

CITATION: Twarog (Re), 2026 BCSRE 93

Date: 2026-03-13

File # 24-5194

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

**LESTER TWAROG
(039863)**

CONSENT ORDER

[This Order has been redacted before publication.]

RESPONDENT: Lester Twarog, Trade Services Representative, Crest Realty Ltd. dba
RE/MAX Crest Realty

DATE OF CONSENT ORDER: March 13, 2026

COUNSEL: Catherine Davies, Senior Legal Counsel for the BC Financial Services
Authority
Vic S. Mann, Legal Counsel for the Respondent

PROCEEDINGS:

On March 13, 2026, the Superintendent of Real Estate (the "Superintendent"), or the Superintendent's authorized delegate, of BC Financial Services Authority ("BCFSA") accepted the Consent Order Proposal (the "Proposal") submitted by Lester Twarog ("Mr. Twarog").

WHEREAS the Proposal, a copy of which is attached hereto, has been executed by Mr. Twarog.

NOW THEREFORE, having made the findings proposed in the attached Proposal, and found that Mr. Twarog committed professional misconduct within the meaning of section 35(1)(a) the *Real Estate Services Act* ("RESA") and sections 30(a), 34, and 41 of the *Real Estate Services Rules* (the "Rules"), pursuant to section 43 of the RESA the Superintendent orders that:

1. L. Twarog pay a discipline penalty to BCFSA in the amount of \$20,000 within a time frame as directed by BCFSA.

2. L. Twarog, at their own expense, register for and successfully complete the Real Estate Trading Services Remedial Education Course, as provided by the Sauder School of Business at the University of British Columbia in the time period as directed by BCFSAs; and
3. L. Twarog pay enforcement expenses to BCFSAs in the amount of \$1,500 within a timeframe as directed by BCFSAs.

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

Dated this 13th day of March, 2026 at the City of Vancouver, British Columbia.

Superintendent of the BC Financial Services Authority

“Original signed by Jonathan Vandall”

Jonathan Vandall
Delegate of the Superintendent of Real Estate
Province of British Columbia

Attch.

File # 24-5194

BC FINANCIAL SERVICES AUTHORITY**IN THE MATTER OF THE REAL ESTATE SERVICES ACT
SBC 2004, c 42 as amended****IN THE MATTER OF****LESTER TWAROG
(039863)****CONSENT ORDER PROPOSAL BY LESTER TWAROG****BACKGROUND AND FACTS**

This Consent Order Proposal (the "Proposal") is made by Lester Twarog to the Superintendent of Real Estate (the "Superintendent") of the BC Financial Services Authority ("BCFSA") pursuant to section 41 of the *Real Estate Services Act* ("RESA").

For the purposes of the Proposal, Lester (aka Les) Twarog and the Superintendent have agreed upon the following facts:

1. Lester (aka Les) Twarog (039863) ("Mr. Twarog") has been licensed as a trading services representative since February 21, 1988.
2. At all material times, Mr. Twarog was licensed as a trading services representative with Crest Realty Ltd. / RE/MAX Crest Realty ("ReMax"), where he remains licensed.
3. On August 30, 2021, Mr. Twarog was engaged to act as a designated agent to market and sell six rural lots located north of Sicamous, BC with PID #[redacted] and identified on BC Assessment as "[Development 1]" (the "Development").
4. The owner of the Development was [Company 1], a company incorporated under the law of Alberta with a registered and records office at [Property 1], Edmonton, Alberta (the "Developer").
5. The Developer became incorporated in or about 2004 solely for the purpose of facilitating a loan to the original developer, [Developer 1] ("[Developer 1]"). [Developer 1] defaulted on its loan, and on November 6, 2013, the Developer became the registered owner of the Development.
6. On August 31, 2021, Mr. Twarog listed all six lots comprising the Development separately on MLS.
7. The MLS listing for each lot of the Development stated, under the "Remarks" section:

Waterfront and Road Access Current access by boat that takes 20 mins from Sicamous or 1 hour via forestry road that is on Google Maps. Approximately 20KMs North of Sicamous. Not accessible by road in the wintertime – road is not plowed.
8. None of the lots in the Development had road access as stated in the MLS listing, but water access only.

