages in conduct that, in the judgment of the superintendent,

(a) is contrary to the best interests of the public,

(b) undermines public confidence in the real estate industry, or

(c) brings the real estate industry into disrepute.

(3) A brokerage that is a partnership or corporation may be found to have committed professional misconduct or conduct unbecoming a licensee if a partner, officer, director or controlling shareholder of the brokerage does one or more of the things referred to in subsection (1) or (2).

Discipline orders

43(1) After a discipline hearing, the superintendent must

(a) act under this section if the superintendent determines that the licensee has committed professional misconduct or conduct unbecoming a licensee, or

(b) in any other case, dismiss the matter.

(2) If subsection (1) (a) applies, the superintendent must, by order, do one or more of the following:

(a) reprimand the licensee;

(b) suspend the licensee's licence for the period of time the superintendent considers appropriate or until specified conditions are fulfilled;

(c) cancel the licensee's licence;

(d) impose restrictions or conditions on the licensee's licence or vary any restrictions or conditions applicable to the licence;

(e) require the licensee to cease or to carry out any specified activity related to the licensee's real estate business;

(f) require the licensee to enrol in and complete a course of studies or training specified in the order;

(g) prohibit the licensee from applying for a licence for a specified period of time or until specified conditions are fulfilled;

(h) require the licensee to pay amounts in accordance with section 44 (1) and (2) [*recovery of enforcement expenses*];

(i) require the licensee to pay a discipline penalty in an amount of

(i) not more than $500 000, in the case of a brokerage or former brokerage, or

(ii) not more than $250 000, in any other case;

(j) require the licensee to pay an additional penalty up to the amount of the remuneration accepted by the licensee for the real estate services in respect of which the contravention occurred.

…

Orders in urgent circumstances relating to licensees

45(1) The superintendent may act under this section if

(a) the superintendent believes on reasonable grounds that there has been conduct in respect of which the superintendent could make an order under section 43 [*discipline orders*] against a licensee, and

(b) the superintendent considers that

(i) the length of time that would be required to complete an investigation or hold a discipline hearing, or both, in order to make such an order would be detrimental to the public interest, and

(ii) it is in the public interest to make an order under this section against the licensee.

(2) If the circumstances referred to in subsection (1) apply, the superintendent may, by order, do one or more of the following:

(a) suspend the licensee's licence;

(b) impose restrictions or conditions on the licensee's licence or vary any restrictions or conditions applicable to the licence;

(c) require the licensee to cease or to carry out any specified activity related to the licensee's real estate business.

(3) Despite any other provision of this Division, the superintendent may make an order under subsection (2)

(a) whether or not notice of a discipline hearing has been issued under section 40 [*notice of discipline hearing*],

(b) without giving notice to the licensee, and

(c) without providing the licensee an opportunity to be heard.

(4) The superintendent may, by order,

(a) on the superintendent's own initiative, rescind an order under this section, or

(b) on the application of or with the consent of the licensee subject to the order, vary or rescind an order made under this section.

(5) Promptly after an order under subsection (2) is made, the superintendent must give to the licensee

(a) a copy of the order and written reasons for it, and

(b) written notice that a discipline hearing may be held respecting the matter.

(6) Without affecting the authority of the superintendent to initiate a discipline hearing, a licensee who is the subject of an order under subsection (2) may require a discipline hearing to be held by delivering written notice to the superintendent.

(7) Within a reasonable time after receiving a written notice under subsection (6), the superintendent must issue a notice under section 40 [*notice of discipline hearing*], subject to the difference that the time for issuing the notice is at least 14 days before the time set for the discipline hearing, rather than 21 days, unless the licensee agrees to a shorter period.

(8) After a discipline hearing respecting a licensee who is subject to an order under this section, the superintendent must

(a) rescind the order under this section and make an order under section 43 [*discipline orders*], if the superintendent determines that the licensee has committed professional misconduct or conduct unbecoming a licensee, or

(b) in any other case, rescind the order under this section.

