

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*  
AND  
IN THE MATTER OF**

**SHERIDAN PROPERTY MANAGEMENT LTD.  
MONA MARLENE MURRAY**

**GATEWAY PROPERTY MANAGEMENT CORPORATION  
RANDALL SCOTT ULLRICH**

**AND**

**LARRY JOSEPH BRAY**

**CONSENT ORDER**

RESPONDENT:	Sheridan Property Management Ltd., Brokerage  Mona Marlene Murray, Associate Broker, Gateway Property Management Corporation (Kam) while licensed as Managing Broker, Sheridan Property Management Ltd.  Gateway Property Management Corporation, Brokerage  Randall Scott Ullrich, Managing Broker, Gateway Property Management Corporation  Larry Joseph Bray, presently unlicensed while licensed as a Representative, Sheridan Property Management Ltd.
DATE OF REVIEW MEETING:	June 13, 2008
DATE OF CONSENT ORDER:	June 24, 2008
CONSENT ORDER REVIEW COMMITTEE:	J. Whyte (Chair) C. Chen A. Petrone

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S. Sidhu

ALSO PRESENT:

R.O. Fawcett, Executive Officer  
J.S. Gossen, RECBC Staff

PROCEEDINGS:

On June 13, 2008 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Randall Scott Ullrich on behalf of Sheridan Property Management Services Ltd and on behalf of Gateway Property Management Corporation which was a reprimand for each brokerage. Further Sheridan Property Management Ltd. and Gateway Property Management Corporation consent to be jointly and severally liable to pay enforcement expenses to the Real Estate Council in the amount of \$750.00 within sixty (60) days of the date of the Order herein.

On June 13, 2008 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Mona Marlene Murray which was reprimand and an agreement to pay a disciplinary penalty in the sum of \$1,000.00 within sixty (60) days of the date of the Order herein. Further as a condition of continued licensing, she must successfully complete the disciplinary education assignment applicable to Chapter 2 (Mandatory Requirements under the *Real Estate Services Act*) of the Broker's Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia and enroll in and attend the first available CPE course, "Professionalism It Pays! Be Safe or Be Sued" or "Legal Update". Ms. Murray also acknowledges that any course taken as a result of a discipline penalty may not be used as a credit towards the Relicensing Education Program (REP).

On June 13, 2008 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Randall Scott Ullrich which was a reprimand and an agreement to pay a discipline penalty in the amount of \$3,000 within sixty (60) days of the date of the Order herein. Further he must successfully complete the disciplinary education assignment applicable to Chapter 2 (Mandatory Requirements under the *Real Estate Services Act*) of the Broker's Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia and enroll in and attend the first available CPE course, "Professionalism It Pays! Be Safe or Be Sued" or "Legal Update". Mr. Ullrich also acknowledges that any course taken as a result of a discipline penalty may not be used as a credit towards the Relicensing Education Program (REP).

On June 13, 2008 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Larry

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Joseph Bray (currently unlicensed) which was a reprimand. Further as a condition of re-licensing, he must successfully complete the disciplinary education assignment applicable to Chapter 2 (*Real Estate Services Act*) of the Real Estate Trading Services Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia. Mr. Bray also acknowledges that any course taken as a result of a discipline penalty may not be used as a credit towards the Relicensing Education Program (REP).

**WHEREAS** an Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver was executed by Mona Murray, Larry Joseph Bray, Randall Scott Ullrich on his behalf and on behalf of Sheridan Property Management Services Ltd and Gateway Property Management Corporation, 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 and orders the following penalties based on the Agreed Statement of Facts and Proposed Acceptance of Findings:

1. Gateway Property Management Corporation be reprimanded as it committed professional misconduct within the meaning of section 35(1) of the *Real Estate Services Act*, by contravening section 6 of the Act that it:
  - (a) failed to have a managing broker in active charge of the business of the brokerage by reason of the facts described in paragraph G, sub-paragraphs 10, 11, 12(a) and (b), 14, 18 – 21, 26 – 30.
  - (b) operated unlicensed branch offices at:
    - (i) 1456 St. Paul Street, Kelowna, B.C.;
    - (ii) 217 – 2187 Oak Bay Avenue;
    - (iii) 80 – 2131 Upland Street, Prince George, B.C.;contrary to section 3 of the *Real Estate Services Act*;
  - (c) engaged Mona Murray to act as a managing broker for the unlicensed branch office at 1456 St. Paul Street, Kelowna, B.C. and Mr. Bray to act on its behalf as a licensee while they were licensed with Sheridan contrary to section 7(5)(b) of the *Real Estate Services Act*;