9. Prior to his engagement as designated listing agent, in or about July 2021, Mr. Twarog visited and viewed the Development via a forestry road, leading to his belief that the Development had both water and road access.
10. While viewing the Development in July 2021, he met with a representative of the Developer and told the representative that a disclosure statement needed to be filed. The Developer's representative assured him that it would be taken care of. As the Development constituted a "development property" within the meaning in the *Real Estate Development Act* ("REDMA"), a disclosure statement needed to be filed in accordance with sections 3 and 14 of REDMA.
11. Mr. Twarog did not follow up with the Developer on the status of the filing of a disclosure statement prior to listing the Development and commencing marketing.
12. In addition to listing the Development on MLS, Mr. Twarog marketed the development on a website [Website 1].
13. In early October, Mr. Twarog became aware that there was an issue with road access to the Development. He sought clarification from the Developer and/or the Developer's legal counsel.
14. On November 5, 2021, the Developer entered into a contract for purchase and sale of Lot 4. At that time, no disclosure statement had yet been filed by the Developer.
15. The transaction closed on December 14, 2021. No disclosure statement had been filed or provided to the buyer of Lot 4 prior to closing.
16. Towards the end of November 2021, the Developer realized that no disclosure statement had been filed.
17. On December 3, 2021, the Developer entered into a contract of purchase and sale of Lot 5. At that time, no disclosure statement had yet been filed by the Developer.
18. On December 17, 2021, the listings of all remaining properties of the Development were cancelled pending the filing of a disclosure statement, and the sale of Lot 5 did not proceed.
19. On December 18, 2021, BCFSA received a complaint from [Complainant 1], managing broker of [Brokerage 1] in relation to Mr. Twarog's listing of the Development, noting that there was no disclosure statement in place and that the listing noted road access when there was none.
20. On March 24, 2022, the Developer filed a disclosure statement with the Superintendent.
21. On March 29, 2022, the Developer and the previous prospective buyer of Lot 5 entered into a contract of purchase and sale respecting Lot 5, which transaction completed on May 12, 2022.
22. In Spring 2022, in an effort to resolve the issue of road access to the Development, the Developer communicated with representatives of a strata community, [Strata 1], also known as "[Group 1]," located south of the Development (the "Strata"). The Strata had road access through an easement [redacted] (the "Easement") registered on title. The Developer requested access to the Easement through the Strata, but the Strata denied the Developer's request.
23. Upon this denial, Mr. Twarog revised the advertising and marketing of the Development to reflect lack of road access to the Development.
24. Lots 1, 2, and 3 were sold between May 2022 and October 2023.

25. A notice of disciplinary hearing issued July 22, 2025 was served on Mr. Twarog.
26. In August 2025, Mr. Twarog became listing agent of a co-listing of Lot 6 together with a property located adjacent to and east of the Development known as "Lot A." Lot A had road access through the Easement. The MLS co-listing description stated:

Rare opportunity to own 223 acres with both waterfront and road frontage on the east side of [redacted], Sicamous, BC. This exceptional offering includes two properties sold together: Lot A (190.06 acres) and Lot 6 (33 acres).
27. In October 2025, the Strata notified BCFSAs of its concerns with the advertising of Lot 6 and Lot A with respect to the issue of road access.
28. Following discussions with the Strata, Mr. Twarog revised the listing description to clarify the issue of water and road access to each respective lot as follows:

Rare opportunity to own 223 acres on the east side of [redacted] Sicamous, BC. This exceptional offering includes two titles sold together: Lot A [190.06 acres, with road access] and Lot 6 (33 acres, water access only)."
29. An amended notice of discipline hearing issued December 3, 2025 was served on Mr. Twarog.
30. Mr. Twarog has disciplinary history with BCFSAs's predecessor, the Real Estate Council of BC ("RECBC"), as follows:
 - a. In 2008, following a discipline hearing, Mr. Twarog was found to have committed professional misconduct when he failed to make inquiries to discover whether permits were obtained to renovate units purchased by his buyer client. He also permitted his unlicensed assistant to perform duties for which a license is required. His licence was suspended for 14 days and he was ordered to complete remedial education and pay enforcement expenses.
 - b. On January 5, 2012, Mr. Twarog signed a consent order where he admitted to professional misconduct when he failed to use reasonable efforts to discover that a storage locker assigned to a strata unit purchased by his buyer client was under a lease and not included with the unit. He agreed to pay a discipline penalty of \$5,000, complete remedial education, and pay enforcement expenses.
 - c. In 2010 and 2015, Mr. Twarog was issued administrative penalties each in the amount of \$250 in relation to contraventions of advertising.