Analysis

Section 45(2)(a) of RESA: Suspension of Jovi and Lighthouse

31. Section 45(2) of RESA provides that the superintendent may, by order, suspend a licensee's licence, impose restrictions or conditions on the licensee's licence, or require the licensee to cease or carry out any specified activity related to the licensee's real estate business if:

    a. The superintendent believes on reasonable grounds that there has been conduct in respect of which the superintendent could make an order under section 43 (discipline orders) against a licensee, and

    b. the superintendent considers that:

        i. the length of time that would be required to complete an investigation or hold a discipline hearing, or both, in order to make such an order would be detrimental to the public interest, and

        ii. it is in the public interest to make an order under this section against the licensee.

32. Section 45(3) of RESA provides that the superintendent may make an order under section 45(2) of RESA regardless of whether a notice of discipline hearing has been issued, without giving notice to the licensee, and without providing the licensee an opportunity to be heard.

33. In assessing evidence and considering making an order pursuant to section 45 of RESA, the superintendent is not making final findings of fact. Rather, the consideration is a "provisional" assessment of evidence, so that the superintendent can consider if, among other things, there has been conduct in respect of which the superintendent could make an order under section 43: *Brown (Re),* Reasons for Order in Urgent Circumstances**,** March 28, 2019 (BC REC).

34. The BC Court of Appeal, in *Scott v College of Massage Therapists of British Columbia*, 2016 BCCA 180 ("***Scott***"), considered the imposition of interim conditions by the College of Massage Therapists of British Columbia under section 35 of the *Health Professions Act*, RSBC 1996, c 183. In *Scott*, the Court held that the imposition of interim conditions or a suspension under the *Health Professions Act* could occur where there was a *prima facie* case supporting the allegations, and, where, based on the material before the inquiry committee, the evidence established that the public required immediate protection through an interim order.

35. I consider the approach set out in *Scott* to apply in this context when determining whether to issue an order under section 45(2), such that I must consider the following questions:

    a. Is there a *prima facie* case that supports a conclusion that the licensee has committed professional misconduct or conduct unbecoming a licensee as contemplated by section 43(1) of RESA?

    b. If so, are the circumstances of the *prima facie* case urgent, such that the public must be protected by the issuing of an interim order?

36. Regarding Jovi, the reasonable grounds to believe Jovi had contravened section 27(2) of RESA identified in *Jovi (Re)*, at paras 43-44 are sufficient to establish a *prima facie* case of that contravention. I note there is no evidence before me that this contravention has been resolved, though the funds in Jovi's accounts have been frozen pursuant to the Freeze Order and secured.

37. Regarding both Jovi and Lighthouse, the evidence before me on this application establishes a *prima facie* case that the funds in Jovi's and Lighthouse's trust accounts have been withdrawn for improper purposes contrary to section 30 of RESA. The fact that Mr. Bal provided [Director 1] inaccurate bank statements in the form of the Bal Provided Statements, Jovi and Lighthouse had prepared reconciliations that aligned with the Bal Provided Statements, and the fact that the Bank Statements show an entirely different scenario strongly suggests that the funds were removed for purposes that were not permitted under RESA. Those facts, combined with the replenishment of those accounts by way of transfers from Bruce Mills indicate to me that there is a strong *prima facie* case made out that the funds in those accounts had been misappropriated or wrongfully converted by Mr. Bal, Jovi, and Lighthouse, which would be wrongful taking as defined in RESA. The same evidence establishes a strong *prima facie* case that Mr. Bal, Jovi, and Lighthouse were involved in preparing false bank statements and reconciliations meant to intentionally misrepresent a material fact, being the amount of funds held in trust, in relation to real estate services and trades in real estate or a scheme to allow Mr. Bal or his companies to obtain trust funds contrary to RESA, which would constitute deceptive dealing as defined in RESA. In my view, such conduct is also conduct unbecoming as defined in section 35(2) of RESA.

