



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

-AND-

MICHAEL ALEXANDER CAMPAGNA
(Pursuant to section 8(1.4) 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: MICHAEL ALEXANDER CAMPAGNA

[REDACTED]
[REDACTED]

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

1. You contravened section 8(1.4) of the Act by carrying on business as a mortgage broker without being registered to do so, and without being exempted from registration pursuant to section 11 of the Act, following the expiry of your registration as a submortgage broker with [REDACTED], in that you:
 - a. between June 1, 2017 and October 26, 2017, attempted to arrange mortgages for at least three borrowers by:
 - i. providing assurances to each of them that you could obtain a mortgage;
 - ii. gathering the personal information of at least two borrowers for the purpose of making mortgage applications;
 - iii. obtaining documents and information from three borrowers for the purpose of supporting mortgage applications;
 - iv. ordering an appraisal for two borrowers to support mortgage applications;
 - v. advising two borrowers that you were dealing with multiple potential lenders in attempting to arrange a mortgage;
 - vi. explicitly holding yourself out as a mortgage broker to one borrower;
 - vii. leaving the impression with two borrowers that you were a registered mortgage broker by failing to advise those that borrowers you were no longer registered and therefore not permitted to carry on business as a mortgage broker;
 - viii. providing a borrower with a “subject removal certificate” using the letterhead of [REDACTED] (a network of registered mortgage brokerages) assuring the borrower that you had arranged a mortgage, and that they could remove the “subject to finance” clause in a contract of purchase and sale for a real estate transaction (Subject to Finance Clause);
 - ix. providing another borrower with assurances that they could remove a Subject to Finance Clause;
 - x. providing a borrower with a “mortgage summary” document naming [REDACTED], a non-retail lender that originates mortgages through mortgage brokers; and
 - b. continued to hold yourself out to the public as a mortgage broker by identifying yourself as a mortgage broker on your voicemail message and by maintaining a profile on LinkedIn.com wherein you hold yourself out as offering the services of a mortgage broker.

AND TAKE FURTHER NOTICE that in the event the Registrar determines that any of your conduct, as set out above, contravened the Act and/or the Regulations, the Registrar may make any of the orders set out in section 8 of the Act, including but not limited to, the remedies permitted pursuant to section 8(1.4) of the Act. In addition the Registrar may make an order against you for payment of investigation and hearing costs, pursuant to section 6(9) of the Act, and may make any further orders under the Act 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 23 day of March 2018.

Registrar of Mortgage Brokers



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