

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

**JERRI LEE VAN
(151742)**

AND

**JERRI VAN PERSONAL REAL ESTATE CORPORATION
(151742PC)**

NOTICE OF DISCIPLINE HEARING

[This Notice has been redacted before publication.]

To: Jerri Lee Van
Jerri Van Personal Real Estate Corporation
c/o Westwin Realty Ltd. (dba Royal LePage Westwin Realty)
800 Seymour Street
Kamloops, BC V2C 2H5

TAKE NOTICE that the Superintendent of Real Estate (the “Superintendent”) of the BC Financial Services Authority (“BCFSA”) will hold a discipline hearing under Part 4 of the *Real Estate Services Act* (“RESA”) from **September 23 to 25, 2024 commencing at 10:00 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. You committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that, while licensed as a representative with Westwin Realty Ltd. dba Royal LePage Westin Realty, you:
 - a. represented the sellers (“Clients A”) of the property located at [Property A], Kamloops, and acted opposite to Clients A when they purchased the property located at [Property B] (“Property B”) in and around March 2019, contrary to section 30(i) [formerly, section 3-3(i), *take reasonable steps to avoid conflict of interest*] of the Rules;

- b. failed to obtain a written agreement in the form approved by all clients to continue to represent the seller of Property B, and act opposite to Clients A in and around March 2019, contrary to section 65(2) [formerly, section 5-18(2), *addressing conflicts when acting for multiple clients*] of the Rules;
- c. failed to provide your seller client with an updated Disclosure of Remuneration form when the purchase price increased in the sale of Property B in and around March 2019, contrary to section 56 (formerly, section 5-11, *disclosure of remuneration*) of the Rules;
- d. represented the seller ("Client B") of the properties located at [Property D] in and around October 2018, and [Property E] in and around April 2019, and acted opposite to Client B when he purchased the property located at [Property C] in and around March 2019 ("Property C), contrary to section 30(i) [formerly, section 3-3(i), *take reasonable steps to avoid conflict of interest*] of the Rules; and
- e. failed to obtain a written agreement in the form approved by all clients to continue to represent the seller of Property C, and act opposite to Client B in and around March 2019, contrary to section 65(2) [formerly, section 5-18(2), *addressing conflicts when acting for multiple clients*] of the Rules.

AND FURTHER TAKE NOTICE that if the Superintendent finds you professional misconduct, 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 27th day of February, 2024 at the City of Victoria, 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