2. Sheridan Property Management Services Ltd. be reprimanded as it committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* in that it permitted licensees engaged by the brokerage to provide trading services on behalf of another brokerage.
3. Sheridan Property Management Services Ltd. and Gateway Property Management Corporation are jointly and severally liable to pay enforcement expenses of this Consent Order to the Council in the amount of \$750.00 within sixty (60) days from the date of this Order.
4. Mona Marlene Murray be reprimanded as she committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act*, by contravening section 7(3)(a) of the *Real Estate Services Act* in that she acted on behalf of Gateway while licensed with Sheridan contrary to section 7(3)(a) of the *Real Estate Services Act*.
5. Mona Marlene Murray as a condition of continued licensing is required to successfully complete the disciplinary education assignment applicable to Chapter 2 (Mandatory Requirements under the *Real Estate Services Act*) of the Broker's Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia and enroll in and attend the first available CPE course, "Professionalism It Pays! Be Safe or Be Sued" or "Legal Update".
6. Mona Marlene Murray is ordered to pay a disciplinary penalty in the amount of \$1,000.00 to the Real Estate Council within sixty (60) days from the date of this Order.
7. Randall Scott Ullrich be reprimanded as he committed professional misconduct within the meaning of section 35(1)(a) of the Act in that he in his capacity as managing broker for Gateway:
  - (a) permitted the brokerage to provide real estate services through individuals who were licensed in relation to Sheridan but not licensed in relation to or engaged by Gateway contrary to section 7(5)(a) of the *Real Estate Services Act*;

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- (b) engaged Mona Marlene Murray, the managing broker for Sheridan to act as a managing broker for an unlicensed branch office of Gateway at St. Paul Street, Kelowna, B.C. between September 1 and October 25, 2006;
  - (c) permitted an unlicensed branch office of Gateway to operate at St. Paul Street, Kelowna, B.C. from September 1, 2006 until October 25, 2006;
  - (d) permitted an unlicensed branch office of Gateway to operate at 217 – 2187 Oak Bay Avenue, Victoria, B.C.;
  - (e) permitted an unlicensed branch office of Gateway to operate in #80 – 2131 Upland Street, Prince George, B.C.;
  - (f) failed to notify the Council of a change in directors or officers of Sheridan when Gateway acquired that brokerage contrary to section 2-22(1)(d) of the Council Rules;
  - (g) failed to ensure the business of Gateway was carried out in accordance with the *Real Estate Services Act* and the Council Rules;
  - (h) permitted his brokerage to provide real estate services through Marc Rothberg, when Mr. Rothberg was not licensed to provide such services contrary to section 7(5)(a) of the *Real Estate Services Act*;
  - (i) permitted his brokerage to pay remuneration to Mr. Rothberg in relation to his provision of real estate services on behalf of the brokerage while Mr. Rothberg was unlicensed contrary to section 6-1 of the Council Rules.
8. Randall Scott Ullrich is required to successfully complete the disciplinary education assignment applicable to Chapter 2 (Mandatory Requirements under the *Real Estate Services Act*) of the Broker's Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia and enroll in and attend the first available CPE course, "Professionalism It Pays! Be Safe or Be Sued" or "Legal Update".

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9. Randall Scott Ullrich is ordered to pay a discipline penalty in the amount of \$3,000.00 within sixty (60) days of the date of the Order herein.
  10. Larry Joseph Bray be reprimanded as he committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by contravening section 7(3)(a) and section 7(3)(b) of the Act in that he provided real estate services on behalf of Gateway while licensed at Sheridan contrary to section 7(3)(a) of the *Real Estate Services Act*.
  11. Larry Joseph Bray, as a condition of re-licensing must successfully complete the disciplinary education assignment applicable to Chapter 2 (*Real Estate Services Act*) of the Real Estate Trading Services Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia.

If Larry Bray, upon re-licencing, Sheridan Property Management Ltd., Mona Marlene Murray, Gateway Property Management Corporation or Randall Scott Ullrich fail to comply with any of the terms of the Order set out above, the Council may suspend or cancel their licences, without further notice to them pursuant to sections 43(3) and 43(4) of the *Real Estate Services Act*.

