

**IN THE MATTER OF THE REAL ESTATE SERVICES ACT**

**- AND -**

**MYSTRATACORP DOCUMENT SERVICES**

**-AND-**

**TIMOTHY KEITH BRAMWELL**

**ORDERS UNDER SECTIONS 51 AND 49 OF  
THE REAL ESTATE SERVICES ACT**

UPON REVIEWING the submissions and exhibits contained in the Investigation Report prepared by the staff of the Superintendent of Real Estate ("Staff"), I am of the opinion that:

1. On February 17, 2008, the Office of the Superintendent of Real Estate (the "Superintendent") received an inquiry about the website [www.mystratacorp.com](http://www.mystratacorp.com) (the "MyStrataCorp Website"), and whether its proprietor(s) were providing real estate services without being licensed under the *Real Estate Services Act* ("RESA").
2. The MyStrataCorp Website advertises the services of MyStrataCorp Document Services ("MyStrataCorp").
3. The Real Estate Council of British Columbia ("the Council") confirmed that MyStrataCorp is not licensed to provide real estate services in the Province of British Columbia.
4. MyStrataCorp is neither a provincially nor federally incorporated company.
5. Section 1 of *RESA* provides the following definitions:

**"providing"**, in relation to real estate services, includes

- (a) offering to provide such services,

- (b) holding oneself out as a person who provides such services, or
- (c) soliciting for the purposes of the provision of such services;

**“real estate”** means

- (a) real property
- (b) regardless of whether it is or is not an interest in real property, a cooperative interest, shared interest in land or time share interest, as these are defined in the *Real Estate Development Marketing Act*, and
- (c) a right in relation to real property that is defined by regulation to be real estate,

but does not include a right in relation to real property that is excluded by regulation.

**"real estate services"** means

- (a) rental property management services,
- (b) strata management services, or
- (c) trading services;

**“remuneration”** includes any form of remuneration, including a commission, fee, gain or reward, whether the remuneration is received, or is to be received, directly or indirectly;

**"trading services"** means any of the following services provided to or on behalf of a party to a trade in real estate:

- (a) advising on the appropriate price for the real estate;
- (b) making representations about the real estate;
- (c) finding the real estate for a party to acquire;
- (d) finding a party to acquire the real estate;
- (e) showing the real estate;
- (f) negotiating the price of the real estate or the terms of the trade in real estate;

- (g) presenting offers to dispose of or acquire the real estate;
- (h) receiving deposit money paid in respect of the real estate

but does not include an activity excluded by regulation;

6. Section 3(1) of *RESA* states:

**Requirement for licence to provide real estate services**

3(1) A person must not provide real estate services to or on behalf of another, for or in expectation of remuneration, unless the person is

- (a) licensed under this Part to provide those real estate services, or
- (b) exempted by subsection (3) of the regulations from the requirement to be licensed under this Part in relation to the provision of those real estate services.

...

7. On February 22, 2008, a member of the Superintendent's staff (the "Staff") reviewed the MyStrataCorp Website, which showed the following information:

- (a) The MyStrataCorp Website advertised the services of "MyStrataCorp Document Services Inc."
- (b) The contact information included a business address at [REDACTED]
- (c) No contact name was provided, but a phone number [REDACTED] and fax number ([REDACTED]) were.
- (d) MyStrataCorp is advertised as a "professional strata document review service for residential and commercial strata properties in BC."
- (e) The "Services Introduction – Document Review" page included the following description of MyStrataCorp's services: "With the increasing popularity of strata condominiums in the British Columbia marketplace, MyStrataCorp provides unbiased information enabling you to make an intelligent decision...MyStrataCorp provides you with a summary of how the strata corporation is operating and provide [sic] you with information that allows you to assess the health of your Strata Corporation...MyStrataCorp reviews the administrative and financial information and assesses the fundamental health of the property through documents that you provide, including financial statements, minutes, bylaws and structural reports."

