

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

AND

IN THE MATTER OF

YUKKI LI
(153063)

CONSENT ORDER

RESPONDENT: Yukki Li, Representative, Magsen Realty Inc., while licensed with Century 21 MAX Realty Ltd.

DATE OF REVIEW MEETING: May 17, 2017

DATE OF CONSENT ORDER: May 17, 2017

CONSENT ORDER REVIEW COMMITTEE: R. Holmes, Q.C., Chair
J. Daly
E. Mignosa
T. Styffe
M. Leslie

ALSO PRESENT: E. Seeley, Acting Executive Officer
G. Thiele, Director, Legal Services
Jessica Gossen, Legal Counsel for the Real Estate Council

PROCEEDINGS:

On May 17, 2017 the Consent Order Review Committee ("Committee") resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver ("ASF") submitted by Yukki Li.

WHEREAS the ASF, a copy of which is attached hereto, has been executed by Yukki Li and on behalf of the Council;

NOW THEREFORE, the Committee having made the findings proposed in the attached ASF, and in particular having found that Yukki Li committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act*, orders that Yukki Li:

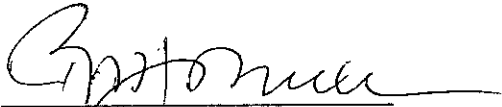
1. be reprimanded;

2. at her own expense, she register for and successfully complete the Real Estate Trading Services Remedial Education Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia within the time period directed by the Council;
3. pay a discipline penalty pursuant to section 44 of the Act in the amount of \$2,500.00 within ninety (90) days from the date of this Consent Order; and
4. pay enforcement expenses pursuant to section 44 of the Act in the amount of \$1,500.00 within sixty (60) days from the date of this Consent Order.

If Yukki Li fails to comply with any term of this Order, the Council may suspend or cancel her licence without further notice to her, pursuant to sections 43(3) and 43(4) of the *Real Estate Services Act*.

Dated this 17th day of May, 2017 at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE



R. Holmes, Q.C., Chair
Consent Order Review Committee

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IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*
S.B.C. 2004, c. 42

IN THE MATTER OF

YUKKI LI
(153063)

AGREED STATEMENT OF FACTS,
PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER

The following agreement has been reached between Yukki Li ("Ms. Li") and the Real Estate Council of British Columbia ("Council").

- A. Ms. Li hereby consents to an Order to be made pursuant to sections 41 and 43 of the *Real Estate Services Act* ("RESA") that:
- a. she be reprimanded;
 - b. at her own expense, register for and successfully complete the Real Estate Trading Services Remedial Education Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia within the time period directed by the Council;
 - c. she pay a discipline penalty pursuant to section 44 of the Act in the amount of \$2,500.00 within ninety (90) days from the date of the Consent Order;
 - d. she pay enforcement expenses pursuant to section 44 of the Act in the amount of \$1,500.00 within sixty (60) days from the date of the Consent Order; and
 - e. if she fails to comply with any of the terms of the Order as set out above, a Discipline Committee may suspend or cancel her licence without further notice to her pursuant to section 43(3) and 43(4) of the RESA.
- B. As a basis for this Order, the Council and Ms. Li acknowledge and agree that the facts set forth herein are correct:
- 1. Ms. Li was at all relevant times licensed as a representative with Century 21 MAX Realty Ltd.
 - 2. Ms. Li's licensing history is as follows:

Brokerage	Licence Level	Licence Category	Strat Date	End Date
Magsen Realty Inc. (Richmond)(X028880)	Representative	Trading	16/07/2015	Present

AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER

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Century 21 MAX Realty Ltd. Representative Trading 29/12/2014 16/07/2015
(X031457)

Sunrich Realty Ltd. Amex Sunrich Representative Trading 16/10/2007 29/12/2014
Realty (X025048)

3. On June 27, 2015 two buyers entered into Pre-Sale Purchase Agreements to purchase pre-sale condominiums located on Ketcheson Road in Richmond (the "Properties"). Ms. Li, while licenced with Century 21 MAX Realty Ltd., acted as the designated agent for both buyers in the transactions.
4. The two Pre-Sale Agreements for the Properties were never provided to Ms. Li's brokerage and Ms. Li's managing broker A.L. was not informed of the real estate services being provided by Ms. Li.
5. On July 16, 2015 Ms. Li transferred her licence to Magsen Realty Ltd. (Richmond).
6. On August 11, 2015 the managing broker for Magsen Realty Ltd. B.Y. prepared a consent agreement to transfer the two Pre-Sale Agreements to Magsen Realty Inc. (Richmond) and forwarded a copy to A.L. for his signature, which A.L. did not sign.
7. Ms. Li's legal counsel states that during the course of these transactions there was a dispute between Ms. Li and A.L. over outstanding loan repayments and rents owed to Ms. Li. The relationship between Ms. Li and A.L. had become increasingly hostile which culminated with Ms. Li selling her shares in the brokerage and initiating a civil proceeding against A.L. Ms. Li's legal counsel asserts that this hostile environment prohibited Ms. Li from providing A.L. and the brokerage a copy of the Pre-Sale Agreements.
8. Ms. Li has no previous discipline history with the Council.

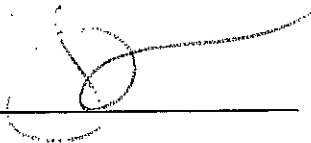
C. Proposed Acceptance of Findings and Waiver

1. Based on the Agreed Statement of Facts herein, and without making any admission of liability, Ms. Li is prepared to accept the following findings if made against her by the Council's Consent Order Review Committee:
 - (a) Yukki Li, committed professional misconduct within the meaning of section 35(1)(a) of RESA by contravening sections 3-2(1)(b) & 3-2(2)(a) of the Rules when she failed to provide trading records to her brokerage and to keep her Managing Broker informed of the real estate services being provided and performed on behalf of the brokerage and, in particular, she failed to promptly provide Pre-Sale Purchase Agreements dated June 27, 2015 in relation to properties at XXX -XXXX Ketcheson Road, Richmond, B.C. and XXX-XXXX Ketcheson Road, Richmond, B.C. to the Managing Broker at the brokerage with which she was licensed at the time of the transaction.
2. Ms. Li hereby waives her right to appeal pursuant to section 54 of the RESA.

AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER

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3. Ms. Li acknowledges that she has been advised that she has the right to seek independent legal advice before signing this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
4. Ms. Li acknowledges and is aware that the Council will publish the Consent Order and penalty herein in its Report from Council newsletter, on the Council's website, and on CanLII, a website for legal research.
5. Ms. Li acknowledges and is aware that the Superintendent of Real Estate has the right, pursuant to section 54 of the RESA, to appeal any decision of the Council, including this Agreed Statement of Facts, Proposed Acceptance of Findings, and Waiver and Consent Order.
6. The Agreed Statement of Facts and Proposed Acceptance of Findings contained herein are made for the sole purpose of resolving a complaint being considered by the Council and for that purpose only. Such agreed statement of facts and proposed acceptance of findings cannot be used in any other proceeding of any kind.



Jessica S. Gossen, Legal Counsel
Real Estate Council of British Columbia

As to Part B only (Agreed Statement
of Facts)

Dated 9 day of March, 2017



Yukki Li

As to Parts A, B, and C, (proposed penalty, Agreed
Statement of Facts, Proposed Acceptance of
Findings and Waiver)

Dated 1 day of March, 2017