Dated this 24th day of June, 2008 at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE

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"Judi Whyte"

J. Whyte  
Chair

Consent Order Review Committee

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**Files No. 167-06/342-06**

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

**IN THE MATTER OF**

**SHERIDAN PROPERTY MANAGEMENT LTD.**

**MONA MARLENE MURRAY**

**GATEWAY PROPERTY MANAGEMENT CORPORATION**

**RANDALL SCOTT ULLRICH**

**AND**

**LARRY JOSEPH BRAY**

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

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The following agreement has been reached between Sheridan Property Management Ltd. (“Sheridan”), Mona Marlene Murray (“Ms. Murray”), Gateway Property Management Corporation (“Gateway”), Randall Scott Ullrich (“Mr. Ullrich”), Larry Joseph Bray (“Mr. Bray”) and the Real Estate Council of British Columbia (“Council”).

- A. Randall Scott Ullrich on behalf of Sheridan Property Management Services Ltd. hereby consents to an Order to be made pursuant to section 43 of the *Real Estate Services Act* (the “Act”) that Sheridan Property Management Services Ltd. be reprimanded
- B. Mona Marlene Murray (currently unlicensed) hereby consents to an Order to be made pursuant to section 43 of the *Real Estate Services Act* that she be reprimanded and pay a disciplinary penalty in the sum of \$1,000 within sixty (60) days of the date of the Order herein, that as a condition of re-licensing she successfully complete the disciplinary education assignment applicable to Chapter 2 (Mandatory Requirements under the *Real Estate Services Act*) of the Broker’s Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia, to enroll in and attend the first available CPE course, “Professionalism It Pays! Be Safe or Be Sued” and/or “Legal Update”. Ms. Murray acknowledges that any course taken as a result of a discipline penalty may not be used as a credit towards the Relicensing Education Program (REP). Ms. Murray further consents to an Order that upon re-licensing, if she fails to comply with any of the terms of the Order set out above, the Council may suspend or cancel her licence without further notice to her pursuant to section 43(3) and 43(4) of the *Real Estate Services Act*.
- C. Randall Scott Ullrich, on behalf of Gateway Property Management Corporation, hereby consents to an Order to be made pursuant to section 43(2) of the Act that Gateway Property Management Corporation be reprimanded.

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- D. Randall Scott Ullrich hereby consents to an Order to be made pursuant to section 43 of the *Real Estate Services Act* that he be reprimanded, that he pay a discipline penalty in the amount of \$3,000 within sixty (60) days of the date of the Order herein, that he successfully complete the disciplinary education assignment applicable to Chapter 2 (Mandatory Requirements under the *Real Estate Services Act*) of the Broker's Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia, to enroll in and attend the first available CPE course, "Professionalism It Pays! Be Safe or Be Sued" and/or "Legal Update". Mr. Ullrich acknowledges that any course taken as a result of a discipline penalty may not be used as a credit towards the Relicensing Education Program (REP). Mr. Ullrich further consents to an Order that if he fails to comply with any of the terms of the Order set out above, the Council may suspend or cancel his licence without further notice to him pursuant to section 43(3) and 43(4) of the *Real Estate Services Act*.
- E. Larry Joseph Bray (currently unlicensed) hereby consents to an Order to be made pursuant to section 43 of the *Real Estate Services Act* that he be reprimanded, that as a condition of re-licensing, he successfully complete the disciplinary education assignment applicable to Chapter 2 (*Real Estate Services Act*) of the Real Estate Trading Services Licensing Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia. Mr. Bray acknowledges that any course taken as a result of a discipline penalty may not be used as a credit towards the Relicensing Education Program (REP).
- F. Mr. Ullrich on behalf of Gateway Property Management Corporation and Sheridan Property Management Ltd. jointly and severally consents to pay enforcement expenses to the Real Estate Council in the amount of \$750.00 within sixty (60) days of the date of the Order herein. Further they consent to an Order that if they fail to comply with any of the terms of the Order set out above, the Council may suspend or cancel their licences without further notice to them pursuant to section 43(3) and 43(4) of the *Real Estate Services Act*.
- G. As the basis for this Order, Sheridan Property Management Ltd., Mona Murray, Gateway Property Management Corporation, Randal Scott Ullrich and Larry Joseph Bray acknowledge that the facts set forth herein are correct:
1. Sheridan Property Management Ltd. ("Sheridan") is duly licensed as a brokerage and has been since March 26, 1990.
  2. Mona Marlene Murray was at the relevant time licensed as the managing broker with Sheridan. Ms. Murray's licensing history is as follows:

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Oct 31/83 – Mar 26/90 Ltd.	Managing Broker, Sheridan Realty Services
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Mar 26/90 – Oct. 30/07	Managing Broker, Sheridan Property Management Ltd.
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3. Gateway Property Management Corporation (“Gateway”) is duly licensed as a brokerage and has been since February 28, 1991.

