



IN THE MATTER OF THE *MORTGAGE BROKERS ACT*,
RSBC 1996, c. 313 as amended

-AND-

IN THE MATTER OF TANYA ANN SMITH (Pursuant to section 8 including 8(1) of the
Mortgage Brokers Act)

NOTICE OF HEARING

NOTICES OF HEARING issued by the Registrar of Mortgage Brokers include allegations that will be considered at a hearing. The allegations contained in a Notice of Hearing are unproven until the Registrar of Mortgage Brokers, or his appointee, has determined their validity.

To: TANYA ANN SMITH



TAKE NOTICE that the Registrar of Mortgage Brokers ("Registrar") will hold a hearing pursuant to section 8 of the *Mortgage Brokers Act* ("MBA"), including section 8(1), at the offices of the Registrar, located at the Financial Institutions Commission at **2800 - 555 West Hastings Street in Vancouver, British Columbia** to provide you with an opportunity to be heard prior to the Registrar making any order under the MBA should it be determined that your conduct contravened the MBA, or regulations made under the MBA ("Regulations").

The hearing will commence at a date to be determined by the parties, and if no agreement is reached within one month of the date of this notice, the hearing date will be determined by the Registrar.

AND TAKE NOTICE that the allegations against **TANYA ANN SMITH** are as follows:

1. In her capacity as a submortgage broker, Tanya Ann Smith (“Ms. Smith”) conducted business in a manner that is prejudicial to the public interest, contrary to section 8(1)(i) of the MBA, in that she facilitated the unregistered mortgage broker activities of Loan Depot Canada (LDC) and unregistered mortgage broker activities of Dean Frank James Walford (“Mr. Walford”), when she carried out one or more of the following:
 - a. Permitted Mr. Walford to direct the course of mortgage applications, including submitting borrowers’ personal, employment and financial information and supporting documents as provided by Mr. Walford to lenders in support of mortgage applications, despite having had notice, by way of an Industry Alert dated October 23, 2014 that, on September 12, 2011, the Superintendent of Mortgage Brokers had issued a Cease and Desist Order relating to the unregistered mortgage activity of LDC and Mr. Walford;
 - b. Permitting Mr. Walford and LDC to carry on as a submortgage broker or mortgage broker by permitting Mr. Walford LDC to arrange and obtain property appraisal reports and perform credit checks in support of mortgage applications;
 - c. Permitting Mr. Walford on behalf of LDC to collect personal information from the borrowers including employment and financial information in order to complete mortgage applications which Ms. Smith provided to lenders;
 - d. Some or all of the above activities were carried out for one or more of the following borrowers and their respective mortgage applications:
 - i. [REDACTED] in respect of the purchase of [REDACTED] and a mortgage application dated September 21, 2016;
 - ii. [REDACTED] in respect of the purchase of [REDACTED] and a mortgage application dated January 23, 2017;
 - iii. [REDACTED] and [REDACTED] in respect of their purchase of [REDACTED] and a mortgage application dated February 21, 2017;
 - iv. [REDACTED] in respect of her purchase of [REDACTED] and a mortgage application dated April 16, 2016; and
 - v. [REDACTED] in respect of his purchase of [REDACTED] and a mortgage application dated June 30, 2016.

AND TAKE FURTHER NOTICE that the Registrar will determine if you would be disentitled to registration if you were an applicant under section 4 of the MBA, pursuant to section 8(1)(e) of the MBA.

AND TAKE FURTHER NOTICE that in the event the Registrar determines that any of your conduct, as set out above, contravened the MBA or the Regulations, the Registrar may make any of the orders set out in section 8 of the MBA, including but not limited to, the remedies permitted pursuant to sections 8(1), 8(1.1), 8(1.4) and 8(2) of the MBA. The Registrar may also make an order against you for payment of the investigation and costs of the hearing, pursuant to section 6(9) of the MBA, and may make any further orders under the MBA as deemed appropriate by the Registrar.

AND TAKE FURTHER NOTICE that in the event of your non-attendance at the hearing, the Registrar may proceed with the hearing in your absence. The Registrar may hear evidence and make findings regarding your conduct and may make orders described above, all without further notice to you.

AND TAKE FURTHER NOTICE that you are entitled, at your own expense, to be represented by legal counsel at the hearing and you and your counsel will have the full right to cross-examine all witnesses called and to call evidence in your defence and reply in answer to the allegations.

Issued at the City of Vancouver, BC this 5th day of April, 2019

Registrar of Mortgage Brokers



Per: Chris Carter
Acting Registrar of Mortgage Brokers
Province of British Columbia