

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT***  
**AND**  
**IN THE MATTER OF**  
  
**ATIRA PROPERTY MANAGEMENT INC.**  
**AND**  
**CLAIRE ROSALIND CONRAD**  
  
**CONSENT ORDER**

RESPONDENT: Claire Rosalind Conrad  
Managing Broker

DATE OF CONSENT ORDER: November 2, 2006

CONSENT ORDER REVIEW COMMITTEE: S. Sidhu (Chair)  
P. Jones  
R. Rikhi  
J. Whyte

ALSO PRESENT: R.O. Fawcett, Executive Officer  
David P. Berger, RECBC Staff

**PROCEEDINGS:**

On October 25, 2006 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Claire Rosalind Conrad on her behalf and on behalf of Atira Property Management Inc., as submitted, which was a reprimand to both Atira Property Management Inc. and Claire Rosalind Conrad. As a condition of continued licensing they are jointly and severally liable to pay enforcement expenses of \$500.00 to the Real Estate Council within sixty (60) days from the date of this Order.

**WHEREAS** an Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver was executed by Claire Rosalind Conrad on her behalf and on behalf of Atira Property Management Inc. and the Real Estate Council of British Columbia (“Council”), a copy of which is attached hereto:

**NOW THEREFORE**, the Council has made the following findings based on the Agreed Statement of Facts herein and Proposed Acceptance of Findings:

1. Atira Property Management Inc. is reprimanded for committing professional misconduct within the meaning of section 35(1)(a) of

the *Real Estate Services Act* by contravening section 7-7(1)(b) of the Council Rules in that it:

- (a) failed to file an Accountant's Report with the Council for the year ending January 31, 2006 on or before May 31, 2006.
2. Claire Rosalind Conrad is reprimanded for committing professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by breaching section 3-1(3)(b) of the Council Rules in that she:
    - (a) failed to ensure that the said Accountant's Report was filed with the Council on or before May 31, 2006.
  3. Atira Property Management Inc. and Claire Rosalind Conrad, as a condition of continued licensing, are jointly and severally liable to pay enforcement expenses in the amount of \$500.00 to the Real Estate Council within sixty (60) days from the date of this Order.

Dated this 2nd day of November, 2006 at the City of Vancouver, British Columbia.

"Satnam Sidhu"

S. Sidhu  
Chair

Consent Order Review Committee

Attch.

**File #013-06**

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

**IN THE MATTER OF**

**CLAIRE ROSALIND CONRAD  
(077909)**

**AND**

**ATIRA PROPERTY MANAGEMENT INC.  
(X027745)**

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

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The following agreement has been reached between Claire Rosalind Conrad (“Ms. Conrad”), Atira Property Management Inc. (“Atira”) and the Real Estate Council of British Columbia (the “Council”).

- A. Atira hereby consents to an Order to be made pursuant to section 41 and 43 of the *Real Estate Services Act* that it be reprimanded.
- B. Ms. Conrad hereby consents to an Order to be made pursuant to section 41 and 43 of the *Real Estate Services Act* that she be reprimanded.
- C. Atira and Ms. Conrad hereby consent, as a condition of continued licensing, to be jointly and severally liable to pay the Council’s enforcement expenses to the Council in the amount of \$500.00 within sixty (60) days of the Order herein;
- D. As a basis for this Order, Atira and Ms. Conrad acknowledge and agree that the facts sets forth herein are correct:
1. Atira is licensed as a brokerage and its licensing history is as follows:

Nov. 13/02 – Present	Brokerage, Atira Property Management Inc.
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  2. Ms. Conrad is currently licensed as the Managing Broker with Atira. Her licensing history is as follows:

Dec. 16/88 – Jul. 13/90	Representative, John Cuzner Realty Inc. dba Realty World-Landowne
Jul. 13/90 – Mar. 24/92	Representative, Southview Realty Inc. dba Realty World - Southview
Mar. 24/92 – Dec. 16/93	Representative, Sasamat Realty Ltd. dba Coldwell Banker Sasamat Realty
Mar. 28/94 – Dec. 15/04	Associate Broker, Lionheart Realty Ltd.
Dec. 16/04 – Jan. 9/06	Managing Broker, Lionheart Realty Ltd.
Jan. 9/06 – Present	Managing Broker, Atira Property Management Inc.
  3. The fiscal year end of Atira was January 31, 2006 and its Accountant’s Report was due to be filed with the Council on or before May 31, 2006.

4. A letter was sent from the Council to Atira dated February 23, 2006 advising that the Accountant's Report was due to be received by the Council on or before May 31, 2006.
5. A further letter was sent from the Council to Atira dated June 5, 2006 advising that if the report is not received within thirty days of the due date the matter would be forwarded to the Council's Legal Department for further action.
6. A fax was received from Ms. Conrad dated June 8, 2006 indicating that the Council would receive all audit documents by the end of June.
7. A further letter was sent to Atira from the Council dated July 4, 2006 advising that the file had been forwarded to the Council's Legal Department for further action.
8. An Accountant's Report was received from Atira on July 6, 2006.
9. A Notice of Discipline Hearing dated July 14, 2006 was sent to Atira and Ms. Conrad for failing to file the Accountant's Report with the Council within the proper time limit and advising that a hearing was scheduled for September 15, 2006.

E. Proposed Acceptance of Findings and Waiver

Based on the Agreed Statement of Facts as outlined herein, and without making any admissions of liability, Atira and Ms. Conrad are prepared to accept the following findings if made against them by the Council's Consent Order Review Committee:

1. Atira committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by contravening section 7-7(1)(b) of the Council Rules in that it failed to file an Accountant's Report with the Council for the year ending January 31, 2006 on or before May 31, 2006.
2. Ms. Conrad committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by breaching section 3-1(3)(b) of the Council Rules in that she failed to ensure that the said Accountant's Report was filed with the Council on or before May 31, 2006.
3. Atira and Ms. Conrad hereby waive their right to appeal pursuant to section 54 of the *Real Estate Services Act*.

4. Atira and Ms. Conrad acknowledge that they have been encouraged to seek independent legal advice before signing this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
5. Atira and Ms. Conrad acknowledge and are aware that the Council will publish the Consent Order and penalty herein in its Report from Council and on the Council's website.
6. Atira and Ms. Conrad acknowledge and are aware that the Superintendent of Real Estate has the right, pursuant to section 54 of the Act, to appeal any decision of the Council, including this Agreed Statement of Facts, Proposed Acceptance of Findings, and Waiver and Consent Order.
7. 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.

"David P. Berger"  
David P. Berger, Legal Counsel  
Real Estate Council of British Columbia

As to Part D only (Agreed Statement  
of Facts)

Dated 12<sup>th</sup> day of September, 2006

"Clair Conrad"  
Claire Conrad

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

Dated 11<sup>th</sup> day of September, 2006

"Claire Conrad"  
Claire Conrad on behalf of Atira Property  
Management Inc.

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

Dated 11<sup>th</sup> day of September, 2006