PROPOSED FINDINGS OF MISCONDUCT

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

1. Mr. Twarog committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that when acting as designated agent for his developer client who was the registered owner and seller of six (6) lots comprising a development in the northeast arm of Shuswap Lake, BC (the "Development"), he:

- a. marketed the Development for sale by listing for sale each of the six lots of the Development on September 1, 2021 without a disclosure statement having been prepared and filed with BCFSa in accordance with sections 3 and 14 of the *Real Estate Development Act* (“REDMA”), contrary to section 30(a) [act in the best interests of the client] and section 34 [act with reasonable care and skill] of the *Real Estate Services Rules* (the “Rules”);
- b. failed to ensure that the Developer provided to the purchaser of a property described as “Lot 4” of the Development a copy of a disclosure statement prior to entering into a purchase agreement dated November 5, 2021 in accordance with section 15 of REDMA, contrary to section 30(a) [act in the best interests of the client] and section 34 [act with reasonable care and skill] of the Rules;
- c. failed to ensure that the Developer provided to the purchaser of a property described as “Lot 5” of the Development a copy of a disclosure statement prior to entering into a purchase agreement dated December 3, 2021 in accordance with section 15 of REDMA, contrary to section 30(a) [act in the best interests of the client] and section 34 [act with reasonable care and skill] of the Rules;
- d. represented that the Development had road access when he knew or ought to have known that the Development had boat or water access only, contrary to section 34 [act with reasonable care and skill] and section 41 [false or misleading advertising prohibited] of the Rules; and
- e. listed and marketed Lot 6 of the Development for sale together with a neighbouring property known as “Lot A” in August 2025 representing that together the properties had water and road access when Lot 6 did not have road access, contrary to section 34 [act with reasonable care and skill] and section 41 [false or misleading advertising prohibited] of the Rules.

PROPOSED ORDERS

Based on the Facts herein and the Proposed Findings of Misconduct, Mr. Twarog proposes that the Notice of Discipline Hearing in this matter be resolved through the following Orders being made by the Superintendent, pursuant to section 43 of the RESA:

1. Mr. Twarog to pay a discipline penalty to BCFSa in the amount of \$20,000 within a time period as directed by BCFSa.
2. Mr. Twarog to register for and successfully complete the Real Estate Trading Services Remedial Education Course as provided by the Sauder School of Business at the University of British Columbia in the time period as directed by BCFSa.
3. Mr. Twarog to pay enforcement expenses to BCFSa in the amount of \$1,500 within a time period as directed by BCFSa.
4. If Mr. Twarog fails to comply with any of the terms of this Order, the Superintendent may suspend or cancel his licence without further notice to him.

ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT

1. Mr. Twarog acknowledges and understands that the Superintendent may be accept or reject the Proposal. If the Proposal is rejected by the Superintendent, the matter may be referred to a disciplinary hearing.
2. Mr. Twarog acknowledges that he has been urged and given the opportunity to seek and obtain independent legal advice with respect to the disciplinary process, the allegations contained in the Notice of Discipline Hearing, and the execution and submission of the Proposal to the Superintendent; and, that he has obtained independent legal advice or has chosen not to do so, and that he is making the Proposal with full knowledge of the contents and the consequences if the Proposal is accepted.
3. Mr. Twarog acknowledges and is aware that BCFSA will publish the Proposal and the Consent Order or summaries thereof on BCFSA's website, on CanLII, a website for legal research and in such other places and by such other means as BCFSA in its sole discretion deems appropriate.
4. Mr. Twarog hereby waives his right to appeal pursuant to section 54 of the RESA.
5. If the Proposal is accepted and/or relied upon by the Superintendent, Mr. Twarog will not make any public statement(s) inconsistent with the Proposal and its contents. Nothing in this section is intended to restrict Mr. Twarog from making full answer and defence to any civil or criminal proceeding(s).
6. The Proposal and its contents are made Mr. Twarog for the sole purpose of resolving the Notice of Discipline Hearing in this matter and do not constitute an admission of civil liability. Pursuant to section 41(5) of the RESA, the Proposal and its contents may not be used without the consent of Mr. Twarog in any civil proceeding with respect to the matter.

"Original signed by Lester Twarog"

Lester Twarog

Dated 8th day of March, 2026