

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

**MATTHEW HONORIUS KURAS
(149545)**

NOTICE OF DISCIPLINE HEARING

[This Notice has been redacted before publication.]

To: Matthew Honorius Kuras
c/o TRG - The Residential Group Tri-Cities Realty Ltd.
dba TRG The Residential Group Realty Property Management
101-1965 West 4th Avenue
Vancouver, BC V6J 1M8
[Email 2]

TAKE NOTICE that the Superintendent of Real Estate (the “Superintendent”) of BC Financial Services Authority (“BCFSA”) will hold a discipline hearing under Part 4 of the *Real Estate Services Act* (“RESA”) on **March 19-20, 2026 commencing at 9:30 am** in the virtual Hearing Room at BCFSA’s offices located at **600 – 750 West Pender Street, Vancouver, British Columbia** to determine whether your conduct contravened the RESA, the *Real Estate Services Regulation* (the “Regulation”), or the *Real Estate Services Rules* (the “Rules”).

AND TAKE NOTICE that the allegations against you are as follows:

1. Matthew Kuras (“Mr. Kuras”) committed professional misconduct within the meaning of sections 35(1)(a) and/or (e) of the RESA by failing or refusing to provide all the documents and information requested by BCFSA, contrary to section 37(4) [*licensee must not withhold, destroy, conceal or refuse to provide information*] of the RESA and section 21 [*licensee must reply promptly to superintendent*] of the Rules, and otherwise failing or refusing to cooperate with the investigation, including by doing one or more of the following:
 - a. failing to provide to BCFSA as requested, bank account statement records of funds transferred and received covering the period January 1, 2023 to April 1, 2025, for the following accounts:

- i. Mr. Kuras' [Bank 1] account number [redacted];
 - ii. Mr. Kuras' [Bank 1] account for member ID #[redacted];
 - iii. Any bank account associated with Metrovan Rent Disbursement Ltd [Incorporation Number: BC1486654];
 - iv. Any bank account associated with [Email 1];
 - v. Any bank account associated with [Email 2];
 - vi. Any bank account associated with [Website 1]; and
 - vii. Any other bank accounts that have received money in relation to the rental and/or subleasing of real estate,
- b. failing to provide to BCFSa as requested the following documents:
- i. A list of any additional properties not covered in the April 4, 2025 interview that Mr. Kuras leased and subsequently subleased since January 1, 2021;
 - ii. Contact details, including full name, phone numbers and email addresses for each party that Mr. Kuras subleased properties to with corresponding addresses and duration of sublease;
 - iii. Sublease agreements for each party that Mr. Kuras subleased his tenancies to;
 - iv. Copies of all payments made to Mr. Kuras by all of the parties that he subleased his tenancies to;
 - v. Mr. Kuras' CRA T1 General Tax Form for tax years 2021, 2022, 2023 and 2024; and
 - vi. Mr. Kuras' CRA Notices of Assessment for tax years 2021, 2022, 2023, 2024.
2. Mr. Kuras committed professional misconduct within the meaning of sections 35(1)(f) of the RESA by failing to comply with the November 27, 2025 order of the superintendent by failing to providing all or any of the documents and information required to be provided as set out in the November 27, 2025 Order in Urgent Circumstances (attached as Appendix "A") before the time limit set and extended by order of the Panel Chair of the Financial Services Tribunal on January 7, 2026 to within 10 days of that date.
3. Further, or in the alternative, Mr. Kuras committed conduct unbecoming a licensee within the meaning of sections 35(2)(a) [*misconduct by licensee: conduct contrary to the best interests of the public*], 35(2)(b) [*misconduct by licensee: undermines public confidence in the real estate industry*], and/or 35(2)(c) [*misconduct by licensee: brings the real estate industry into disrepute*] of the RESA, when he engaged in the conduct set out in one or more of paragraphs 1 and 2 above.

AND FURTHER TAKE NOTICE that if the Superintendent finds you committed professional misconduct and/or conduct unbecoming, the Superintendent must make an order against you, and may also order you to pay enforcement expenses incurred by BCFSa, under sections 43 and 44 of the RESA.

AND FURTHER TAKE NOTICE that if you do not attend the discipline hearing, the Superintendent may proceed with the discipline hearing in your absence and may make findings and orders under sections 43 and 44 of the RESA without further notice to you.

AND FURTHER TAKE NOTICE that you are entitled, at your own expense, to be represented by legal counsel and to participate in the discipline hearing.

Dated this 29th day of January, 2026 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

Appendix A

Citation: Kuras (Re), 2025 BCSRE 196
Date: 2025-11-27
File No. 24-5271

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

AND IN THE MATTER OF

**MATTHEW KURAS
(149545)**

REASONS FOR ORDER IN URGENT CIRCUMSTANCES

[These Reasons have been redacted before publication.]

Date of Hearing: Written Submissions Received
November 21, 2025

Counsel for BCFSAs: Simon Adams

Hearing Officer: Andrew Pendray

Introduction

1. The BC Financial Services Authority (“BCFSA”) brings, pursuant to section 45 of the *Real Estate Services Act*, SBC 2004, c 42 (“RESA”), a without notice application seeking to suspend the licence of Matthew Kuras. BCFSA further seeks orders requiring that Mr. Kuras be required to deliver up various documents and information relating to his real estate activities.
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 Mr. Kuras has 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.

Issues

4. The issues are:
 - a. Should an interim order suspending Mr. Kuras’s licence be issued pursuant to section 45(2)(a) of RESA?
 - b. Should an interim order requiring Mr. Kuras to provide documents and information be issued pursuant to section 45(2)(c) of RESA.

Jurisdiction

5. 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

6. The evidence and information before me in this application is contained in the affidavit of Senior Investigator [Investigator 1], dated November 21, 2025, and the exhibits attached to that affidavit.

Licensing Background

7. Mr. Kuras was licensed as a real estate representative of TRG the Residential Group Realty Ltd. ("TRG Realty") for trading services since he obtained his licence on August 6, 2006 until October 10, 2025. Mr. Kuras also became licensed for rental property management services on April 17, 2009.
8. On October 10, 2025, Mr. Kuras's licence was transferred to TRG – The Residential Group Tri-Cities Ltd./TRG The Residential Group Realty Property Management ("TRG Tri-Cities"). TRG Tri-Cities was licensed as a brokerage under RESA since September 2, 2008, but was unlicensed between June 2, 2011 and January 31, 2025. The directors of TRG Tri-Cities are [Director 1] ("[Director 1]") and [Director 2], who are Mr. Kuras's [family members]. [Director 1] is the managing broker of TRG Tri-Cities.
9. TRG Realty has been licensed as a brokerage under RESA since March 27, 2006. The directors of TRG Realty are [Director 1], [Director 3], [Director 4], and [Director 5].
10. [Director 5] is the managing broker of TRG Realty. On October 8, 2025, [Director 5] completed an application for real estate licence surrender in respect of Mr. Kuras's licence. In that application [Director 5] indicated that the reason for the surrender of the licence was the transfer of the licence to another brokerage. [Director 5] also indicated, however, that the surrender was related to a potential regulatory breach where a complaint had been made to BCFSA.
11. Also on October 8, 2025, Mr. Kuras completed an application for licence transfer to TRG Tri-Cities, in the categories of trading services and rental property management services. In that application Mr. Kuras acknowledged that he was presently involved in pending litigation, and that he was the subject of an investigation or disciplinary proceedings under RESA.