4. Randall Scott Ullrich was at the relevant time the managing broker with Gateway. Mr. Ullrich’s licensing history is as follows:

Aug 1/85 –Feb 28/91	Managing Broker, Gillespie Management Corp.
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Feb 28/91 - Present	Managing Broker, Gateway Property Management Corp.
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5. Larry Joseph Bray was at the relevant time a representative with Sheridan. Mr. Bray’s licensing history is as follows:

Jan. 12/06 – Oct 25/06	Representative, Sheridan Property Management Ltd.
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Oct 25/06 – May 18/07	Representative, Gateway Property Management Corp (Kel)
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**File 167-06**

6. On October 18, 2006 a call was received by Lisa Kern, Senior Supervisor, Licensing with the Real Estate Council from Mr. Ullrich inquiring about the process of licensing a branch office. Ms. Kern returned that call on October 23, 2006.

7. On October 19, 2006 information was received by telephone by the Council from a member of the public that Gateway, a brokerage licensed to provide trading services at suite 400 – 11950 80<sup>th</sup> Avenue, Delta, B.C. was conducting trading services via an office at 1456 St. Paul Street, Kelowna, B.C

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8. Darren Bean, Senior Auditor/Investigator with the Council researched the brokerage on the internet and that research indicated that the brokerage advertised as having offices providing trading services in Prince George and Victoria in addition to its licensed location in Delta, B.C. The staff then called the telephone numbers reflected on the Gateway website for the different locations and in each location the telephone was answered with a greeting “Good Morning, Gateway”.
  9. Mr. Bean was at that time in Kelowna and he attended the Kelowna address to ascertain whether or not there was indeed an unlicensed branch office of the brokerage at that location.
  10. When Mr. Bean attended at the St. Paul Street, Kelowna address he observed signage for Gateway. He spoke with the receptionist who advised him that the office was a licensed brokerage and that Mona Murray was the managing broker for the brokerage. Mr. Bean also observed a business card displayed of a licensee, Larry Bray in the reception area. Ms. Murray was at that time the managing broker for Sheridan.
  11. Mr. Bray’s card indicated that he was employed by Gateway in the Kelowna office. At that time Mr. Bray was engaged and licensed with Sheridan, which was licensed to provide real estate trading services at 124 Seymour Street, Kamloops, B.C.
  12. Mr. Bean conducted an investigation of the brokerage financial records of Gateway head office in Victoria on January 15 and 16, 2007 and a random examination of the accounting records for properties managed in the Victoria region revealed that:
    - a) Several expenditure invoices from third party vendors for properties in the Victoria region were made payable and addressed to Gateway Property Management at 217 – 2187 Oak Bay Avenue in Victoria prior to October 25, 2006 and as far back as February 2006;
    - b) Several letters to tenants in arrears as far back as March 2006 instructed tenants to forward rents in arrears to Gateway Property Management Corp. located at 217 – 2187 Oak Bay Avenue in Victoria with a local Victoria phone contract number;
    - c) Several letters to tenants in arrears as far back as October 2005 instructed tenants to forward rents in arrears to Gateway Property

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Management Corporation located at 1027 Pandora Avenue, Victoria with a local Victoria telephone contact number; and

- d) An arbitration letter from the B.C. Residential Tenancy Branch dated August 17, 2004 was addressed to Gateway Property Management Corporation at 1027 Pandora Avenue in Victoria.
13. Both the Oak Bay Avenue and Pandora Avenue locations were owned by a Gateway client. Gateway occupied spaces at those locations as part of its arrangements with the client to manage the client's holdings in the Victoria area.
14. Mr. Bean's internet research on October, 20, 2006 revealed that Gateway was advertising as having an office in Prince George with the address of 80-2131 Uplands Street, Prince George, B.C. The Council requested that Dora Baycroft, a licensee in Prince George, attend at that address and determine if Gateway was operating an office at that address. Ms. Baycroft observed signage for Gateway at that address although the office was not open. The Uplands Street location was owned beneficially by Mr. Ullrich and used by Gateway to receive tenant payments in that development.
15. On June 13, 2006 Gateway completed the purchase of the shares of Sheridan, Mona Murray was the managing broker of Sheridan and employed Mr. Bray as a representative.
16. It was initially the intention of Gateway to have Ms. Murray be licensed as a managing broker pursuant to section 2(3) of the Council Rules for both the Sheridan and Gateway Kelowna brokerages as the brokerages were affiliated brokerages pursuant to the definition of that term in the *Business Corporations Act*. Mr. Ullrich believed that the brokerages were within 100 kilometers of each other as is required by the Council Rules.
17. Gateway entered into a lease dated June 27, 2006 with Pinetree Developments Ltd. to occupy the premises at Suite 104 – 1456 St. Paul Street, Kelowna, B.C. commencing August 1, 2006. The Gateway Kelowna office became operative on September 1, 2006 and operated until October 25, 2006 without a branch office license.
18. From September 1, 2006 to October 25, 2006 Ms. Murray operated as the managing broker for the Gateway Kelowna office until October 25, 2006 when Janet Compton was licensed as the managing broker.

