

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

AND

IN THE MATTER OF

CHARLES FUNARO

AND

643025 B.C. Ltd.

NOTICE OF HEARING

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

[This Notice has been redacted before publication.]

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 their designate, has determined their validity.

To: Charles Funaro
[Address Redacted]
Burnaby, BC, [Redacted]

And To: 643025 B.C. Ltd.
[Address Redacted]
Burnaby, BC, [Redacted]

TAKE NOTICE that the Registrar of Mortgage Brokers ("Registrar") will hold a hearing pursuant to section 8 of the *Mortgage Brokers Act* ("MBA") at the offices of the BC Financial Services Authority, located at 600 – 750 West Pender Street, Vancouver, British Columbia, or in such other (including virtual) hearing room where the Registrar will 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 Charles Funaro ("Mr. Funaro") are as follows:

1. Contrary to section 8(1.4) of the MBA, Mr. Funaro carried on business as a mortgage broker or submortgage broker in British Columbia without being registered to do so, as required by section 8(1.4) and without being exempted from registration pursuant to section 11 of the MBA, in that from approximately January 1, 2017 through December 3, 2020, he carried out one or more of the following mortgage broker activities in respect of the 34 mortgage transactions set out in the attached Schedule "A":
 - a. Carried on a business of lending money secured in whole or in part by mortgages; and,

- b. During the years of 2018 and 2019, lent money on the security of 10 or more mortgages;

AND TAKE NOTICE that the allegations against 643025 B.C. Ltd. (the "Company") are as follows:

2. Contrary to section 8(1.4) of the MBA, the Company carried on business as a mortgage broker or submortgage broker in British Columbia without being registered to do so, as required by section 8(1.4) and without being exempted from registration pursuant to section 11 of the MBA, in that from on or about November 10, 2017 through November 12, 2020, it carried out one or more of the following mortgage broker activities in respect of the 3 mortgage transactions set out in the attached Schedule "B":

- a. Carried on a business of lending money secured in whole or in part by mortgages.

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 section 8(1.4) of the MBA. In addition, the Registrar may 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.

Dated at Vancouver, British Columbia, this 10th day of June, 2022.

Registrar of Mortgage Brokers

"CHRIS CARTER"

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

SCHEDULE "A"

CHARGE	Mortgage Application Dates
[Charge Number] in the amount of \$250,000.00	September 26, 2017
[Charge Number] in the amount of \$200,000.00	November 10, 2017
[Charge Number] in the amount of \$1,500,000.00	December 20, 2018
[Charge Number] in the amount of \$1,300,000.00	May 18, 2018
[Charge Number] in the amount of \$212,500.00	August 27, 2018
[Charge Number] in the amount of \$369,000.00	September 10, 2018
[Charge Number] in the amount of \$610,000.00	September 24, 2018
[Charge Number] in the amount of \$250,000.00	September 9, 2018
[Charge Number] in the amount of \$750,000.00	June 7, 2018
[Charge Number] in the amount of \$1,316,000.00	August 21, 2018
[Charge Number] in the amount of \$2,052,000.00	June 1, 2018
[Charge Number] in the amount of \$825,000.00	June 8, 2018
[Charge Number] in the amount of \$296,000.00	January 16, 2018
[Charge Number] in the amount of \$300,000.00	May 30, 2019
[Charge Number] in the amount of \$500,000.00	April 24, 2019
[Charge Number] in the amount of \$625,000.00	October 31, 2019
[Charge Number] in the amount of \$640,000.00	September 19, 2019
[Charge Number] in the amount of \$245,000.00	July 3, 2019
[Charge Number] in the amount of \$825,000.00	May 29, 2019
[Charge Number] in the amount of \$25,000.00	January 16, 2019
[Charge Number] in the amount of \$150,000.00	January 31, 2019
[Charge Number] in the amount of \$379,000.00	April 26, 2019
[Charge Number] in the amount of \$282,000.00	May 20, 2019

[Charge Number] in the amount of \$512,050.00	June 5, 2019
[Charge Number] in the amount of \$700,000.00	September 27, 2019
[Charge Number] in the amount of \$600,000.00	October 30, 2019
[Charge Number] in the amount of \$237,500.00	December 16, 2019
[Charge Number] in the amount of \$500,000.00	April 28, 2020
[Charge Number] in the amount of \$1,100,000.00	March 12, 2020
[Charge Number] in the amount of \$2,000,000.00	March 11, 2020
[Charge Number] in the amount of \$650,000.00	February 11, 2020
[Charge Number] in the amount of \$150,000.00	January 28, 2020
[Charge Number] in the amount of \$906,000.00	December 3, 2020
[Charge Number] in the amount of \$150,000.00	February 2, 2020

SCHEDULE "B"

Borrower	Mortgage Application Dates
[Charge Number] in the amount of \$400,000.00	November 10, 2017
[Charge Number] in the amount of \$500,000.00	March 12, 2020
[Charge Number] in the amount of \$244,000.00	November 12, 2020