Background to Investigations

12. [Investigator 1] indicated that she began investigating Mr. Kuras for complaints related to allegations of deceptive dealing and conduct unbecoming in relation to allegations that he was renting multiple strata units in his own name, but then using them for unlicensed short term rentals, in violation of regulations of the City of Vancouver and various strata corporations.
13. [Investigator 1] indicated further that as part of her investigation she conducted a search of BCFSA's records, and discovered a number of complaints about Mr. Kuras dating from July 2023 to September 2025 involving at least seven different strata units which were alleged to have been rented by Mr. Kuras and then used as short term rentals (such as Airbnb), resulting in the property owners receiving fines from strata corporations and the City of Vancouver.
14. I note, having reviewed the complaints referenced by [Investigator 1] in her affidavit, that only six of those complaints are in fact complaints relating to Mr. Kuras allegedly using strata units that he had rented for short term rental purposes. The most recent complaint dating to September 2025 is simply a complaint from an individual who was not chosen as a tenant.

15. The first complaint is related to a November 23, 2022 claim to the Real Estate Special Compensation Fund, in which the complainant alleged that their property was being managed by TRG Realty, that they had not received rental income for a number of months in 2020 and 2021, that they were charged a fine by their strata corporation that ought to have been applied to their tenant, and that their strata unit was being rented out on Airbnb without their knowledge, but that TRG Realty had knowledge of that fact. Of note, the complainant owner provided a copy of a cable bill which indicated that [Individual 1] had been listed as the contact for billing purposes. That owner also provided documents indicating that [Individual 1] was the tenant TRG Realty had placed in the property, despite the owner not being aware of that fact.
16. Another complaint, received anonymously on July 10, 2023, alleges that Mr. Kuras would rent multiple condos under his name and then do unlicensed short term rentals with those condo rentals.
17. A May 10, 2024 complaint alleged that Mr. Kuras was operating an unlicensed short term rental, which was prohibited under the strata's bylaws.
18. A May 24, 2024 complaint received by BCFSA alleged that Mr. Kuras was renting strata units "pretending to be a long term tenant and then conducting illegal Airbnb out of those units". The complainant alleged that Mr. Kuras "likely conducts this on both an ongoing basis and on a large scale".
19. A July 29, 2024 complaint to BCFSA alleged that Mr. Kuras had rented the complainant's property, informing the complainant that Mr. Kuras was in the midst of building his own property and would use the complainant's furnished property while renovations took place at Mr. Kuras's unit. The complainant indicated that he had learned that the unit he had rented to Mr. Kuras was being advertised without the complainant's consent as short-term rental accommodation, and that it had been rented out on that basis by Mr. Kuras on six different occasions. The complainant alleged that Mr. Kuras' actions in this regard had led to the complainant having to pay fines.
20. In a July 31, 2024 complaint received by BCFSA, the complainant alleged that they had rented a unit to Mr. Kuras, and had subsequently received multiple fines due to Mr. Kuras running an illegal Airbnb of their strata unit. The complainant also alleged that Mr. Kuras had made unauthorized structural changes to their unit and caused property damage.

Civil Litigation and Enforcement Orders

21. [Investigator 1] indicated that in the course of her investigation she determined that Mr. Kuras had been named in relation to several civil claims, including:
 - A May 3, 2022 civil claim in which it was alleged that while their property was managed by TRG Realty it was used for short term rentals without the owner's knowledge and consent. This was the same party who filed the 2022 application to the special compensation fund.
 - An enforcement order under the *Residential Tenancy Act* dating to August 28, 2023, in which Mr. Kuras was ordered to pay \$4,900 to the landlords regarding their rental unit. A garnishing order was subsequently issued in BC Provincial Court in association with that order.
 - An enforcement order dating to June 10, 2024, issued under the *Residential Tenancy Act* wherein Mr. Kuras was ordered to pay \$11,057 to the landlord regarding the rental of their unit.
 - A November 8, 2024 enforcement order issued under the *Residential Tenancy Act* where Mr. Kuras was named as a tenant and ordered to pay \$3,073.01 to the landlord.

22. [Investigator 1] noted that when Mr. Kuras had applied to renew his licence on June 11, 2024 he had answered “No” to the question of whether he was presently involved in pending litigation or had ever had any orders or judgments made against him in relation to real estate services, dealing in insurance, mortgage or securities, or misappropriation, conversion, fraud, breach of trust or breach of fiduciary duty.
23. [Investigator 1] indicated that based on her review of the complaints against Mr. Kuras, those complaints included allegations of conduct unbecoming a licensee and deceptive dealing directly relating to Mr. Kuras’ role as a real estate licensee, and suggested a pattern of ongoing misconduct rather than isolated incidents. [Investigator 1] indicated that her view was that the conduct described in the complaints may be contrary to the best interests of the public, may undermine public confidence in the real estate industry, and may bring the real estate industry into disrepute.

Mr. Kuras’ Unlicensed Businesses

24. [Investigator 1] provided a company summary for Metrovan Rent Disbursement Ltd. (“Metrovan”). That summary sets out that Mr. Kuras became the owner/director of Metrovan on June 14, 2024, with the mailing and delivery address of 424-255 Newport Drive, Port Moody, BC, and that Metrovan was dissolved on April 30, 2025.
25. [Investigator 1] indicates that 255 Newport Drive is part of a commercial strata complex and is a UPS store.
26. Metrovan was never licensed under RESA.
27. [Investigator 1] has also provided a BC Business Summary for Rent Disbursement Metrovan (“Rent Disbursement”), which was a BC Sole Proprietorship registered on January 13, 2022 by [Individual 1]. Rent Disbursement was never licensed under RESA.

Lead up to Administrative Penalties

28. Previously this year, on March 27, 2025 and on June 3, 2025, Mr. Kuras was issued Notices of Administrative Penalties (“NOAP”) in regards to the breaches of section 37(4) of RESA.
29. [Investigator 1] has provided some background to the issuing of the March 27, 2025 NOAP. She explains that she emailed Mr. Kuras an investigation letter on January 6, 2025 in regard to her investigation into the allegations of misconduct made against him, and requested that he provide a detailed statement regarding those allegations, as well as copies of all agreements and contracts of properties he tenanted from January 2021, as well as addresses of his primary residence since January 2021. That request was due on or before January 20, 2025.
30. [Investigator 1] noted that her January 6, 2025 investigation letter had informed Mr. Kuras that the investigation involved conduct including:
 - The tenanting of multiple properties under false pretenses, and the renting of those properties for short term rentals without the property owners’ knowledge or authorization;
 - Advertising real estate without the property owners’ knowledge or authorization;
 - Falsifying contractual documents;
 - Exposing owners to fines during Mr. Kuras’s tenancy; and
 - Making a false or misleading statement in a document required or authorized to be produced under RESA in relation to his application for licensing renewal as it pertained to pending and historical litigation.