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19. Gateway did not notify the Council of the change in Officers and Directors of Sheridan when it purchased the shares of Sheridan on June 13, 2006. The Council was advised of this purchase and change in officers and directors on October 24, 2006 when applications were received by the Council for licensing of the branch offices.
  20. On August 12, 2006 Mona Murray, on behalf of Gateway and Sheridan, and Larry Bray on behalf of Gateway and Sheridan and Deborah Waluk, a property manager for Gateway, attended a Special Annual General Meeting on behalf of LaCasa Waterfront Resort ("LaCasa") which had a written service agreement with Gateway. At this meeting LaCasa was advised that Sheridan had merged with Gateway and that Sheridan would be assisting in providing the property management services to the Gateway client.
  21. On September 13, 2006 on behalf of Gateway, Mona Murray sent minutes of the Special General Meeting held on August 12, 2006 to the client and she continued to provide property management services to LaCasa throughout the fall of 2006.
  22. On October 24, 2006 Mr. Ullrich requested that Ms. Murray be licensed to act as managing broker for Gateway and Council staff determined that the brokerages were more than 100 kilometers apart and this request was denied.
  23. On October 25, 2006 after application was made by Mr. Ullrich, three branch offices of Gateway were licensed, one at 1456 St. Paul Street, Kelowna, B.C. with Janet Compton as managing broker, one at Suite 217 – 2187 Oak Bay Avenue, Victoria, B.C. with Mr. Ullrich as managing broker and one at suite 80 – 2131 Upland Street, Prince George, B.C. with Lesley Bessey as managing broker. At that time Mr. Bray's license was transferred from Sheridan to the Kelowna branch of Gateway.
  24. In that application Mr. Ullrich provided the Real Estate Council with the Notice of Change of Officers and Directors of Sheridan from Ms. Murray to Mr. Ullrich.
  25. There is no evidence of any complaint by any client of either Gateway or Sheridan and at all times all services appear to have been performed by licensed personnel.

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26. On June 20, 2006, Marc David Rothberg was offered a position with Gateway Property Management Corporation and completed a Licence Application Form.
  27. On June 21, 2006, the Application was signed by Mr. Ullrich as managing broker and forwarded to the Brokerage's Human Resources Department.
  28. On June 26, 2006, the Application was mailed to, but not received, at the Council. On the same day Mr. Rothberg's licence with Vancouver Condominium Services was returned to Council.
  29. On November 10, 2006, Mr. Rothberg resigned his position with Gateway to work, in an unlicensed capacity for Oni Group.
  30. On March 1, 2007, Mr. Rothberg contacted the Council to inquire as to his re-qualification date. He was advised that the date had been December 24, 2006. It was at this point that it was discovered that during the time he had been engaged by Gateway, he had not been licensed.

H. Proposed Acceptance of Findings and Waiver

Based on the Agreed Statement of Facts as outlined herein, and without making any admissions of liability, Sheridan Property Management Ltd., Mona Marlene Murray, Gateway Property Management Corporation, Randall Scott Ullrich and Larry Joseph Bray are prepared to accept the following findings if made against them by the Council's Consent Order Review Committee:

1. Randall Scott Ullrich committed professional misconduct within the meaning of section 35(1)(a) of the Act in that he in his capacity as managing broker for Gateway:
  - (a) permitted the brokerage to provide real estate services through individuals who were licensed in relation to Sheridan but not licensed in relation to or engaged by Gateway contrary to section 7(5)(a) of the *Real Estate Services Act*;
  - (b) engaged Mona Marlene Murray, the managing broker for Sheridan to act as a managing broker for an unlicensed branch office of Gateway at St. Paul Street, Kelowna, B.C. between September 1 and October 25, 2006;