38. The evidence also establishes, on a *prima facie* basis, that Jovi and Lighthouse have been or are in breach of various of the trust and general accounting provisions of the Rules including section 70 dealing with the payment of funds into commission trust accounts as a result of their receipt of funds from Bruce Mills into their Commission Trust Accounts, directly or indirectly; section 72 in preparing trust reconciliations; section 73 in payment of funds out of trust that create negative balances in trust accounts or records; section 79 regarding the preparation and maintenance of brokerage financial records; section 80 regarding the preparation and maintenance of brokerage account records; and section 81 regarding pooled trust account records. In my view, the evidence establishes a strong *prima facie* case that Jovi's and Lighthouse's accounts were substantially mismanaged in all the above regards by disposing of funds intended to be held in trust, creating reconciliations that obscured those dispositions, and receiving unexplained funds into trust.

39. I find there is, based on the evidence and information before me, a strong *prima facie* case supporting the conclusion that Jovi and Lighthouse have committed professional misconduct or conduct unbecoming within the meaning of section 35 of RESA which would permit the superintendent to make an order under section 43 of RESA.

40. In my view, the evidence establishes there is urgency in this situation that requires Jovi's and Lighthouse's licenses to be suspended. The evidence establishes a strong *prima facie* case that Jovi's and Lighthouse's trust account have been egregiously misused. The evidence from [Auditor 3] indicates that it will take substantial time to prepare new reconciliations for both brokerages and to sort out the entitlements to the funds currently held in trust with them. In my view, Jovi and Lighthouse should not be permitted to continue operating and receiving and managing trust funds while that process occurs. In my view, the very serious contraventions of the trust accounting rules under RESA established on a strong *prima facie* basis before me demonstrates significant breaches of trust by Jovi and Lighthouse and indicates that Jovi and Lighthouse should not be permitted to continue to enjoy the privileges of a licence under RESA and continue to expose the public to the risks associated with their operations. In my view, it would be unacceptable to wait until a hearing of this complex matter, which would follow a thorough investigation, for the public to be protected from those risks by the superintendent.

41. I note in this regard that the suspension of Jovi and Lighthouse may have adverse consequences for the licensees licensed at those brokerages. That said, I note that those licensees may be able to transfer to new brokerages and it appears that many of those at Jovi may be in the process of doing so. Regardless, the contraventions established on a strong *prima facie* basis before me demonstrate a significant need for the regulator to step in to stop further harm to the public and the risk that further funds from members of the public might become entangled with Jovi and Lighthouse's operations.

42. I note also that there may be adverse consequences for the clients of Lighthouse and Jovi who may experience delays in transactions and in collection and disbursement of rents. However, that must be balanced against the continued risk to the trust funds that Jovi and Lighthouse pose. Further, the significant evidence that there has been wrongful taking in this case may make claims to the Special Compensation Fund under RESA available and, as BCFSA notes in its submissions, an order under section 45 of RESA is a precondition for the appointment of a receiver under section 59 of RESA. Allowing the appointment of a receiver now will ensure that the trust funds held by Jovi and Lighthouse are properly accounted for and distributed.

43. I find the evidence establishes that the public must be protected by urgent suspension orders against Jovi and Lighthouse in these circumstances.

Section 45(2)(a) of RESA: Suspension of Mr. Oakes, Mr. McDonald, and Mr. Thiessen

44. For the reasons below and based on the evidence and information before me, I find there is a strong *prima facie* case supporting the conclusion that Mr. Oakes, Mr. McDonald, and Mr. Thiessen have committed professional misconduct or conduct unbecoming within the meaning of section 35 of RESA which would permit the superintendent to make an order under section 43 of RESA.

45. In *Jovi (Re)*, at para 36, I found that there were reasonable ground to believe that Mr. Oakes, Mr. McDonald, and Mr. Thiessen had contravened section 28 of the Rules by failing to ensure that their respective brokerages' businesses had been carried out competently and in accordance with RESA and the Rules and failing to ensure Jovi's and Lighthouse's records were maintained in accordance with the regulatory regime. I also found that there were reasonable grounds to believe that Mr. Oakes, Mr. McDonald, and Mr. Thiessen had contravened section 28(3) of the Rules by not ensuring that Jovi's and Lighthouse's records were managed and controlled in compliance with regulatory requirements. In coming to that conclusion, I relied on Mr. Oakes's lack of access to Jovi's accounts and Mr. McDonald's and Mr. Thiessen's lack of access to Lighthouse's accounts and records. The evidence before me only strengthens this conclusion.

