

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

**IN THE MATTER OF**

**LAMBERT MA**  
**(152057)**

**CONSENT ORDER**

RESPONDENT: Lambert Ma, Managing Broker,  
Multiple Group Quayshore Realty  
Ltd., while licensed with Multiple  
Realty Ltd.

DATE OF REVIEW MEETING: December 8, 2016

DATE OF CONSENT ORDER: December 8, 2016

CONSENT ORDER REVIEW COMMITTEE: R. Holmes, Chair  
S. Heath  
G. Martin  
M. Leslie  
K. Khoo

ALSO PRESENT: G. Thiele, Director, Legal Services  
J. Gossen, Legal Counsel for the Real  
Estate Council

**PROCEEDINGS:**

On December 8, 2016 the Consent Order Review Committee (the "Committee") resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver ("ASF") submitted by Lambert Ma.

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

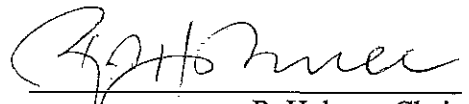
**NOW THEREFORE**, the Committee having made the findings proposed in the attached ASF, and in particular having found that Lambert Ma committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act*, orders that Lambert Ma:

1. be reprimanded; and
2. shall pay enforcement expenses of this Consent Order to the Council in the amount \$1,500.00 within sixty (60) days from the date of this Order.

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

Dated this 8<sup>th</sup> day of December, 2016 at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE

  
\_\_\_\_\_  
R. Holmes, Chair  
Consent Order Review Committee

Attch.

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

IN THE MATTER OF

LAMBERT MA  
(152057)

AGREED STATEMENT OF FACTS,  
PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER

---

The following agreement has been reached between Lambert Ma ("Mr. Ma") and the Real Estate Council of British Columbia (the "Council").

- A. Mr. Ma hereby consents to an Order to be made pursuant to section 43 of the *Real Estate Services Act* ("RESA") that:
- a. he be reprimanded;
  - b. he pay enforcement expenses pursuant to section 44 of RESA in the amount of \$1,500.00 within sixty (60) days from the date of the Consent Order; and
  - c. if he fails to comply with any of the terms of the Order as set out above, a Discipline Committee may suspend or cancel his licence without further notice to him pursuant to section 43(3) and 43(4) of the RESA.
- B. As a basis for this Order, the Council and Mr. Ma acknowledge and agree that the facts set forth herein are correct:
- 1. Mr. Ma was at all relevant times licensed as a Managing Broker with Multiple Realty Ltd..
  - 2. Mr. Ma's licensing history is as follows:

Brokerage	Licence Level	Licence Category	Start Date	End Date
Multiple Group Quayshore Realty Ltd. (X031976)	Managing Broker	Trading, Rental	12/15/2015	Present
Multiple Realty Ltd. (X011195)	Managing Broker	Trading	6/13/2011	12/15/2015
Multiple Realty Ltd. (X011195)	Representative	Trading	6/13/2007	6/12/2011

AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER

Page 2

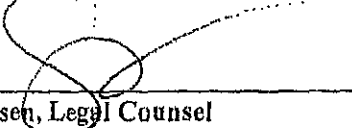
3. On August 7, 2015, J.C. called Multiple Realty Ltd. (the "Brokerage") and asked to speak with J.M., a former licensee and managing broker who was, at the time of the call, an unlicensed owner and director of the Brokerage.
  4. Using a false identity, J.C. informed J.M. that he was considering selling his property and that J. M. had been recommended to him. J.M. asked for the address of the property so he could conduct some research on the property. J.C. stated that before he provided the address for the property he would like to meet J.M. in person. Arrangements were made that J.C. would attend the office to discuss the details in selling his property with J.M. This meeting did not take place.
  5. J. C. then informed the Council of this communication.
  6. On August 20, 2015, a Council staff member called J.M., using a false name, to discuss the potential of listing a property for sale. During the telephone conversation, J.M. asked for the properties address so he could prepare comparable properties for the listing price. The staff member asked for J.M.'s comments in regards to real estate prices and he advised that the market was very active but could not comment if prices were going to continue to rise. The conversation ended with J.M. providing his email address to the staff person to forward further information about the property.
  7. In his response to the Council, Mr. Ma, managing broker for the brokerage submitted that in both instances J.M. had reported the calls to him so that Mr. Ma could meet and deal with these individuals with respect to any real estate services the brokerage would provide.
  8. J.M. had been licensed since 1981 and managing broker with the Brokerage since 1989. He terminated his licence on February 17, 2015.
  9. The Brokerage has taken steps to ensure that no public calls are forwarded to J.M..
  10. Mr. Ma has no previous disciplinary 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, Lambert Ma is prepared to accept the following finding if made against him by the Council's Consent Order Review Committee:
    - (i) Lambert Ma, as managing broker, committed professional misconduct within the meaning of section 35(1)(a) of the RESA by contravening section 6(2) of RESA and sections 3-1(1) and (2) of the Rules when he failed to be actively engaged in the management of the brokerage and to ensure the business of the brokerage was carried out competently and in accordance with RESA, the Regulations and the Rules when he

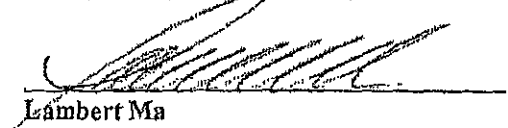
**AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER**

Page 3

allowed an unlicensed person to provide real estate services on behalf of the brokerage when they were no longer licensed to those services.

2. Mr. Ma hereby waives his right to appeal pursuant to section 54 of the RESA.
3. Mr. Ma acknowledges that he has been advised that he has the right to seek independent legal advice before signing this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
4. Mr. Ma 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. Mr. Ma 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 Gossen, Legal Counsel  
Real Estate Council of British Columbia

  
\_\_\_\_\_  
Lambert Ma

As to Part B only (Agreed Statement of Facts)

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

Dated 21 day of November, 2016

Dated 15 day of November, 2016