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- (c) permitted an unlicensed branch office of Gateway to operate at St. Paul Street, Kelowna, B.C. from September 1, 2006 until October 25, 2006;
  - (d) permitted an unlicensed branch office of Gateway to operate at 217 – 2187 Oak Bay Avenue, Victoria, B.C.;
  - (e) permitted an unlicensed branch office of Gateway to operate in #80 – 2131 Upland Street, Prince George, B.C.;
  - (f) failed to notify the Council of a change in directors or officers of Sheridan when Gateway acquired that brokerage contrary to section 2-22(1)(d) of the Council Rules;
  - (g) failed to ensure the business of Gateway was carried out in accordance with the *Real Estate Services Act* and the Council Rules;
  - (h) permitted his brokerage to provide real estate services through Marc Rothberg, when Mr. Rothberg was not licensed to provide such services contrary to section 7(5)(a) of the *Real Estate Services Act*;
  - (i) permitted his brokerage to pay remuneration to Mr. Rothberg in relation to his provision of real estate services on behalf of the brokerage while Mr. Rothberg was unlicensed contrary to section 6-1 of the Council Rules.
2. Gateway Property Management Corporation committed professional misconduct within the meaning of section 35(1) of the *Real Estate Services Act* by contravening section 6 of the Act that it:
- (a) failed to have a managing broker in active charge of the business of the brokerage by reason of the facts described in paragraph G, subparagraphs 10, 11, 12(a) and (b), 14, 18 – 21, 26 – 30.
  - (b) operated unlicensed branch offices at:
    - (i) 1456 St. Paul Street, Kelowna, B.C.;
    - (ii) 217 – 2187 Oak Bay Avenue;
    - (iii) 80 – 2131 Upland Street, Prince George, B.C.;

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contrary to section 3 of the *Real Estate Services Act*;

- (c) engaged Mona Murray to act as a managing broker for the unlicensed branch office at 1456 St. Paul Street, Kelowna, B.C. and Mr. Bray to act on its behalf as a licensee while they were licensed with Sheridan contrary to section 7(5)(b) of the *Real Estate Services Act*;
3. Mona Marlene Murray, as managing broker for Sheridan, committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by contravening section 7(3)(a) of the *Real Estate Services Act* in that she acted on behalf of Gateway while licensed with Sheridan contrary to section 7(3)(a) of the *Real Estate Services Act* .
4. Larry Joseph Bray, a representative licensed with Sheridan committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by contravening section 7(3)(a) and section 7(3)(b) of the *Act* in that he provided real estate services on behalf of Gateway while licensed at Sheridan contrary to section 7(3)(a) of the *Real Estate Services Act*.
5. Sheridan, Ms. Murray, Gateway, Mr. Ullrich and Mr. Bray hereby waive their right to appeal pursuant to section 54 of the *Real Estate Services Act*.
6. Sheridan, Ms. Murray, Gateway, Mr. Ullrich and Mr. Bray acknowledge that they have been advised to obtain independent legal advice with respect to this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
7. Sheridan, Ms. Murray, Gateway, Mr. Ullrich and Mr. Bray 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.
8. Sheridan, Ms. Murray, Gateway, Mr. Ullrich and Mr. Bray acknowledge and are aware that the Superintendent of Real Estate has the right, pursuant to section 54 of the *Real Estate Services Act*, to appeal any decision of the Council, including this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver and Consent Order.
9. The 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 proposed acceptance of findings cannot be used in any other proceeding of any kind.

“Jessica S. Gossen”

Jessica S. Gossen, Legal Counsel  
Real Estate Council of British Columbia  
As to Part G only (Agreed Statement  
of Facts)

Dated 5<sup>th</sup> day of June, 2008

“Mona Murray”

Mona Murray  
As to Parts B, G, and H (proposed penalty, Agreed  
Statement of Facts, Proposed Acceptance of  
Findings and Waiver)

Dated 20<sup>th</sup> day of April, 2008

“Randall Ullrich”

Randall Ullrich on behalf of Gateway Property  
Management Corp.

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

Dated 12<sup>th</sup> day of December, 2007

“Randall Ullrich”

Randall Ullrich

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

Dated 12<sup>th</sup> day of December, 2007

“Randall Ullrich”

Randall Ullrich on behalf of Sheridan Property  
Management

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

Dated 12<sup>th</sup> day of December, 2007

“Larry Bray”

Larry Bray

As to Parts E, G and H (proposed penalty, Agreed  
Statement of Facts, Proposed Acceptance of  
Findings and Waiver)

Dated 13<sup>th</sup> day of December, 2007