31. [Investigator 1] granted an extension to the January 20, 2025 deadline for response to February 3, 2025 at the request of Mr. Kuras's legal counsel.
32. [Investigator 1] issued a non-compliance warning letter to Mr. Kuras on February 4, 2025. While Mr. Kuras had provided some information in response to the January 6, 2025 investigation letter, [Investigator 1] noted that Mr. Kuras had not provided a detailed statement of his involvement pertaining to each property, and had failed to provide his address of primary residence. The February 4, 2025 letter required that Mr. Kuras comply by February 11, 2025, and noted that Mr. Kuras was considered to be in contravention of Rule 21 of the *Real Estate Services Rules*.
33. [Investigator 1] then wrote Mr. Kuras on February 5, 2025, providing him with three date options to attend an investigative interview between March 3-5, 2025. [Investigator 1] noted that a delay in scheduling the interview would only be considered under exceptional circumstances. Mr. Kuras and [Investigator 1] eventually agreed to schedule the interview for March 13, 2025. However, on the date of the interview Mr. Kuras's legal counsel wrote to [Investigator 1] informing her that Mr. Kuras was unable to attend the interview due to illness and requested new dates.
34. [Investigator 1] objected to the cancellation, requested substantiation of the illness, and provided new interview date options of March 18 and 20, 2025. Mr. Kuras's legal counsel indicated that Mr. Kuras was to be out of the country on those date and requested additional interview date options. After some further back and forth between [Investigator 1] and Mr. Kuras's legal counsel, in which [Investigator 1] noted that section 37 of RESA required cooperation with investigations, and that virtual interviews could accommodate travel, Mr. Kuras's legal counsel objected to the suggestion that Mr. Kuras was failing to comply with his statutory obligations and that requiring him to attend an interview while he was on holiday with his family was unreasonable.
35. On March 26, 2025, [Investigator 1] issued a second non-compliance warning to Mr. Kuras by way of email and indicated that she considered that Mr. Kuras had failed to comply with the February 4, 2025 non-compliance warning letter and that he was now eligible to receive both the base administrative penalty and to accrue daily penalties of \$1,000 per day. [Investigator 1] also noted that an interview of Mr. Kuras had been scheduled to proceed virtually on April 4, 2025.
36. The following day, the March 27, 2025 notice of administrative penalty was issued. The March 27, 2025 NOAP alleged that Mr. Kuras had:
 - a. Failed to provide the addresses at which he had resided from January 2021 to present.
 - b. Failed to provide a detailed statement of his involvement in regard to the matter under investigation.
 - c. Failed to attend a scheduled virtual interview, cancelling 50 minutes prior due to illness;
 - d. Failed to attend on alternative scheduled interview dates; and
 - e. Failed to provide substantiation of medical issues in regard to the cancelled interview.
37. The March 27, 2025 applied a \$1,000 administrative penalty for each of those alleged contraventions.
38. Mr. Kuras attended for an interview, conducted by BCFSA Manager of Investigations [Investigator 2] and [Investigator 1] on April 4, 2025. Mr. Kuras was accompanied by legal counsel. During the interview the investigators made requests for further information or documents from Mr. Kuras. [Investigator 1] subsequently, on April 9, 2025, wrote to Mr. Kuras requesting that he provide information to BCFSA by April 30, 2025.
39. Mr. Kuras replied on April 29, 2025. He requested complaint materials as well as interview transcripts, and noted that he may not be able to obtain all of the documents and information

requested by BCFSA by April 30, 2025. In that email Mr. Kuras also indicated that he declined or refused to provide some of the requested materials.

40. [Investigator 1] replied on April 30, 2025, and in doing so reminded Mr. Kuras of his obligations under section 21 of the Rules and section 37 of RESA.
41. Mr. Kuras replied to [Investigator 1] on the evening of April 30, 2025. In that response he disputed that BCFSA's requests for information were relevant, and indicated that the investigation ought to be limited to five properties listed in the initial investigation letter and that he was therefore not required to comply with all of the requests made in the April 9, 2025 request letter. Mr. Kuras provided some documents requested in BCFSA's April 9, 2025 letter at 11:56 pm on April 30, 2025.
42. On May 1, 2025, BCFSA issued a non-compliance warning letter to Mr. Kuras indicating that there were still outstanding items from the April 9, 2025 letter, and that Mr. Kuras was therefore in contravention of section 21 of the Rules and section 37(4) of RESA. The May 1, 2025 non-compliance warning letter indicated that requests 2 through 13 of the April 9, 2025 letter had still not been complied with.
43. Mr. Kuras's legal counsel wrote to BCFSA on May 8, 2025 and provided his position with respect to the outstanding request listed by BCFSA. [Investigator 2] responded on May 9, 2025, and indicated that the information requested remained outstanding, that Mr. Kuras was eligible to accrue daily penalties for his failure to respond, and that holding a real estate licence meant that Mr. Kuras was required and expected to cooperate with a regulatory investigation by BCFSA.
44. On June 3, 2025, BCFSA issued a second administrative penalty to Mr. Kuras. The June 3, 2025 NOAP alleged that Mr. Kuras had contravened section 37(4) of RESA as follows:

“On May 01, 2025, KURAS was issued with Non-Compliance Warning Letter to provide previously demanded information relating to a BCFSA investigation by May 08, 2025. KURAS failed to comply within the compliance warning period set out in BCFSA's Non-Compliance Warning Letter that was issued on May 01, 2025 and in doing so, KURAS withheld, destroyed, concealed or refused to provide any information or thing reasonably required for the purposes of an investigation. The daily penalties cover the period from May 09, 2025, until June 03, 2025, and constitute 26 days.”
45. The penalty imposed by the June 3, 2025 NOAP included a \$1,000 base penalty and \$26,000 in daily penalties.

Administrative Penalty Reconsideration Decisions

46. Mr. Kuras applied for reconsideration of the March 27, 2025 notice of administrative penalty, and in *[citation redacted]*, a Hearing Officer determined that:
 - Mr. Kuras had provided the address for his primary residence as requested and that BCFSA had not established that Mr. Kuras contravened section 37(4) by withholding or refusing to provide his addresses of residence;
 - Mr. Kuras did not contravene section 37(4) by refusing to attend the March 13, 2025 interview or by refusing to attend interviews on March 18 or 20, 2025;
 - BCFSA had not proven that Mr. Kuras contravened section 37(4) of RESA by refusing to provide substantiation of the illness which prevented him from attending the March 13, 2025 interview; and

- Mr. Kuras had contravened section 37(4) of RESA when he refused to provide a detailed statement regarding the matter under investigation in response to a BCFSA investigation letter.

47. The Hearing Officer in *[citation redacted]* determined that the \$1,000 administrative penalty issued for Mr. Kuras's contravention of section 37(4) of RESA for withholding or refusing to provide a detailed statement was appropriate and confirmed that administrative penalty. The other administrative penalties were cancelled.