46. The evidence before me establishes, on a strong *prima facie* basis, that Jovi's and Lighthouse's records were prepared based on the Bal Provided Statements, which were inaccurate. Mr. Oakes's, Mr. McDonald's, and Mr. Thiessen's lack of control and supervision over Jovi's and Lighthouse's accounts and records allowed this situation to arise. The evidence also establishes a strong *prima facie* case that the managing brokers were unaware of very substantial shortages in Jovi's and Lighthouse's trust accounts over a period of several months. For all three managing brokers, the evidence indicates, on a strong *prima facie* basis, that they were not in control of their brokerage's accounts and financial records and were therefore in breach of sections 28(1) and 28(3) of the Rules for a substantial period. During some or all of that time, Mr. Bal was in control of Jovi and Lighthouse's accounts and appears to have misappropriated those funds and to have concocted the Bal Provided Statements to conceal this misappropriation, which is, *prima facie*, wrongful taking and deceptive dealing as defined in RESA. In addition, the evidence establishes, on a *prima facie* basis, that the complete mismanagement of the accounts led to Jovi's and Lighthouse's above noted contraventions of sections 70, 72, 73, 79, 80, and 81 of the Rules.

47. The above events occurred on Mr. Oakes's, Mr. McDonald's, and Mr. Thiessen's watch. These facts lead me to conclude that there is a strong *prima facie* case made out that Mr. Oakes, Mr. McDonald, and Mr. Thiessen failed to discharge their statutory duties under sections 28(1) and 28(3) of the Rules regarding all of Jovi's conduct, in the case of Mr. Oakes, and Lighthouse's conduct, in the case of Mr. McDonald and Mr. Thiessen.

48. Regarding the urgency of the suspension orders sought against Mr. Oakes, Mr. McDonald, and Mr. Thiessen, I find that the conduct indicated above is, *prima facie*, severe, but is contained to

their roles as managing brokers such that, for the following reasons, the suspension orders should be limited to only suspending their managing broker licenses.

49. There is a strong *prima facie* case of misconduct against Mr. Oakes, Mr. McDonald, and Mr. Thiessen arising from their failures to properly manage Jovi and Lighthouse; however, there do not appear to be issues with their provision of real estate services generally such that their continued licensure as either an associate broker or representative licensee and their provision of real estate services generally will be a risk to the public. In my view, a close review of the evidence establishes a strong *prima facie* case that Mr. Oakes, Mr. McDonald, and Mr. Thiessen were entirely unaware of the status of their respective brokerages' accounts for a period of at least three months and likely longer. In my view, that is a substantial abdication of the responsibilities entrusted by RESA and the Rules to managing brokers such that there is a strong *prima facie* case that Mr. Oakes, Mr. McDonald, and Mr. Thiessen cannot be trusted to continue to discharge those obligations moving forward.

50. On an initial review of the materials in this matter, it was not clear to me whether the extent of Mr. Oakes's, Mr. McDonald's, and Mr. Thiessen's failures to be properly engaged in the management and supervision of Jovi and Lighthouse's trust accounts were sufficient to justify a suspension of their licences entirely, which was sought by BCFSA. I therefore declined to make that order on November 20, 2025, preferring to reserve my decision on that point.

51. After a comprehensive review of the evidence, I am convinced that a partial suspension is appropriate given the strong *prima facie* case that all three managing brokers were derelict in their duties as managing brokers of Jovi and Lighthouse. In my view, Mr. Oakes, Mr. McDonald, and Mr. Thiessen ought to have known that there was no managing broker in place as authorized signatory to the relevant trust accounts and no managing broker reviewing the related financials for those accounts. The evidence before me indicates that they did not exercise any supervisory authority over their respective brokerage's trust accounts for several months at least while there was no managing broker in place exercising that supervisory authority. In my view, the evidence establishes a *prima facie* case that this failure was seriously negligent and likely inexcusable: it is not clear to me at all how these experienced managing brokers could have failed to ensure there was a managing broker supervising the trust accounts for such a long period of time.

