



BRITISH
COLUMBIA

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

-AND-

KENNETH EMILIE VALCOURT

-AND-

MARY KATHERINE MARIANO TECSON VALCOURT

-AND-

K & K HOMELINK NETWORK ENTERPRISES

CONSENT CEASE and DESIST ORDER

(Pursuant to sections 41, 48 and 49 of the *Real Estate Services Act*)

WHEREAS Kenneth Emilien Valcourt, Mary Katherine Mariano Tecson Valcourt and K & K Homelink Network Enterprises ("K & K") have been provided with an opportunity to be heard;

AND WHEREAS Kenneth Emilien Valcourt, Mary Katherine Mariano Tecson Valcourt and K & K Homelink Network Enterprises and the staff of the Superintendent of Real Estate (the "Staff") consent to the making of this order;

AND WHEREAS it appears to the Superintendent of Real Estate (the "Superintendent") that it is in the public interest to enter into this order;

THEREFORE the Superintendent makes the following orders:

1. Ms. Tecson Valcourt and Mr. Valcourt, individually, collectively and/or by one or both of them doing business as K & K;

- a. cease providing rental property management services as that term is defined in the *Real Estate Services Act* (the "Act") without being licensed to do so under the Act, pursuant to s. 49(2)(a) of the Act;
 - b. cease advertising on websites, newspapers, verbally or in writing, including, but not limited to email advertising that they offer rental property management services as that term is defined in the Act without being licensed to do so under the Act, pursuant to s. 49(2)(a) of the Act;
 - c. cease providing trading services as that term is defined in the Act without being licensed to do so under the Act, pursuant to s. 49(2)(a) of the Act; and
 - d. cease advertising on websites, newspapers, verbally or in writing, including, but not limited to email advertising that they offer trading services as that term is defined in the Act without being licensed to do so under the Act, pursuant to s. 49(2)(a) of the Act.
2. The hearing with respect to monetary penalties pursuant to s. 49(2)(d)(ii) and the costs of the investigation and hearing pursuant to s. 49(2)(c) as sought by the Staff in the Notice of Hearing dated September 6, 2013, is adjourned generally by consent.

Background

3. On or about September 15, 2011, the Office of the Superintendent of Real Estate acquired evidence that Ms. Tecson Valcourt, Mr. Valcourt, and K & K may be providing real estate services as that term is defined in the Act without being licensed or exempt from the licensing requirement.
4. Subsequent investigation determined that Ms. Tecson Valcourt and Mr. Valcourt, individually, collectively, and/or by one or both of them doing business as K & K advertised to the public that they provided services that fall within the definition of trading services as those terms are defined in the Act:
- a. advertised on K & K's website that they:
 - i. assisted homeowners to sell their rental property without the "headaches and time or money that is involved when you sell via a realtor";
 - ii. charge a 1% commission fee on the agreed selling price;
 - iii. bring you qualified, potential purchasers;
 - iv. set up contracts;

- v. help you sell your property at no loss;
 - b. advertising in the [REDACTED] newspaper that they can assist with owner financed homes or assist you to choose one of your own homes to purchase.
5. Subsequent investigation determined that Ms. Tecson Valcourt and Mr. Valcourt, individually, collectively, and/or by one or both of them doing business as K & K advertised to the public that they provided services that fall within the definition of rental property management services as those terms are defined in the Act:
- a. advertising in the [REDACTED] newspaper that they provide rental property management services;
 - b. communicating via email to potential clients that they:
 - i. provide rental property management services in [REDACTED] on properties they manage for investors;
 - ii. they charge 10% of the rent as their service fee and \$25 per hour for repairs;
 - iii. they collect the monthly rent cheques from the tenants; and
 - iv. the rent cheques are made out to K & K and deposited into their account where their fees are deducted and then the remainder is deposited to the owner of the rental property.
6. Ms. Tecson Valcourt, Mr. Valcourt and K & K waive their right of appeal pursuant to section 54 of the Act.

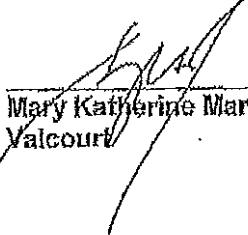
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7. The order may be signed in counterpart.

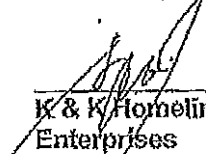
Dated at the City of Prince George,
Province of British Columbia
this 2 day of November, 2015


Kenneth Emilien Valcourt

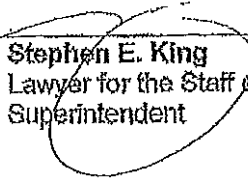
Dated at the City of Prince George,
Province of British Columbia
this 2 day of November, 2015


Mary Katherine Mariano Tecson
Valcourt

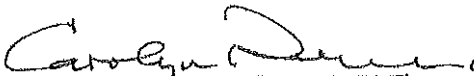
Dated at the City of Prince George,
Province of British Columbia
this 2 day of November, 2015


K & K Homelink Network
Enterprises

Dated at the City of Victoria,
Province of British Columbia
this 16 day of November, 2015


Stephen E. King
Lawyer for the Staff of the
Superintendent

Dated at the City of Vancouver,
Province of British Columbia
this 08 day of Dec, 2015


Carolyn Rogers
Superintendent of Real Estate
Province of British Columbia