48. Mr. Kuras also requested reconsideration of the June 3, 2025 NOAP, and in *Kuras (Re)*, 2025 BCSRE 166, a Hearing Officer determined that Mr. Kuras had contravened section 37(4) of RESA by refusing to provide, concealing, or withholding information and documents in relation to a number of requests set out in an April 9, 2025 letter from BCFSA investigators (the "Request Letter"). Specifically, the Hearing Officer determined that Mr. Kuras's failure to provide the information at items five through 10 of the request letter were in contravention of section 37(4), and that those contraventions continued from May 9, 2025 through June 3, 2025, inclusive. As a result, the Hearing Officer confirmed the administrative penalty in the amount of \$27,000.

49. In *Kuras (Re)*, the Hearing Officer noted that at the time the decision was issued, on October 17, 2025, Mr. Kuras's responses to requests 5 through 10 appeared to remain outstanding¹.

50. Requests 5 through 10 were as follows:

5. A list of any additional properties not covered in the interview that you leased and subsequently sub-leased between January 01, 2021 and today.
6. Contact details, including full name, phone numbers and email addresses for each party that you subleased properties to with corresponding addresses and duration of sublease.
7. Sublease agreements for each party that you subleased your tenancies to.
8. Copies of all payments made to you by all of the parties that you subleased your tenancies to.
9. Canada Revenue Agency ("CRA") T1 General Tax Form for tax years 2021, 2022, 2023, and 2024.
10. CRA Notice of Assessment ("NOA") for tax years 2021, 2022, 2023, and 2024.

Ongoing Investigation

51. [Investigator 1] has indicated that on October 6, 2025 she wrote to Mr. Kuras to indicate that BCFSA's investigation had expanded to include his activities of conducting property management activities outside of his brokerage. [Investigator 1] requested that Mr. Kuras provide a response to a number of requests for information by October 20, 2025. Those requests included that Mr. Kuras provide:

- A detailed statement of his involvement in conducting property management services, outlining all addresses of properties that he is, or had been, involved in managing since January 2025;
- Copies of all property management agreements he had processed since January 2025;
- Copies of all residential tenancy agreements he had processed since January 2025;
- Records of payments received for his involvement in property management services; and
- A detailed statement of whether he was utilizing any assistants or employees, including family members, that were assisting him in his real estate activities.

52. [Investigator 1] has indicated that Mr. Kuras failed to provide the requested information by October 20, 2025.

¹ Although only a portion of request 7 remained outstanding.

53. Rather, on that date, Mr. Kuras's legal counsel wrote to [Investigator 1] requesting a brief extension as legal counsel had been out of the country, and planned to speak to Mr. Kuras on October 21, 2025. Mr. Kuras's legal counsel further indicated that Mr. Kuras had indicated that he does not conduct property management services outside of his brokerage, and requested that BCFSa provide details of the new complaint.
54. On October 22, 2025, BCFSa issued Mr. Kuras another non-compliance warning letter, in association with the requests from October 6, 2025, requiring that he provide the requested information by November 5, 2025. That October 22, 2025 letter also required that Mr. Kuras provide bank account statements, including any bank account associated with Metrovan, as well as the outstanding information that remained as a result of the decision in *Kuras (Re)*.
55. [Investigator 1] indicates that Mr. Kuras did not provide the requested information by November 5, 2025.
56. Rather, on that date BCFSa received an email from Mr. Kuras in which he indicated that the appeal period to the Financial Services Tribunal ("FST") remained open until November 16, 2025, and that it was procedurally premature and inconsistent with statutory and common-law principles for BCFSa to take the position that the \$27,000 penalty from *Kuras (Re)* was due or overdue. Mr. Kuras indicated that he was deferring any additional production or response until the FST had issued a decision on an appeal of *Kuras (Re)*. Mr. Kuras further noted that he had not only a statutory right of appeal to the FST, but also the right to seek judicial review. He indicated that his view was that no administrative penalty, enforcement step, or compelled disclosure should proceed until all the remedies open to him had been exhausted.
57. Mr. Kuras did confirm in his November 5, 2025 letter that he did not employ or utilize any unlicensed individuals to perform real estate services, and that any administrative or clerical support had been provided under brokerage services and involved individuals who were engaged in activities that did not require licensing.
58. [Investigator 1] states in her affidavit that she is of the view that the investigation into Mr. Kuras has revealed a pattern of serious misconduct which presents ongoing risks to consumers. [Investigator 1] notes that she has been making what she describes as routine requests for documents and information since January 6, 2025, and that Mr. Kuras has continued to delay and not respond to those requests despite efforts to obtain compliance, including the issuing of administrative penalties.
59. [Investigator 1] states that the amount of time and resources being spent on the investigation is inordinate, and that the issue is not merely one of delaying her ability to properly investigate the alleged misconduct, but also the amount of time involved in attempting to investigate was using up BCFSa's limited resources to investigate other allegations of misconduct.
60. [Investigator 1] indicates that her view is that there are reasonable grounds to believe the superintendent could make an order under section 43 of RESA with respect to Mr. Kuras's conduct, specifically that he committed professional misconduct within the meaning of sections 35(1)(a) and/or 35(1)(e), by failing to provide all information requested by BCFSa between April 9 and November 5, 2025, contrary to section 37(4) of RESA and section 21 of the Rules.
61. [Investigator 1] further indicates that in her view it would be in the public interest for the superintendent to make an order under section 45(2)(a) of RESA that Mr. Kuras's licence be suspended due to a serious and ongoing risk to the public, both in respect of his underlying misconduct and through his actions frustrating the ability of BCFSa to conduct its investigation. [Investigator 1] also indicated that she was of the view that an order issued pursuant to section 45(2)(c) was in the public interests as it would require Mr. Kuras to deliver up all records in

relation to Mr. Kuras potentially having conducted business outside of his brokerage, as well as in relation to Mr. Kuras's activities of subleasing properties.

62. Finally, [Investigator 1] indicated that:

I believe there has been conduct in respect of which the Superintendent could make an order under section 43 of RESA against Mr. Kuras. I believe that the required length of time to complete an investigation or hold a discipline hearing, or both, to make such an order would be detrimental to the public interest. I believe it is in the public interest to make orders under sections 43 and 45 of RESA against Mr. Kuras.

Reasons and Findings

Applicable Legislation

63. 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

64. 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.
65. 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.
66. 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).

67. 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.
68. In considering the standard to be applied under section 45(1) in determining whether to issue an order under section 45(2), the superintendent, and prior to August 2021, disciplinary committees of the former Real Estate Council of British Columbia, have regularly applied a consideration of whether there was a “*prima facie*” case as described in *Scott*.
69. In its submissions on this application, BCFSA references the fact that the language of section 45(1) specifically requires the superintendent believe “on reasonable grounds” that there has been conduct in respect of which the superintendent could make an order under section 43. In BCFSA’s submission, the reasonable grounds standard is a lower standard of proof than a *prima facie* case, and references *R. v. Sunner*, 2017 BCSC 2445, where the court indicated that:

[20] **The reasonable grounds standard does not require proof of a *prima facie* case**, much less does it require proof beyond a reasonable doubt. **Rather, the reasonable grounds standard contemplates a credibly-based probability or reasonable probability. It has been described as the point at which suspicion gives way to credibly-based probability:** *R. v. Vu*, 2011 BCCA 536 at para. 39, affirmed on this point *R. v. Vu*, 2013 SCC 60 at para. 9-18; *R. v. Liu*, 2014 BCCA 166 at para. 37.

