

BC FINANCIAL SERVICES AUTHORITY

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

AND

IN THE MATTER OF

MOLENIA GOLSHANI
(152362)

AMENDED NOTICE OF DISCIPLINE HEARING

[This Notice has been redacted before publication.]

To: Molenia Golshani
c/o Evergreen West Realty
206-2963 Glen Drive
Coquitlam, BC V3B 2P7

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 July 29 to August 1, 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 Rules* (the "Rules") made under the RESA (the "Rules") in effect at the relevant time.

AND TAKE NOTICE that the allegations against you are as follows:

1. You committed professional misconduct within the meaning of section 35(1) of the RESA and conduct unbecoming within the meaning of section 35(2) of the RESA in that:
 - a. you referred at least 14 buyer clients over 15 transactions, including those listed in Schedule 'A', to [Individual 1] also known as [Alias 1] ("[Individual 1]") from 2013 to 2018 when you knew or ought to have known that he was not a registered mortgage broker thereby putting your clients at risk, contrary to section 30(a) [duty to act in the best interests of the client], section 33 [duty to act honestly] and section 34 [duty to act with reasonable care and skill] of the Rules;
 - b. you received or anticipated receiving remuneration from [Individual 1], who you knew or ought to have known was not a registered mortgage broker, in the form of a referral fee, contrary to

section 30(a) [duty to act in the best interests of the client] and section 34 [duty to act with reasonable care and skill] of the Rules;

- c. you received remuneration from your clients, the buyers of a property located at [Property 1], Coquitlam, in 2017 in the form of a “lender fee” for referring the clients to [Individual 1], who you knew or ought to have known was not a registered mortgage broker, to obtain mortgage financing which [Individual 1] failed to do resulting in the buyers losing their deposit, contrary to section 30(a) [duty to act in the best interests of the client] and section 34 [duty to act with reasonable care and skill] of the Rules;
- d. you facilitated your client, the buyer of two separate properties located at [Property 2], Coquitlam and [Property 3], Coquitlam, in providing false and misleading information to lenders in January 2016 about the occupancy status of each property, contrary to section 33 [duty to act honestly] and section 34 [duty to act with reasonable care and skill] of the Rules;
- e. you submitted a mortgage application in 2014 in relation to the purchase of a property located at [Property 4], Vancouver, for which you represented yourself as the buyer,
 - i. with falsified income and savings information, contrary to section 35(1)(c) [deceptive dealing] of the RESA and section 33 [duty to act honestly] of the Rules; and
 - ii. using the services of [Individual 1], who you knew or ought to have known was not a registered mortgage broker, contrary to section 33 [duty to act honestly] and section 34 [duty to act with reasonable care and skill] of the Rules;
- f. you placed advertisements in Farsi-language newspapers from 2017 to 2019 indicating that you could provide mortgage services for clients without proof of income, contrary to section 33 [duty to act honestly], section 34 [duty to act with reasonable care and skill] and section 41 [false or misleading advertising] of the Rules.

AND FURTHER TAKE NOTICE that if the Superintendent finds you committed professional misconduct and/or conduct unbecoming, the Superintendent must make an order against you, and may also order you to pay enforcement expenses incurred by BCFSA, 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 16th day of October, 2023 at the City of Vancouver, British Columbia.

Superintendent of the BC Financial Services Authority

“Original signed by Chris Biscoe”

Chris Biscoe
Delegate of the Superintendent of Real Estate
Province of British Columbia

Schedule 'A'

	Client	Address	Closing Date
1.	[Client 1]	[Property 5], Coquitlam	November 20, 2013
2.	[Client 2]	[Property 6], Coquitlam	April 29, 2015
3.	[Client 3]	[Property 7], Port Moody	June 22, 2015
4.	[Client 4]	[Property 8], Port Moody	July 30, 2015
5.	[Client 5]	[Property 9], Coquitlam	August 21, 2015
6.	[Client 6]	[Property 10], Coquitlam	December 21, 2015
7.	[Client 7]	[Property 11], Coquitlam [Property 3], Coquitlam	March 4, 2016 March 10, 2016
8.	[Client 8]	[Property 12], Coquitlam	May 26, 2016
9.	[Client 9]	[Property 13], Coquitlam	October 11, 2016
10.	[Client 10]	[Property 14], Maple Ridge	December 19, 2016
11.	[Client 11]	[Property 15], Coquitlam	January 20, 2017
12.	[Client 12]	[Property 16], Coquitlam	May 25, 2017
13.	[Client 13]	[Property 17], Coquitlam	December 15, 2017*
14.	[Client 14]	[Property 18], Port Coquitlam	December 14, 2017

*Transaction did not complete