- (f) MyStrataCorp advertises its services for buyers as follows: “At MyStrataCorp we take the guesswork out of buying a strata condominium. We provide independent advice as to how well or poorly the Strata Corporation is governed, managed and funded, what political issues may be brewing, or whether there are mechanical and governance issues for owners to squabble over in years to come.”
  - (g) MyStrataCorp advertises its services for realtors as follows: “Think of our MyStrataCorp document review service as a comforting layer of protection against loss or unexpected surprises. We review the operations of the Strata Corporation responsible for the property – new construction or resale strata/condo projects – from the perspective of an independent third party. As you are aware, your purchaser and seller are not only involved in the transfer of property but in the sale of an interest in a legal Strata Corporation, making the disclosure details more complex than those in a non-strata titled property. What contracts the corporation entered into, any liabilities, assets, debts and details of future financial adjustments required are only a few of the questions each buyer should be asking.”
  - (h) MyStrataCorp charges \$395 plus GST for its services in respect of residential strata lots, and \$545 plus GST for its services in respect of commercial/industrial strata lots.
8. On April 17, 2008, Staff called the phone number provided on the MyStrataCorp Website. The recorded phone message indicated: “You have reached Tim Bramwell. I am not available. Please leave your name and number and I will return your call as soon as possible.” Staff left a message for Mr. Bramwell on April 17, and again on April 21, 2008.
9. On April 22, 2008, Staff attended [REDACTED]. The address housed a business called “[REDACTED]”. There was no front entrance, and the rear entrance had a steel door and intercom system. An unidentified male confirmed, over the intercom, that the business was that of [REDACTED] and that he had never heard of MyStrataCorp.
10. On April 23, 2008, Staff contacted the Real Estate Council of BC (the “Council”) and confirmed the following:
- (a) Tim Bramwell had contacted the Council and had made inquiries about becoming licensed; and
  - (b) Neither Tim Bramwell nor MyStrataCorp were currently licensed under *RESA*.

11. On April 23, 2008, a person identifying himself as Tim Bramwell contacted Staff and advised as follows:
  - (a) He started MyStrataCorp in January 2008.
  - (b) He received legal advice from a friend, whose name he would not disclose, who advised that he was not required to be licensed under *RESA*.
  - (c) In late January/early February he learned from associates in the real estate industry that he was required to be licensed to provide the services offered by MyStrataCorp.
  - (d) Since learning that he needed to be licensed, he had not taken on any new business.
  - (e) He does not have a business address.
  - (f) He had been a licensed realtor in British Columbia, and was currently dealing with the Council in order to become licensed again.
  - (g) He refused to provide his full name, his home address, or the number of transactions he had been involved in with MyStrataCorp.
  - (h) He refused to remove the MyStrataCorp Website from the internet.
  
12. On April 25, 2008, Staff reviewed the MyStrataCorp Website again and noted the following changes and additional information:
  - (a) The services were identified as being provided by "MyStrataCorp Document Services" (the reference to "Inc" having been removed).
  - (b) The Franklin Street address was no longer provided with the rest of the contact information.
  - (c) The "About Us" page included reference to MyStrataCorp's mission: "Our mission is to provide experience and knowledge to evaluate and review Strata Corporation documents so that you can assess the Strata Corporation's performance and financial viability, for our clients (buyers, sellers, and real estate professionals)."
  
13. Staff conducted a driver's license search using the name Timothy Bramwell, and determined that there is a Timothy Keith Bramwell with an address at [REDACTED] [REDACTED] who has had a residential address at [REDACTED] [REDACTED] Vancouver.

14. On May 16, 2008, a person identifying himself as Tim Bramwell left a message for Staff indicating that he would be taking down the MyStrataCorp Website.
15. Staff reviewed the MyStrataCorp Website on May 20, 2008. The website had been revised, consisting of only a single page, which included the following information:
  - (a) MyStrataCorp is advertised as a “professional strata document review service.”
  - (b) The page reads: “thank you for visiting! new website coming soon.”
  - (c) Contact information is provided as follows:
    - (i) an email link to “info[at]mystratacorp.com” and
    - (ii) telephone number: [REDACTED]

I THEREFORE CONSIDER that MyStrataCorp Document Services and Timothy Keith Bramwell are conducting themselves in a manner that would enable me to make an order under section 49 of *RESA*.

I FURTHER CONSIDER that the length of time that would be required to hold a hearing in order to make an Order under section 49 of *RESA* would be detrimental to the public interest. A hearing would likely take at least four to five months to prepare for and conduct. MyStrataCorp Documents Services and Timothy Keith Bramwell are conducting unlicensed activity, through the provision of real estate services, contrary to the provisions of *RESA*. Public money is at risk.

I THEREFORE ORDER pursuant to sections 51(2) (a) and 49(2) (a) of *RESA* that MYSTRATACORP DOCUMENT SERVICE and TIMOTHY KEITH BRAMWELL:

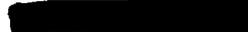
**Cease and desist conducting, directly or indirectly, real estate services, including trading services, as defined in the *Real Estate Services Act*, in British Columbia, effective immediately.**

TAKE NOTICE that MYSTRATACORP DOCUMENT SERVICE and TIMOTHY KEITH BRAMWELL, may appeal this Order to the Financial Services Tribunal under section 54(1)(e) of *RESA*, or require a hearing before the Superintendent under sections 51(3) and 45(6) of *RESA*.

Dated at the  
City of Surrey,  
Province of British Columbia  
this 20<sup>th</sup> day of May, 2008.

  
W. Alan Clark  
Superintendent of Real Estate  
Province of British Columbia

TO: Timothy Keith Bramwell  
  
Vancouver, BC  


Timothy Keith Bramwell  
  
  


MyStrataCorp Document Services  
  
  


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