[bold emphasis added]

70. I note that in *Bakker (Re)*, 2022 BCSRE 11, I provided the following in explaining what constitutes “reasonable grounds” as described in section 46 of RESA:

45. A determination of whether there are “reasonable grounds” to believe that a person has contravened RESA in a way that is contrary to the public interest does not require proof on a balance of probabilities. Rather, what is required is compelling and credible information that establishes an evidentiary foundation beyond a mere suspicion [*Workers’ Compensation Board of British Columbia v. Seattle Environmental Consulting*, 2020 BCCA 365, at paragraph 58].

71. I note, for the purpose of comparison to my description of what constitutes “reasonable grounds”, that the court in *Scott* described a “*prima facie*” case as one “which covers the allegations made and which, if they are believed, is complete and sufficient to justify a verdict in the complainant’s favour in the absence of an answer”.² The court indicated, at paragraph 75, that it agreed with the inquiry committee’s approach in noting that a conclusion about whether or not there existed a *prima facie* case was not a decision about what happened, but rather it was:

...a decision that the evidence supporting the Complaint, standing alone, is strong enough to justify action necessary to protect the public.³

72. I do not see a material difference, at least for the purposes of this matter, in the approach I have outlined in considering what constitutes “reasonable grounds”, that being that compelling and credible information establishing an evidentiary foundation beyond mere suspicion, and the

² *Scott*, paragraph 80.

³ *Scott*, at paragraph 74, quoting from the decision of the inquiry committee.

“prima facie” case standard approved of by the Court of Appeal in *Scott*, which requires that the evidence, if believed, is complete and sufficient to justify action necessary to protect the public. I note that the consideration remains a “provisional” assessment of the evidence.

73. In my view, the approach set out in *Scott* remains effective and appropriate in determining whether to issue an order under section 45(2), such that I must consider the following questions in making a determination under section 45 in this case:
- a. Are there reasonable grounds that support 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?

74. I turn to a consideration of the above noted questions.

Are there reasonable grounds that support a conclusion that Mr. Kuras has committed professional misconduct or conduct unbecoming a licensee as contemplated by section 43(1) of RESA?

75. I find that there are reasonable grounds to conclude that Mr. Kuras has 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.

76. On a provisional basis, I find the evidence before me to establish that Mr. Kuras has failed to or refused to cooperate with a BCFSA investigation by breaching section 37(4) of RESA and section 21 of the Rules.

77. Section 37 of RESA provides as follows:

Investigations of licensees

- 37** (1) The superintendent may conduct an investigation to determine whether a licensee may have committed professional misconduct or conduct unbecoming a licensee.
- (2) [Repealed 2021-2-59.]
- (3) For the purposes of an investigation, the superintendent may do one or more of the following:
- (a) at any time during business hours, inspect and remove or copy records that are located on the business premises of
 - (i) a licensee or former licensee, or
 - (ii) an officer, director, controlling shareholder or partner of a licensee or former licensee;
 - (b) require a person referred to in paragraph (a) to
 - (i) answer, or meet with the superintendent to answer, inquiries relating to the investigation, and
 - (ii) produce information, records or other things in the person's possession or control for examination by the superintendent.
- (4) A person referred to in subsection (3) (a) must not withhold, destroy, conceal or refuse to provide any information or thing reasonably required for the purposes of an investigation under this section.

78. Section 21 of the Rules provides that a licensee must respond promptly to any inquiry addressed to the licensee by the superintendent, with the licensee's response required to be in writing, and a date no later than the date set by the superintendent.

79. The evidence before me on this application indicates that Mr. Kuras received a further letter from BCFSA on October 6, 2025, which included an indication of an increased scope of investigation into Mr. Kuras's activities in light of a new complaint, that the investigation was being conducted

pursuant to section 37 of RESA, and that required that Mr. Kuras provide the following information and documents by October 20, 2025:

- A detailed statement of his involvement in conducting property management services, outlining all addresses of properties that he is, or had been, involved in managing since January 2025;
- Copies of all property management agreements he had processed since January 2025;
- Copies of all residential tenancy agreements he had processed since January 2025;
- Records of payments received for his involvement in property management services;
- A detailed statement of whether he was utilizing any assistants or employees, including family members, that were assisting him in his real estate activities.

80. That October 6, 2025 letter specifically noted that Mr. Kuras was required to provide a fulsome response to the letter, and referred to section 37 of RESA as well as section 21 of the Rules, and noted that a failure or refusal to cooperate with an investigation may constitute misconduct by a licensee pursuant to section 35(1)(e) of RESA.
81. The October 22, 2025 non-compliance warning letter repeated the requests for information from the October 6, 2025 letter, as well as requested various banking information from Mr. Kuras and his associated company Metrovan, and also re-issued the requests for the information identified as outstanding in *Kuras (Re)*, which were items 5 through 10 from the April 9, 2025 request letter. BCFSa indicated in the October 22, 2025 non-compliance warning letter that all of the items listed as outstanding in that letter were due, and to be provided to BCFSa by November 5, 2025.
82. Mr. Kuras did reply to the October 22, 2025 non-compliance warning letter on November 5, 2025, however, the majority of Mr. Kuras's reply set out his position that he had an active right of appeal with respect to the decision in *Kuras (Re)*, that the further requests set out in the October 22, 2025 non-compliance warning letter related directly to matters he intended to appeal in relation to *Kuras (Re)*, and that as a result that he would "respectfully reserve my position and defer any additional production or response until the FST has issued direction on these matters." Mr. Kuras went on to provide that his view was that the requests in the October 22, 2025 non-compliance warning letter were duplicative and simply expanded upon the bank records demand first made in the April 9, 2025 request letter from BCFSa.
83. Mr. Kuras did provide responses to two of the requests set out in the October 22, 2025 non-compliance warning letter, in that he indicated that documents relating to his property management clients were maintained by his current and past brokerages, and that he therefore did not have custody or control over those records. Mr. Kuras further indicated that he did not have independent property-management files outside of the brokerage structure, and that he had not conducted property management services other than through a licensed brokerage. Finally, Mr. Kuras provided a response to the question of assistants or family members being involved in real estate activities, indicating that he did not employ or utilize any unlicensed individuals to provide real estate services.
84. On a provisional basis, I consider it to be clear from Mr. Kuras's November 5, 2025 response that he is intentionally withholding, concealing, or refusing to provide information or things reasonably required for the investigation as contemplated by section 37(4).
85. I begin with Mr. Kuras's failure to respond to the requests in the October 22, 2025 non-compliance warning letter that he provide responses to what were previously described as items five through 10 of the April 9, 2025 request letter. I note that on a provisional basis I agree with the findings of the Hearing Officer in *Kuras (Re)*, and am of the view that the information before me establishes an evidentiary foundation that in failing to provide those responses once again in his response to the October 22, 2025 non-compliance warning letter, Mr. Kuras can be seen to again be in breach of section 37(4) of RESA, and therefore to have committed professional misconduct as contemplated by section 35(1)(e).

86. In reaching that conclusion, I acknowledge that Mr. Kuras claims that he has a right to appeal the decision in *Kuras (Re)*, and that any further proceedings in respect of the requests addressed in that decision should not occur until he has exercised that right of appeal, and potentially a subsequent judicial review.

