

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

**FORT PARK REAL ESTATE INC.  
dba FORT PARK PROPERTY MANAGEMENT**

**AND**

**ROBERT CHRISTOPHER STEPCHUK**

**CONSENT ORDER**

RESPONDENTS: Robert Christopher Stepchuk, Managing  
Broker, Fort Park Real Estate Inc., dba  
Fort Park Property Management

Fort Park Real Estate Inc., dba Fort Park  
Property Management

DATE OF REVIEW MEETING: March 11, 2011

DATE OF CONSENT ORDER: March 25, 2011

CONSENT ORDER REVIEW COMMITTEE: B. Brandle (Chair)  
A. Ghouri  
G. Martin  
S. McGougan  
L. Tutt

ALSO PRESENT: R. Fawcett, Executive Officer  
D. Berger, Director, Legal Services  
D. Morreau, Manager, Accounting and  
Audit

**PROCEEDINGS:**

On March 25, 2011 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Fort Park Real Estate Inc., dba Fort Park Property Management and Robert Christopher Stepchuk as submitted, which was that Fort Park Real Estate Inc., dba Fort Park Property Management and

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

Robert Christopher Stepchuk be reprimanded. Further, Fort Park Real Estate Inc., dba Fort Park Property Management and Robert Christopher Stepchuk are ordered to be jointly and severally liable to pay enforcement expenses of this Consent Order to the Council in the amount of \$1,000.00 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 Fort Park Real Estate Inc., dba Fort Park Property Management, Robert Christopher Stepchuk 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. Fort Park Real Estate Inc., dba Fort Park Property Management be reprimanded as it 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 June 30, 2010 on or before October 31, 2010;
2. Robert Christopher Stepchuk be reprimanded as he committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by not fulfilling his responsibilities as managing broker for the performance of the duties imposed on the brokerage by its licence within the meaning of section 6(2)(b) of the *Real Estate Services Act* and by contravening section 3-1(1)(a) and (b) and 3-1(3) of the Council Rules in that he failed to ensure that the said Accountant’s Report was filed with the Council on or before October 31, 2010; and
3. Fort Park Real Estate Inc., dba Fort Park Property Management and Robert Christopher Stepchuk are ordered to be jointly and severally liable to pay enforcement expenses of this Consent Order to the Council in the amount of \$1,000.00 within sixty (60) days from the date of this Order.

If Fort Park Real Estate Inc., dba Fort Park Property Management and Robert Christopher Stepchuk fail to comply with any of the terms of the Order set out above, the Council may suspend or cancel their licence, without further notice to them pursuant to sections 43(3) and 43(4) of the *Real Estate Services Act*.

Dated this 25<sup>th</sup> day of March, 2011 at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE

“B. Brandle”

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B. Brandle, Chair

Consent Order Review Committee

Attch.

**File #10-226**

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

**IN THE MATTER OF**

**Robert Christopher Stepchuk  
(158055)**

**AND**

**Fort Park Holdings Ltd.  
dba Fort Park Property Management  
(X029528)**

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

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The following agreement has been reached between Robert Christopher Stepchuk (“Mr. Stepchuk”), Fort Park Holdings Ltd. dba Fort Park Property Management (“Fort Park Holdings”) and the Real Estate Council of British Columbia (the “Council”).

- A. Mr. Stepchuk on behalf of Fort Park Holdings hereby consents to an Order to be made pursuant to sections 41 and 43 of the *Real Estate Services Act* that Fort Park Holdings be reprimanded.
- B. Mr. Stepchuk hereby consents to an Order to be made pursuant to sections 41 and 43 of the *Real Estate Services Act* that he be reprimanded.
- B. Fort Park Holdings and Mr. Stepchuk hereby consent to an Order that they be jointly and severally liable to pay enforcement expenses to the Council in the amount of \$1,000.00 within sixty (60) days of the date of the Order herein.
- C. Fort Park Holdings and Mr. Stepchuk further 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 sections 43(3) and 43(4) of the *Real Estate Services Act*.

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

D. As a basis for this Order, Fort Park Holdings and Mr. Stepchuk acknowledge and agree that the facts sets forth herein are correct:

1. Fort Park Holdings is licensed as a brokerage and has been so licensed since January 25, 2010.
2. Mr. Stepchuk is currently licensed as a Managing Broker with Fort Park Holdings and was so licensed at all material times. His licensing history is as follows:

Brokerage	LicenceLevel	LicenceCategory	StartDate	EndDate
Fort Park Real Estate Inc. (X029528)	Managing Broker	Trading, Rental, Strata	03/11/2010	
Fort Park Real Estate Inc. (X029528)	Managing Broker	Trading, Rental	21/06/2010	03/11/2010
Fort Park Real Estate Inc. (X029528)	Managing Broker	Rental	25/01/2010	21/06/2010

3. The fiscal year end of Fort Park Holdings was June 30, 2010. The Accountant's Report was due to be filed with the Council on or before October 31, 2010.
4. A letter was sent from the Council to Fort Park Holdings dated July 12, 2010 advising that the Accountant's Report, Brokerage Activity Report and review engagement financial statements (collectively the "Accountant's Report Filing") were due to be received by the Council on or before October 31, 2010.
5. A letter was sent from the Council to Fort Park Holdings dated October 20, 2010 advising that Council did not consider the filing as submitted to be in compliance with section 7-7 of the Council Rules.
6. On December 14, 2010 a Notice of Discipline Hearing was sent to Fort Park Holdings and Mr. Stepchuk.
7. On December 30, 2010 the Council received an Accountant's Report and Brokerage Activity Report from Fort Park Holdings in acceptable form.

E. Proposed Acceptance of Findings and Waiver

1. Based on the Agreed Statement of Facts as outlined herein, and without making any admissions of liability, Fort Park Holdings and Mr. Stepchuk are prepared to accept the following findings if made against them by the Council's Consent Order Review Committee:
  - (a) Fort Park Holdings 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 June 30, 2010 on or before October 31, 2010; and

- (b) Mr. Stepchuk committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by not fulfilling his responsibilities as managing broker for the performance of the duties imposed on the brokerage by its licence within the meaning of section 6(2)(b) of the *Real Estate Services Act* by contravening section 3-1(1)(a) and (b) and 3-1(3) of the Council Rules (managing broker responsibilities) in that he failed to ensure that the said Accountant's Report was filed with the Council on or before October 31, 2010.
2. Fort Park Holdings and Mr. Stepchuk hereby waive their right to appeal pursuant to section 54 of the *Real Estate Services Act*.
  3. Fort Park Holdings and Mr. Stepchuk acknowledge that they have the right to seek independent legal advice before signing this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
  4. Fort Park Holdings and Mr. Stepchuk acknowledge and are aware that the Council will publish the Consent Order and penalty herein in its Report from Council newsletter and on the Council's website.
  5. Fort Park Holdings and Mr. Stepchuk 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.

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

6. 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.

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"Lisa Holst"

**Lisa Holst, Director, Accounting & Audit  
Real Estate Council of British Columbia**

**As to Part D only (Agreed Statement  
of Facts)**

**Dated 10 day of March, 2011**

\_\_\_\_\_  
"Robert Stepchuk"

**Robert Stepchuk, Managing Broker**

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"Robert Stepchuk"

**Robert Stepchuk on behalf of Fort Park  
Holdings Ltd.**

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

**Dated 5 day of February, 2011**