

**BC FINANCIAL SERVICES AUTHORITY**

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

**AND**

**IN THE MATTER OF**

**RIF – RENT IT FURNISHED INC. dba RENT IT FURNISHED REALTY  
(X029887)**

**NOTICE OF DISCIPLINE HEARING**

**[This Notice has been redacted before publication.]**

To: RIF – Rent It Furnished Inc. dba Rent It Furnished Realty  
110 – 1020 Mainland Street  
Vancouver, BC V6B 2T4

**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”) on **November 12 to 14, 2024 commencing at 9:30 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. RIF – Rent It Furnished Inc. dba Rent It Furnished Realty (the “Brokerage”) committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that the Brokerage breached the Rules, ss 72, 73, 79, 80 and/or 81 when it failed to prepare required books and records, accurately or at all, for one or more of its 7 trust accounts for the months March 2023, July 2023, September 2023, October 2023, November 2023, December 2023, January 2024, February 2024, March 2024 and/or April 2024, as set out below:
  - a. The Brokerage failed to prepare or retain financial records necessary to ensure the appropriate and timely accounting of all transactions relating to real estate services provided by the Brokerage and its related licensees, including one or more of the following:
    - i. failed to show and readily distinguish the amount of money held or received on behalf of each other person;

- ii. failed to show and readily distinguish the amount of money paid to or on behalf of each other person;
- iii. failed to show and readily distinguish the total amount of money held or received on behalf of other persons; and
- iv. failed to show and readily distinguish the total amount of money paid to or on behalf of other persons,

contrary to section 79 of the Rules;

- b. For each account maintained by the Brokerage, the Brokerage failed to:
  - i. retain all banking records relating to account transactions, including statements, cancelled cheques and other source documents making or confirming deposits or withdrawals;
  - ii. prepare and retain a record showing amounts received and disbursed, the reason for the receipt or disbursement, and any unexpended balance; and/or
  - iii. prepare and retain monthly reconciliations of banking statements with the record referred to above, prepared no later than 5 weeks after the end of the month being reconciled;

contrary to section 80 of the Rules;

- c. In addition to the records referred to in section 80, for each pooled trust account maintained by the Brokerage, the Brokerage failed to prepare and retain some or all of the following records:
  - i. separate trust ledgers as follows:
    - 1. in respect of money held or received on account of rental property management services, a separate trust ledger for each principal that shows all amounts received and disbursed in relation to the principal and any unexpended balance in relation to the principal; and/or
    - 2. in respect of money held or received on account of remuneration for real estate services, a separate trust ledger for each licensee or other intended recipient that shows all amounts received and disbursed in relation to the recipient and any unexpended balance in relation to the recipient;

contrary to section 81(a) of the Rules;

- ii. a monthly trust liability and asset reconciliation, prepared in a timely fashion but no later than 5 weeks after the end of the month being reconciled,
  - 1. that lists, for money held by the brokerage as a stakeholder under section 28 *[circumstances in which brokerage holds money as stakeholder]* of the RESA, each

trade in real estate in relation to which the brokerage holds the trust money and the amount being held in relation to each trade,

2. that lists, for money that is not held by the brokerage as a stakeholder, each person for whom the brokerage holds trust money and the amount being held for each person, and/or
3. that reconciles the money held in the trust account with the unexpended balances in the trust ledgers for the account;

contrary to section 81(b) of the Rules;

- d. was in a shortage position in one or more of its trust accounts and/or failed to notify BCFSA of the negative balance within 10 days after the day on which the negative balance occurred, including but not limited to:
  - i. for March 2023, the tenant placement trust account ([redacted]) showed a shortage of approximately \$441,182.01;
  - ii. for March 2023, the tenant placement security trust account ([redacted]) showed a shortage of approximately \$253,054.08; and/or
  - iii. for September 2023, the security deposit trust account ([redacted]) showed a shortage of approximately \$259,329.62;

contrary to section 73 of the Rules;

- e. failed to meet the trust account requirements in section 72 of the Rules, including:
  - i. for each trust account of a brokerage, the monthly reconciliations under section 80(b) and the monthly trust liability and asset reconciliation under section 81(b) must be reviewed, dated, and initialed by a related managing broker or a person designated by a related managing broker; and/or
  - ii. a brokerage must arrange for all banking documents, including cheques, statements and deposit slips, relating to a trust account to include an indication that they relate to a trust account;

particularly for one or more of its 7 trust accounts for the months of March 2023, February 2024, March 2024, and/or April 2024.

2. The Brokerage committed professional misconduct within the meaning of section 35(1)(f) of the RESA in that the Brokerage failed to comply with the terms of a Consent Order issued in August 2023 requiring the Brokerage to provide monthly reconciliations to BCFSA within a month after the end of the month being reconciled for the months September 2023, October 2023, November 2023, December 2023, January 2024, February 2024, March 2024 and/or April 2024.

**AND FURTHER TAKE NOTICE** that if the Superintendent finds you committed professional misconduct, the Superintendent must make an order against you, and may also order you to pay enforcement expenses incurred by BCFSAs, 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 2<sup>nd</sup> day of July, 2024 at the City of Victoria, British Columbia.

Superintendent of the BC Financial Services Authority

“Original signed by Jonathan Vandall”

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Jonathan Vandall  
Delegate of the Superintendent of Real Estate  
Province of British Columbia