87. I do not agree. I note that the right to an appeal of an order of the superintendent to the FST is a statutory right, as set out at section 54 of RESA. That section provides that:

54 (1) Appeals to the financial services tribunal may be made as follows:

- a) the applicant may appeal a refusal to issue a licence;
- b) the licensee affected may appeal the imposition of restrictions and conditions on a licence under section 15 (2) (a) [*conditions and restrictions in relation to a specific licence — issuance or renewal*];
- c) the licensee affected may appeal the cancellation or suspension of a licence under section 24 [*cancellation or suspension if qualifications not met*];
- d) [Repealed 2021-2-78.]
- e) the person subject to the order may appeal an order of the superintendent under Division 2 [*Discipline Proceedings Relating to Licensees*] or Division 3 [*Investigations and Proceedings Relating to Unlicensed Activity*] of this Part.

88. Administrative penalties, which are issued by the superintendent pursuant to Division 5 of Part 4 of RESA, are not listed as being appealable to the FST. As a result, I do not consider that Mr. Kuras's argument that he has a statutory right of appeal to be correct.

89. Similarly, while Mr. Kuras may bring an application for judicial review of the decision in *Kuras (Re)*, I do not consider that a potential judicial review serves to create a stay of the application of that decision, or would justify Mr. Kuras's ongoing refusal to answer questions posed to him in the course of the investigation into his alleged misconduct. Even if Mr. Kuras brought a judicial review, and the court stayed the decision in *Kuras (Re)*, that would only stay the enforcement of the penalty amount.

90. While section 57(7)(a) of RESA sets out that if an administrative penalty has been imposed under section 57, "no further proceedings may be taken under this Part in respect of the matter, other than to enforce the terms of the penalty", I do not view the request issued in the October 22, 2025 non-compliance warning letter that Mr. Kuras provide responses to requests 5 through 10 of the April 9, 2025 request letter, and the fact that BCFSA has now brought this application in relation, at least in part, to Mr. Kuras's failure to provide those responses, to be "further proceedings taken under this Part in respect of the matter".

91. Rather, I consider that in requesting that Mr. Kuras provide responses to those items in the October 22, 2025 non-compliance warning letter, BCFSA has issued a new demand, and thereby created a new matter.

92. In my view, section 57(7)(a) cannot properly be read to mean that after issuing an administrative penalty the superintendent has no further ability to pursue an investigation into a matter. Such an interpretation would mean that it would be open to licensees to ignore investigatory requests, await the imposition of an administrative penalty, pay the same, and then take the position that they can no longer be investigated on that topic. I consider that such an interpretation of section 57(7)(a) would be contrary to the purposive and remedial understanding of that section as required by the modern principled approach to statutory interpretation: *Re Rizzo & Rizzo Shoes Ltd*, 1998 CanLII 837 (SCC) at para 21.

93. In his November 5, 2025 response to BCFSA, Mr. Kuras provided none of the banking information requested by BCFSA in the October 22, 2025 non-compliance warning letter. Mr. Kuras simply took the position that these requests were duplicative or expansions of the requests for banking information first raised in the April 9, 2025 request letter, and indicated that those matters “are currently under appeal in File #25-5816”⁴.
94. Once again, I do not consider there to be a statutory right of appeal from the decision in *Kuras (Re)*, nor did Mr. Kuras provide BCFSA with any information in his November 5, 2025 response which would in fact indicate that he had in fact brought, or attempted to bring an appeal of that decision.
95. I acknowledge, in making that finding, that [Investigator 1] indicates in her affidavit that on November 14, 2025 that Mr. Kuras emailed BCFSA a “filled-out Notice of Appeal form to the FST with attachments of 324 pages”, purporting to appeal *Kuras (Re)*. [Investigator 1] further indicated, however, that Mr. Kuras did not provide any information to show that the “filled-out Notice of Appeal” had been submitted to the FST. Further, [Investigator 1], indicated that as of the swearing of her affidavit that Mr. Kuras had still not provided the documents and information requested in the October 22, 2025 non-compliance warning letter, leading me to the conclusion that Mr. Kuras did not provide the required documents and information in his “filled-out Notice of Appeal”.
96. In any event, I consider it to be clear that the requests for banking information set out in the October 22, 2025 non-compliance warning letter are new requests as compared to the outstanding requests from *Kuras (Re)*. It would appear to be clear that Mr. Kuras would have the information requested in that October 22, 2025 non-compliance warning letter, including bank account statements for bank accounts held by him, bank account numbers held by Metrovan and associated with Metrovan, and any other bank accounts that have received money in relation to the rental and/or subleasing of real estate. Mr. Kuras provided no substantive response to the requests for that information, and I consider, on a provisional basis, in failing to do so Mr. Kuras can be seen to be withholding, concealing, or refusing to provide information that is reasonably required for the purposes of an investigation. Once again, this is a breach of section 37(4) of RESA and would constitute professional misconduct pursuant to section 35(1)(e) of RESA.
97. Finally, I also consider the evidence before me to show, on a provisional basis, that Mr. Kuras did not, in his November 5, 2025 response, provide a detailed statement of his involvement in conducting property management services. Mr. Kuras did not provide any information outlining all of the addresses of the properties that he was or had been involved in managing since January 2025, nor did he provide any names of owners or tenants associated with properties he managed. I consider, on a provisional basis, that Mr. Kuras’s failure to respond to that request can once again be seen to be withholding, concealing, or refusing to provide information that is reasonably required for the purposes of an investigation. This breach of section 37(4) would also constitute professional misconduct pursuant to section 35(1)(e).
98. Having consideration to all of the above, I am satisfied, on a provisional basis, that there are reasonable grounds to conclude that Mr. Kuras is and has continued to be in breach of section 37(4) of RESA, and therefore has engaged in professional misconduct in respect of which an order could be made under section 43.

Are the circumstances of the case urgent, such that the public must be protected by the issuing of an interim order?

99. For an interim order to be necessary for the protection of the public, I must be satisfied that there is a real risk to the public if an order is not made. It is not enough that an order is merely

⁴ #25-5816 is the file number associated with the decision in *Kuras (Re)*.

desirable in the circumstances, consideration must be given to the seriousness of the allegation, the nature of the evidence, and the likelihood of the alleged conduct being repeated if an interim order is not imposed: *Martel (Re)*, 2023 BCRMB 6 (CanLII), at para. 65.

100. BCFSA submits that it has expended an inordinate amount of resources in attempting to investigate Mr. Kuras. It takes the position that Mr. Kuras has engaged in delaying conduct, and that even the step of issuing administrative penalties has been ineffective in getting Mr. Kuras to comply with the investigatory process.

101. In BCFSA's submission:

47. ... The time it takes to bring this matter to a discipline hearing is not only in itself detrimental to the public interest, as it allows Mr. Kuras to continue his professional misconduct, but it also has a direct effect on delaying the underlying investigation into ongoing activity that is causing harm to the public and a real risk to continue to cause harm to the public.

