

**IN THE MATTER OF THE REAL ESTATE SERVICES ACT
S.B.C. 2004, c. 42
And
IN THE MATTER OF THE REAL ESTATE DEVELOPMENT
MARKETING ACT
S.B.C. 2004, c. 41**

And

MICHAEL JEROME KNIGHT

CONSENT ORDER

The following agreement has been reached between Michael Jerome Knight ("Knight") and the Superintendent of Real Estate ("the Superintendent"):

A. ORDERS:

Knight consents to and the Superintendent makes the following orders:

1. That Knight cease providing real estate services to or on behalf of another, including but not limited to Active Mountain Resort Inc., pursuant to section 49(2) (a) of the *Real Estate Services Act* ("*RESA*").
2. That Knight cease and refrain from marketing any development units in the Active Mountain Resort Inc. development located at 968 Midday Valley Road, Merritt, British Columbia on Parcel Identifiers 023-827-661 and PID 023-827-670 ("the Development"), pursuant to section 30(1) (a) of the *Real Estate Development Marketing Act* ("*REDMA*").
3. That Knight pay an administrative penalty in the amount of \$25,000.00 immediately upon execution of this Order, pursuant to section 30(1) (d) (ii) of the *REDMA*.

B. FACTS AND ADMISSIONS:

As a basis for these Orders, Knight acknowledges the following facts as correct and makes the following admissions:

1. Active Mountain Resort Inc. ("Active Mountain") is a registered company incorporated in British Columbia on December 1, 2004.
2. Active Mountain owns development property located at 968 Midday Valley Road in Merritt B.C. Active Mountain is actively developing this property to include lodge suites, villas, condominiums, town homes, and single family dwellings ("Development Units") in addition to various recreational facilities.
3. Knight is a shareholder in Active Mountain, and is thus a developer as defined in the *REDMA*. Knight was active in various aspects of the Development, including construction, marketing and financing.
4. The Development is to be completed and marketed in phases.
5. Prior to any of the Development Units being marketed for sale, the developer, which includes Active Mountain and Knight, is required to prepare and file with the Superintendent a disclosure statement containing prescribed information. No disclosure statement has been filed with the Superintendent to date.
6. Knight developed a web site on which it was advertised that town homes were available for sale in the Development.
7. On at least two occasions in April 2005, Knight accepted deposits from potential purchasers to secure an interest in a Development Unit.
8. Knight failed to place those deposits in a trust account as he was required to.
9. Knight was not and is not licensed to provide real estate services under the *RESA*.
10. Knight admits that he provided real estate services in April 2005 on behalf of Active Mountain without being licensed to do so, contrary to section 3(1) of the *RESA*.
11. Knight admits he marketed Development Units without first preparing the prescribed disclosure statement and filing it with the Superintendent, contrary to sections 3(1) and 14(1) of the *REDMA*.
12. Knight admits he received monies from at least two persons in April 2005 to secure an interest in a Development Unit and did not deposit those monies in a trust account, contrary to sections 3(2) and 18(1) of the *REDMA*.

C. WAIVER:

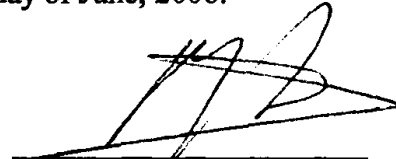
Knight waives his right to appeal under section 54 of the *RESA* and section 37 of the *REDMA*.

Dated at Surrey, British Columbia, this 15th day of June, 2006.



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

Dated at VANCOUVER British Columbia, this 12th day of June, 2006.



Michael Jerome Knight