52. I note that Mr. McDonald is also the sole managing broker of Lighthouse Realty International Inc. and there is no evidence before me that he has misconducted himself in regard to that role; however, the strong *prima facie* evidence of his significant failures in regard to Lighthouse are sufficient to warrant significant concern regarding his willingness and ability to properly execute his obligations as a managing broker. The same can be said of Mr. Oakes and Mr. Thiessen.

53. Considering the above, I find that it would unduly put the public at risk to allow Mr. Oakes, Mr. McDonald, and Mr. Thiessen to continue to operate as managing brokers while this matter continues to hearing. In my view, allowing that to continue would put the clients of any brokerage in which they act as managing broker, and regarding which they take on the associated management and supervisory obligations, at risk.

54. In addition, the role of managing broker has a special status with the RESA regime and having an individual in that role signals to the public that they have been entrusted with the significant supervisory obligations that come along with that role. Managing brokers are not mere figureheads, they are entrusted with important statutory obligations that are integral to the proper functioning of the real estate industry. In my view, it is not appropriate to allow an individual to continue to be licensed as a managing broker and to have their brokerage enjoy the confidence of the public that comes along with having them as a managing broker, when a strong *prima facie* case exists that they have been entirely derelict in the duties of a managing broker.

55. That said, and as indicated above, the conduct established on a strong *prima facie* basis before me does not involve Mr. Oakes's, Mr. McDonald's, or Mr. Thiessen's work as licensees on individual matters or dealing directly with the public, it appears confined to their roles as managing brokers. Further, there is no evidence that Mr. Oakes, Mr. McDonald, or Mr. Thiessen were aware of Jovi's or Lighthouse's misconduct in a way that would implicate their honesty or involve them in misappropriation. I must also consider the substantial impact that a complete suspension of their licenses might have on their ability to earn an income. I do not have evidence before me regarding Mr. Oakes's, Mr. McDonald's, and Mr. Thiessen's sources of income or any evidence that they have business activities outside of their real estate practices, in the absence of such evidence, I conclude that the majority of their work is in the real estate industry and that a complete suspension would be a substantial blow to their income. In my view, a licensee's ability to provide real estate services and to earn an income from those services should not be suspended on an interim basis absent convincing evidence that they have misconducted themselves regarding the provision of real estate services or in a manner that impugns their honesty or character. In my view, the evidence before me does not establish such misconduct by Mr. Oakes, Mr. McDonald, or Mr. Thiessen on a sufficient basis to warrant suspending their licences entirely. I therefore find, on the evidence before me, that all three can remain licensed as associate brokers or representatives and to continue to operate as associate broker or representative licensees pending a hearing of this matter.

56. I therefore find that Mr. Oakes's, Mr. McDonald's, and Mr. Thiessen's managing broker licenses should be suspended and they should be permitted to be licensed as associate brokers or representatives.

Section 45(2)(c): Cease Services, Deliver Books and Records, Cease Authorized Signatory Status, and Cease Dealing With Accounts

57. Given my findings above, I am satisfied that the orders pursuant to section 45(2)(c) of RESA sought by BCFSA requiring that Jovi and Lighthouse cease providing real estate services to the public, deliver or provide all books and records in their possession or control to BCFSA, and that they cease dealing with the named bank accounts set out in the orders are urgently required and in the public interest. I also find that an order requiring Mr. Oakes, Mr. McDonald, and Mr. Thiessen deliver or provide all of Jovi's or Lighthouse's books and records in their possession are urgently required and in the public interest.

58. In my view, the conduct established on a *prima facie* basis in this case is serious and directly involves Jovi's and Lighthouse's management and handling of their accounts. This requires immediate access to Jovi's and Lighthouse's books and records by the superintendent. Mr. Oakes, Mr. McDonald, and Mr. Thiessen should assist with that process if they possess any such records. I am not convinced that Mr. Oakes, Mr. McDonald, and Mr. Thiessen should be ordered to produce all books and records in their possession. That appears to be overbroad to me. In my view, that order should be restricted to books and records of Jovi and Lighthouse. Issuing these orders will help to ensure that the public is protected during Jovi and Lighthouse's suspensions and will ensure that the superintendent receives sufficient information to properly supervise Jovi and Lighthouse and determine appropriate next steps. My reasons for issuing those orders are effectively the same as regard the suspension orders.