48. Investigations are an integral part of the regulator being able to protect the public. The regulator cannot fulfill its statutory duty to protect the public if licensees do not comply with requests for documents and information in furtherance of those investigations. Delaying those investigations is detrimental to the public interest.

102. As set out above, I consider there to be clear reasonable grounds upon which to conclude that Mr. Kuras has engaged in professional misconduct through his failure to comply with the requirements of section 37(4). I consider the information before me to indicate that Mr. Kuras's actions have essentially thwarted further or complete investigation into his activities related to property management (and whether he was conducting unlicensed property management activity) and alleged sub-leasing of properties.

103. In summary, BCFSA is attempting to investigate matters which have had, and may be continuing to have, a direct harmful effect on the public. These matters include alleged sub-leasing of properties by Mr. Kuras which have allegedly led to those tenants receiving monetary fines and suffering damages in the form of property damage and lost rental revenue. In addition, there appear to be allegations of the provision of rental property management services through an unlicensed company or companies. As noted above, [Investigator 1] termed the allegations against Mr. Kuras as being related to "deceptive dealing".

104. My ability to determine the urgency of addressing the potential issues under investigation is limited by the fact that there is no clear information before me to indicate whether there are current and ongoing allegations of potential professional misconduct involving members of the public, or conduct unbecoming in respect of the deceptive dealing. I note, in setting out the above, that it strikes me that the likely reality of this case is that the lack of information in respect of potential urgency in addressing concerns regarding Mr. Kuras's alleged deceptive dealing and property management services is directly related to the fact that, as I have found, there are reasonable grounds to believe that Mr. Kuras is withholding, concealing, or refusing to provide information or things reasonably required for the purposes of BCFSA's investigation into those matters.

105. In sum, I consider that Mr. Kuras's ongoing failure to comply with section 37(4) and the effect that has on the overall investigation into Mr. Kuras's activities has created a situation in which it would be detrimental to the public interest to wait to complete an investigation (which has been ongoing for nearly 11 months with little success in obtaining the information sought from Mr. Kuras) or to hold a discipline hearing, prior to issuing an order against Mr. Kuras in respect of the investigatory requests that have been made of him.

106. I note in reaching this conclusion that it is relatively clear that Mr. Kuras does not intend to comply with the requirements of section 37(4) in respect of his responses to the investigation at any time in the near future. Rather, I took Mr. Kuras's November 5, 2025 response to BCFSA to effectively suggest that he would not be responding to BCFSA's investigatory requests until he had exercised all of his potential appeal and judicial review options. In my view, it would be detrimental to the public interest to allow Mr. Kuras to stall the progress of the investigation, based on Mr. Kuras's position in that regard.
107. The outstanding question is whether it is necessary to issue an interim order in urgent circumstances in order to ensure that the public interest is protected.
108. BCFSA seeks both an immediate suspension of Mr. Kuras's licence pursuant to section 45(2)(a), as well as an order pursuant to section 45(2)(c) that Mr. Kuras deliver up all requested records.
109. As I have indicated above, I consider it to be unclear, on the evidence before me, that to allow Mr. Kuras to continue to be licensed would create a risk to the public which must be dealt with on an immediate basis. Simply put, the evidence before me at this stage does not, in my view, demonstrate clearly that Mr. Kuras is currently engaged in activities such as deceptive dealing or other types of professional misconduct that may be directly and currently harming the public.
110. I acknowledge that there is some evidence in the complaints against Mr. Kuras, from 2022, 2023, and 2024, which indicate that Mr. Kuras was engaged in sub-letting of properties as short term rentals without the consent of the complainants. However, the most recent of those complaints is dated to July 2024. The complaint referenced by BCFSA in 2025 does not refer to the type of "deceptive dealing" activities that the previous complaints do.
111. As a result, I find it to be unclear that there is an urgent need, at this stage, to protect the public by issuing an order which would suspend Mr. Kuras's licence.
112. I do, however, consider that there is ongoing harm to the public being created by Mr. Kuras's ongoing refusal to provide the information that is required for BCFSA to fully conduct its investigation into his activities, and a real risk that in allowing him to continue that refusal, may also serve to allow him to continue to engage in the types of activities complained of in the complaints received by BCFSA. I am satisfied that the length of time that would be required to hold a discipline hearing on Mr. Kuras's alleged breach of section 37(4), in order to make an order under section 43(2)(e) of RESA requiring that Mr. Kuras provide the information that has been sought by BCFSA investigators, would be detrimental to the public interest, and that is in the public interest to make an urgent order against Mr. Kuras in that regard.
113. Mr. Kuras's lack of compliance with BCFSA's investigatory requests has left BCFSA in a situation in which there is essentially a lack of knowledge as to what is, or has, in fact been occurring with respect to Mr. Kuras's activities. It may be that Mr. Kuras is engaged in ongoing practices that could be described, as [Investigator 1] did in her affidavit, as "deceptive dealing". It may not. It may be that Mr. Kuras has or is engaged in rental property management services through unlicensed companies. It may not. I consider the requests from BCFSA investigators to Mr. Kuras will serve to provide at least some insight into to those questions. In my view, it would clearly be detrimental to the public interest to force the regulator, and therefore the public, to remain in limbo regarding the questions of the type of activities Mr. Kuras is or has been engaged in, while Mr. Kuras seeks to delay the investigatory process further. This creates, in my view, a clear risk to the public.
114. Simply put, the protection of the public requires that BCFSA be able to complete its investigation into the allegations against Mr. Kuras, and to do so in a more timely fashion than has occurred to date. I agree with the submission of BCFSA that requiring licensees to respond in a timely and

compliant manner to requests for documents and information to further an investigation is necessary to ensure the protection of the public.

115. As noted above, it has already been 11 months since this investigation began. To date, BCFSA has been largely unsuccessful in obtaining from Mr. Kuras the information that it is seeking. As set out above in my summary of the complaints received by BCFSA, this is a case in which there were claimed harms by members of the public, and where there is potential for ongoing harm if some action is not taken by the superintendent. In my view, having considered all of the circumstances and the potential for ongoing harm to the public, it would be detrimental to the public interest to wait to hold a discipline hearing prior to issuing an order under section 45(2).
116. I find the inability of BCFSA to obtain compliance from Mr. Kuras in respect of his obligations under section 37(4) of RESA, despite the issuance of multiple requests, non-compliance warning letters, and administrative penalties, suggests that the most effective way of obtaining compliance from Mr. Kuras and to enable BCFSA to complete the investigation that it is attempting to complete, would be to make an order under section 45(2)(c) of RESA that Mr. Kuras deliver up all requested records as follows:
- a. Bank account statement records of funds transferred and received covering the period January 1, 2023 to April 1, 2025, for the following accounts:
 - i. Mr. Kuras' account at [Bank 1] #[redacted]
 - ii. Mr. Kuras' account at [Bank 1] for your member ID #[redacted]
 - iii. Any bank account associated with your company Metrovan Rent Disbursement Ltd. [Incorporation Number: BC1486654]
 - iv. Any bank account associated with admin@metrovanrealty.ca
 - v. Any bank account associated with matt@metrovanrealty.ca
 - vi. Any bank account associated with your website www.metrovanrealty.ca
 - vii. Any other bank accounts that have received money in relation to the rental and/or subleasing of real estate
 - b. A list of any additional properties not covered in the April 14, 2025 interview that Mr. Kuras leased and subsequently sub-leased between January 1, 2021 and today;
 - c. Contact details, including full name, phone numbers and email addresses for each party that Mr. Kuras subleased properties to with corresponding addresses and duration of sublease;
 - d. Sublease agreements for each party that Mr. Kuras subleased his tenancies to;
 - e. Copies of all payments made to Mr. Kuras by all of the parties that he subleased his tenancies to;
 - f. Mr. Kuras's CRA T1 General Tax Form for tax years 2021, 2022, 2023 and 2024; and
 - g. Mr. Kuras's CRA Notices of Assessment for tax years 2021, 2022, 2023, 2024.
117. I note, in reaching the conclusion that the above order is necessary to protect the public interest, I do not consider this is a case in which I am simply concluding that an order would be desirable in the circumstances. Rather, I consider that there are serious allegations against Mr. Kuras, that there is some evidence supporting those allegations, and that without an order being issued requiring Mr. Kuras to provide the information requested by investigators, there is a sufficient degree of likelihood that the alleged conduct would be repeated.

