

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

**Anne Elizabeth SPERLING
(114831)**

NOTICE OF ADMINISTRATIVE PENALTY

[This Notice has been redacted before publication.]

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

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

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

1. Rule: Section 30(i); First contravention: Yes; Penalty: \$5,000 and the licence conditions specified below;

Details: On five occasions, you failed to take reasonable steps to avoid a conflict of interest, contrary to section 30(i) of the Real Estate Services Rules (the Rules). Five distinct instances of conflict occurred, and you produced no evidence that you took any steps to avoid entering dual agency arrangements for the trading of real estate on Lasqueti Island.

Your brokerage office and practice are based in Parksville, and you provide real estate services on Lasqueti Island as part of your service area. During the relevant periods, other brokerages operated in the Parksville area, with licensees who may have been eligible to represent one party to these transactions. In addition, your own brokerage office included other licensees who likewise may have been eligible to represent one party. However, in these five cases, you provided no evidence that you referred the involved parties to another licensee – either at a different brokerage or within your own office – or that you yourself attempted to engage such a licensee, nor did you provide evidence that these alternatives were unavailable or impracticable.

Dual agency exemption determinations are circumstance-specific and cannot be justified through reliance on a blanket exemption, as the relevant considerations are client-, time- and property-specific. In each case, a licensee must take reasonable steps to avoid the explicit conflict of interest concerns created by these transactions, and should proceed only after those steps have been taken and no practicable alternative remains. It is not sufficient to assert that the area is difficult to service.

Where logistics present challenges, one licensee can assume responsibility for showings and property access while another represents the client's financial and legal interests exclusively, supported by a commission-sharing arrangement that reflects the division of work and responsibilities. Notably, in two Lasqueti Island transactions, you had another licensee from your brokerage representing one of the parties. No evidence was provided explaining why comparable arrangements could not have been pursued in the five other instances.

Total administrative penalties:

- \$5,000, and
- Licence conditions:
 - Anne Elizabeth Sperling ("SPERLING") will, on or before August 9, 2026, provide the BC Financial Services Authority with verification, satisfactory to the Superintendent, that SPERLING has successfully completed **the Real Estate Trading Services Licensing Course offered by the Sauder School of Business at the University of British Columbia**.
 - SPERLING may not renew, transfer or amend their licence until the Superintendent has been provided with satisfactory verification that SPERLING has completed the Real Estate Trading Services Licensing Course offered by the Sauder School of Business at the University of British Columbia.

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

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

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

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

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

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

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

Dated this 15th day of May, 2026 at the City of Vancouver, British Columbia.

Superintendent of the BC Financial Services Authority

"Original signed by Raheel Humayun"

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