

BC FINANCIAL SERVICES AUTHORITY

**IN THE MATTER OF THE *MORTGAGE BROKERS ACT*
RSBC 1996, c 313 as amended**

AND

IN THE MATTER OF

**SHING HIM JAMES LI
(501953)**

NOTICE OF HEARING

(Pursuant to sections 8 and 8(1) of the *Mortgage Brokers Act*)

[This Notice has been redacted before publication.]

NOTICES OF HEARING issued by the Registrar of Mortgage Brokers include allegations which will be considered at a hearing. Allegations contained in a Notice of Hearing are unproven until the Registrar of Mortgage Brokers or their designate has determined their validity.

To: Shing Him James Li
c/o Echelon7 Mortgages Ltd.
(doing business as RTC Mortgage – E7 Mortgages)
A201 – 9000 Bill Fox Way
Burnaby, BC, V5J 5J3

TAKE NOTICE that the Registrar of Mortgage Brokers (the “Registrar”) will hold a hearing pursuant to section 8 of the *Mortgage Brokers Act* (“MBA”) in the virtual Hearing Room at BCFSA’s offices located at **600 – 750 West Pender Street, Vancouver, British Columbia** where the Registrar will provide each of you with an opportunity to be heard prior to the Registrar making any order under the MBA should it be determined that your conduct contravened the MBA or the regulations made under the MBA (the “Regulations”).

The hearing will commence at a date to be determined by the parties, and if no agreement is reached within

one month of the date of this Notice, the hearing date will be determined by the Registrar.

AND TAKE NOTICE that the allegations against Shing Him James Li ("Mr. Li") are as follows:

1. In his capacity of submortgage broker, Mr. Li conducted mortgage business in British Columbia in a manner prejudicial to the public interest, within the meaning of section 8(1)(i) of the MBA, in respect of at least one of the mortgage applications set out in the attached **Schedule "A"**, by:
 - a. permitting [Individual 1] ("LC") to direct the course of mortgage applications, including taking instructions from LC to input information on mortgage applications which included employment, income and other personal information of the borrowers provided by LC;
 - b. accepting borrowers' personal, employment information, financial information and/or supporting documents as provided by LC without contacting borrowers to verify, or otherwise verifying, the accuracy or authenticity of the documents and information provided;
 - c. submitting, or permitting to be submitted, borrowers' personal information, employment information, financial information, and/or supporting documents as provided by LC to lenders in support of mortgage applications;
 - d. permitting LC to review various mortgage documents with borrowers and explain the documents to the borrowers; and/or
 - e. facilitating the unregistered submortgage broker activities of [Individual 2] and [Company 1] by co-brokering with them when they were not registered under the MBA;
2. In his capacity of submortgage broker, Mr. Li breached the MBA, as contemplated by section 8(1)(f) of the MBA, when he contravened section 17.1 of the MBA by failing to provide an Investor/Lender information Statement – Form 9 Disclosure to Westergaard Holdings in respect of at least one of the mortgage applications set out in the attached **Schedule "A"**.

AND TAKE FURTHER NOTICE that in the event the Registrar determines that the conduct of either of you, as set out above, contravened the MBA or the Regulations, the Registrar may make any of the orders set out in section 8 of the MBA including, but not limited to, the remedies permitted pursuant to sections 8 and 8 (1.4) of the MBA. In addition, the Registrar may make an order against you for payment of the investigation and costs of the hearing, pursuant to section 6(9) of the MBA and may make any further orders under the MBA as deemed appropriate by the Registrar.

AND TAKE FURTHER NOTICE that in the event of your non-attendance at the hearing, the Registrar may proceed with the hearing in your absence. The Registrar may hear evidence and make findings regarding your conduct and may make orders described above, all without further notice to you.

AND TAKE FURTHER NOTICE that you are entitled, at your own expense, to be represented by legal counsel at the hearing and you and your counsel will have the right to cross-examine all witnesses called and to call evidence in your defence and reply in answer to the allegations.

Dated this 15th day of January, 2024 at the City of Victoria, British Columbia.

Registrar of Mortgage Brokers

“Original signed by Jonathan Vandall”

Jonathan Vandall
Acting Registrar of Mortgage Brokers
Province of British Columbia

Schedule "A"

Properties:

1. [Property 1], Surrey, B.C.
2. [Property 2], Richmond, B.C.
3. [Property 3], Burnaby, B.C.