Additional Comment

118. While I have determined that this matter was not of sufficient urgency to issue a suspension of Mr. Kuras's licence at this time, I also consider that if Mr. Kuras continues to refuse to comply with the orders set out below regarding the provision of information to the BCFSA investigation, it would be open to BCFSA to bring a further application, either with or without notice, for the suspension of Mr. Kuras's licence.

119. I note further that a discipline hearing into Mr. Kuras's refusal to comply with section 37(4) could also be brought, and that pursuant to section 40 of RESA, that hearing could take place with 21 days of notice to Mr. Kuras. Given that a discipline hearing could be held within a relatively short period of time, I consider the urgency for a suspension order is limited at this time.

Conclusion

120. I find there are reasonable grounds to believe that Mr. Kuras has engaged in professional misconduct as contemplated by section 43(1) of RESA, and that the circumstances of the case are such that the public must be protected by an interim order. As a result I order, pursuant to section 45(2)(c) of RESA, that within 10 days:

- Matthew Honorius Kuras deliver up all requested records, as follows:
 - a. Bank account statement records of funds transferred and received covering the period January 1, 2023 to April 1, 2025, for the following accounts:
 - i. Mr. Kuras' account at [Bank 1] #[redacted]
 - ii. Mr. Kuras' account at [Bank 1] for your member ID #[redacted]
 - iii. Any bank account associated with your company Metrovan Rent Disbursement Ltd. [Incorporation Number: BC1486654]
 - iv. Any bank account associated with admin@metrovanrealty.ca
 - v. Any bank account associated with matt@metrovanrealty.ca
 - vi. Any bank account associated with your website www.metrovanrealty.ca
 - vii. Any other bank accounts that have received money in relation to the rental and/or subleasing of real estate
 - b. A list of any additional properties not covered in the April 14, 2025 interview that Mr. Kuras leased and subsequently sub-leased between January 1, 2021 and today;
 - c. Contact details, including full name, phone numbers and email addresses for each party that Mr. Kuras subleased properties to with corresponding addresses and duration of sublease;
 - d. Sublease agreements for each party that Mr. Kuras subleased his tenancies to;
 - e. Copies of all payments made to Mr. Kuras by all of the parties that he subleased his tenancies to;
 - f. Mr. Kuras's CRA T1 General Tax Form for tax years 2021, 2022, 2023 and 2024; and
 - g. Mr. Kuras's CRA Notices of Assessment for tax years 2021, 2022, 2023, 2024.

121. Mr. Kuras may, pursuant to section 45(6) of RESA, require a discipline hearing to be held in this matter by delivering written notice to the superintendent, or may apply to vary or rescind the above order. The superintendent may also vary or rescind the above order on his own initiative.

122. Pursuant to section 54(1)(e) of RESA, Mr. Kuras has the right to appeal the above order to the Financial Services Tribunal within 30 days from the date of this decision: *Financial Institutions Act*, section 242.1(7)(d), and *Administrative Tribunals Act*, section 24(1).

Issued at Kelowna, British Columbia, this 27th day of November, 2025.

“Original signed by Andrew Pendray”

Andrew Pendray
Senior Hearing Officer

BC FINANCIAL SERVICES AUTHORITY

IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*

SBC 2004, c 42 as amended

AND

IN THE MATTER OF

MATTHEW HONORIUS KURAS

(149545)

ORDER IN URGENT CIRCUMSTANCES

Upon reading the sworn Affidavit of [Investigator 1], Senior Investigator, employed by BC Financial Services Authority (“**BCFSA**”), and upon hearing the submissions of Simon Adams, 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 Matthew Honorius Kuras (“**Mr. Kuras**”) in respect of which the Superintendent of Real Estate (the “**Superintendent**”) could make an order under section 43 of the RESA;
2. the length of time required to complete an investigation or hold a discipline hearing, or both, would be detrimental to the public interest; and
3. it is in the public interest to make an order under section 45 of the RESA against Mr. Kuras; and

THEREFORE, I ORDER:

1. under section 45(2)(c) of the RESA, that Mr. Kuras provide bank account statement records of funds transferred and received covering the period January 1, 2023 to April 1, 2025, for the following accounts:
 - a. Mr. Kuras’ [Bank 1] account number [redacted];
 - b. Mr. Kuras’ [Bank 1] account for member ID #[redacted];
 - c. Any bank account associated with Metrovan Rent Disbursement Ltd [Incorporation Number: BC1486654];
 - d. Any bank account associated with admin@metrovanrealty.ca;
 - e. Any bank account associated with matt@metrovanrealty.ca;
 - f. Any bank account associated with www.metrovanrealty.ca; and
 - g. Any other bank accounts that have received money in relation to the rental and/or subleasing of real estate,
2. under section 45(2)(c) of the RESA, that Mr. Kuras provide the following documents to BCFSA:
 - a. A list of any additional properties not covered in the April 4, 2025 interview that Mr. Kuras leased and subsequently subleased since January 1, 2021;

- b. Contact details, including full name, phone numbers and email addresses for each party that Mr. Kuras subleased properties to with corresponding addresses and duration of sublease;
- c. Sublease agreements for each party that Mr. Kuras subleased his tenancies to;
- d. Copies of all payments made to Mr. Kuras by all of the parties that he subleased his tenancies to;
- e. Mr. Kuras' CRA T1 General Tax Form for tax years 2021, 2022, 2023 and 2024; and
- f. Mr. Kuras' CRA Notices of Assessment for tax years 2021, 2022, 2023, 2024.

with immediate effect and until such time as further order is made by the Superintendent or a court.

TAKE NOTICE that Mr. Kuras may, pursuant to section 45(6) of the RESA, require a discipline hearing to be held by delivering written notice to the Superintendent at BCFSA's office: Suite 900, 750 West Pender, Vancouver, British Columbia, V6C 2T8.

This Order is made on November 27, 2025, at Kelowna, British Columbia.

FOR BC FINANCIAL SERVICES AUTHORITY

"Original signed by Andrew Pendray"

Andrew Pendray
Senior Hearing Officer