59. The orders precluding Mr. Oakes, Mr. McDonald, and Mr. Thiessen, from accessing Jovi's and Lighthouse's accounts and from being a signatory to any brokerage accounts are urgently needed because the evidence before me establishes, on a strong *prima facie* basis, that substantial trust shortages occurred in Jovi's and Lighthouse's trust accounts occurred on their watch. The *prima facie* substantial failures of all three to properly supervise and manage the operation of the trust accounts in this matter indicate to me that they should not be trusted with access to and management of brokerage trust accounts and that the public should not be exposed to the risks associated with their *prima facie* negligent management and supervision.

60. I do not find it necessary in this case to order that Mr. Oakes, Mr. McDonald, and Mr. Thiessen cease providing real estate services. Such an order would conflict with my order suspending only their managing broker licences.

Conclusion

61. I find that there is a *prima facie* case that supports a conclusion that Mr. Oakes, Mr. McDonald, Mr. Thiessen, Jovi, and Lighthouse committed professional misconduct or conduct unbecoming as contemplated by section 43(1) of RESA, and that the circumstances of that *prima facie* case are such that the public must be protected by an interim order. As a result, I order that:

    a. under section 45(2)(a) of RESA, that the managing broker licence of Mr. Oakes, licence number 011083 be suspended, Mr. Oakes is permitted to continue being licensed as an associate broker or representative;

    b. under section 45(2)(a) of RESA, that the managing broker licence of Mr. McDonald, licence number 008848 be suspended, Mr. McDonald is permitted to continue being licensed as an associate broker or representative;

    c. under section 45(2)(a) of RESA, that the managing broker licence of Mr. Thiessen, licence number 083875 be suspended, Mr. Thiessen is permitted to continue being licensed as an associate broker or representative;

    d. under section 45(2)(a) of RESA, that the license of Jovi, licence number X032998, be suspended;

    e. under section 45(2)(a) of RESA, that the licence of Lighthouse, licence number X022055, be suspended;

    f. under sections 45(2)(c) of RESA, that Jovi and Lighthouse cease providing real estate services to any member of the public;

    g. under section 45(2)(c) of RESA, that Jovi and Lighthouse deliver forthwith and/or provide access to all books and records in the possession or control of either of them, whether in electronic or paper form, related to their provision of real estate services including accounts and books of accounts, bank records, bank statements, and any passwords to access password protected devices or websites, computers and client information, to BCFSA at its office: Suite 600, 750 West Pender Street, Vancouver, British Columbia, V6C 2T8;

    h. under section 45(2)(c) of RESA, that Mr. Oakes, Mr. McDonald, and Mr. Thiessen deliver forthwith and/or provide access to all books and records in the possession or control of either of them, whether in electronic or paper form, related to their provision of real estate services by Jovi and Lighthouse including accounts and books of accounts, bank records, bank statements, and any passwords to access password protected devices or websites, computers and client information, to BCFSA at its office: Suite 600, 750 West Pender Street, Vancouver, British Columbia, V6C 2T8;

    i. under section 45(2)(c) of RESA, that Mr. Oakes, Mr. McDonald, Mr. Thiessen, Jovi and Lighthouse cease all dealings with the bank accounts currently held by Jovi and Lighthouse on deposit for or in the name of Jovi and Lighthouse, whether held solely or jointly, including the following bank accounts located at [Bank 1] (“**[Bank 1]**”) located at [Property 1], Vancouver, BC (branch transit #[redacted]) and [Bank 2] (“**[Bank 2]**”) located at [Property 2], Vancouver, BC (branch transit #[redacted]):

        i. [Bank 1] account number [redacted] (Jovi Realty Security Deposit Account);

