

**IN THE MATTER OF THE *MORTGAGE BROKERS ACT*
R.S.B.C. 1996, C. 313**

-AND-

ANIL SAGAR

CONSENT ORDER

(Pursuant to section 8 and 8(1.4) of the *Mortgage Brokers Act*)

WHEREAS ANIL SAGAR (“Mr. Sagar”) has never been registered as a mortgage broker or submortgage broker under the *Mortgage Brokers Act*, [RSBC 1996] Chapter 313 (the “Act”);

AND WHEREAS the Registrar of Mortgage Brokers (the “Registrar”) issued a Notice of Hearing pursuant to sections 8 and 8(1.4) of the Act to Mr. Sagar on June 7, 2019;

AND WHEREAS the following agreement has been reached between Mr. Sagar and the Staff of the Registrar (the “Staff”) and the Registrar makes the following findings and agrees to the following terms of a consent order:

A. FINDINGS

The Registrar makes the following findings against Mr. Sagar and Mr. Sagar accepts the following findings made against him:

1. Mr. Sagar carried on business as a mortgage broker without being registered to do so, as required by sections 8(1.4) and 21 of the Act, and without being exempted from registration pursuant to section 11 of the Act, in that he carried out the following activities in respect of 7 borrowers and 16 mortgage applications:
 - i. Directed the course of mortgage applications, including instructing Adil Virani (“Mr. Virani”), a registrant, to input information which may not have been accurate, on borrowers’ mortgage applications and providing Mr. Virani with employment and income information which he knew, or ought to have known, was not accurate;

- ii. Provided Mr. Virani with Canada Revenue Agency Notices of Assessment and T1 Generals and other banking documents that may not have been genuine to Mr. Virani to submit to lenders on behalf of the borrowers; and
- iii. Received an amount of \$1000 or more in any one year in fees or other consideration for arranging mortgages on behalf of one or more of the borrowers from approximately January 30, 2015 to November 8, 2017.

B. ORDERS AND PENALTY

Pursuant to sections 8, 8(1.4), and 6(9) of the Act, Mr. Sagar hereby consents to and the Registrar hereby makes the following orders:

1. Mr. Sagar must immediately cease acting as a mortgage broker or submortgage broker as that term is defined in the Act until and unless he becomes registered under the Act;
2. Pursuant to section 8(1.4) of the Act, Mr. Sagar shall pay an administrative penalty of \$45,000, payable on or before June 1, 2020;
3. Pursuant to section 6(9) of the Act, Mr. Sagar shall pay partial investigation costs in the amount of \$8,539.60, payable on or before June 1, 2020; and
4. All payments will be made by cheque, bank draft, or money order payable to the BC Financial Services Authority and all amounts outstanding thirty (30) days after they become due and payable will represent a debt owing and be subject to interest pursuant to the *Financial Administration Act*, R.S.B.C. 1996. c. 138.

C. AGREED FACTS

As the basis for this Consent Order, Mr. Sagar acknowledges the following facts as correct and makes the following admissions:

1. Mr. Sagar has never been registered as a mortgage broker or submortgage broker under the Act.
2. Mr. Sagar collaborated with Mr. Virani and acted as a mortgage broker from at least 2010.
3. Between April 2015 and March 2018 Mr. Sagar conducted business as a mortgage broker or submortgage broker without being registered to do so and without being exempted from registration by arranging mortgages and receiving compensation for arranging mortgages for 7 borrowers and 16 mortgage applications in collaboration with Adil Virani, who at all material times was a registered submortgage broker.
4. In the course of arranging these mortgages, Mr. Sagar provided Mr. Virani with information and documents that he knew, or ought to have known, were false and not genuine in 5 mortgage applications that were ultimately submitted to lenders.

5. The false documents in the 5 mortgage applications described above included Canada Revenue Agency documents that inflated borrowers' annual income, in one case by approximately \$80,000. The documents also listed a tax preparer that did not in fact prepare the borrower's taxes, an address that had a borrower living in British Columbia, when the borrower lived in Ontario, and a false letter of employment.
6. Mr. Sagar was paid one half of the commissions that Mr. Virani earned on mortgage applications in which they collaborated.

D. WAIVER

Mr. Sagar waives his right to a hearing under sections 4 and 8 of the Act and waives his right to appeal under section 9 of the Act.

Approved as to form and content by:

_____ this _____ day of April 2020.

Joni Worton

Counsel for the Staff of the Registrar of Mortgage Brokers

_____ this _____ day of April 2020.

Joseph Saulnier

Counsel for Anil Sagar

Dated in the City of Vancouver, in the Province of British Columbia, this _____ day of April 2020.

SIGNED COPY

Blair Morrison, Registrar of Mortgage
Brokers, Province of British Columbia