        ii. [Bank 1] account number [redacted] (Jovi Realty Rental Trust Account);

        iii. [Bank 1] account number [redacted] (Jovi Realty Commission Trust Account);

        iv. [Bank 1] account number [redacted] (Jovi Realty Trading Trust Account);

v. [Bank 1] account number [redacted] (Jovi Realty General Operating Account);

vi. [Bank 1] account number [redacted] (Jovi Realty Account);

vii. [Bank 2] account number [redacted] (Jovi Realty General Operating Account);

viii. [Bank 1] account number [redacted] (Lighthouse Realty Security Deposit Trust Account);

ix. [Bank 1] account number [redacted] (Lighthouse Realty Rental Trust Account);

x. [Bank 1] account number [redacted] (Lighthouse Realty General Trust Account);

xi. [Bank 1] account number [redacted] (Lighthouse Realty Commission Trust Account); and,

xii. [Bank 1] account number [redacted] (Lighthouse Realty Operating Account).

DATED at North Vancouver, BRITISH COLUMBIA, this 21st day of November, 2025.

“Original signed by Gareth Reeves”

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Gareth Reeves
Hearing Officer

IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*

SBC 2004, c 42 as amended AND

IN THE MATTER OF

JOVI REALTY INC.

(X032998)

AND

RALPH FREDERICK OAKES

(011083)

AND

LIGHTHOUSE REALTY LTD.

(X022055)

AND

COLIN ROSS MCDONALD

(008848)

AND

JAMES ROBERT THIESSEN

(083875)

ORDER IN URGENT CIRCUMSTANCES

Upon reading the sworn Affidavits of [Auditor 3], Manager Audit; [Investigator 2], Manager of Investigations; [Paralegal 1], Paralegal; [Auditor 1], Senior Auditor; [Auditor 2], Senior Auditor; and [Investigator 1], Senior Investigator this file, number 23-5051, all employed by BC Financial Services Authority ("**BCFSA**"), and upon hearing the submissions of Laura Forseille and Michael Jones, counsel for BCFSA, I am satisfied that the following requirements of section 45(1) of the *Real Estate Services Act* ("**RESA**") have been met:

1. there has been conduct on the part of Ralph Frederick Oakes ("**R. Oakes**"), Colin Ross McDonald ("**C. McDonald**") and James Robert Thiessen ("**J. Thiessen**") in respect of which the Superintendent of Real Estate (the "**Superintendent**") could make an order under section 43 of RESA;
2. there has been conduct on the part of Jovi Realty Inc. ("**Jovi**") and Lighthouse Realty Ltd. ("**Lighthouse**") in respect of which the Superintendent could make an order under section 43 of RESA;
3. in each case, the length of time required to complete an investigation or hold a discipline hearing, or both, would be detrimental to the public interest;
4. it is in the public interest to make an order under section 45 of RESA against R. Oakes, C. McDonald, and J. Thiessen; and
5. it is the public interest to make an order under section 45 of RESA against Jovi and Lighthouse.

THEREFORE, I ORDER:

1. under section 45(2)(a) of RESA, that the managing broker licence of R. Oakes, licence number 011083 be suspended, R. Oakes is permitted to continue being licensed as an associate broker or representative;

2. under section 45(2)(a) of RESA, that the managing broker licence of C. McDonald, licence number 008848 be suspended, C. McDonald is permitted to continue being licensed as an associate broker or representative;

3. under section 45(2)(a) of RESA, that the managing broker licence of J. Thiessen, licence number 083875 be suspended, J. Thiessen is permitted to continue being licensed as an associate broker or representative;

TAKE NOTICE that R. Oakes, C. McDonald, and/or J. Thiessen may, pursuant to section 45(6) of RESA*,* require a discipline hearing to be held by delivering written notice to the Superintendent at BCFSA’s office: Suite 600, 750 West Pender, Vancouver, British Columbia, V6C 2T8.

This Order is made on November 21, 2025 at Vancouver, British Columbia.

FOR BC FINANCIAL SERVICES AUTHORITY

“Original signed by Gareth Reeves”

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Gareth Reeves
Hearing Officer