

BC FINANCIAL SERVICES AUTHORITY

**IN THE MATTER OF THE *REAL ESTATE DEVELOPMENT MARKETING ACT*
SBC 2004, c. 41 as amended**

AND

IN THE MATTER OF

1216920 BC LTD.

AND

MARTY CLIFFORD FLETCHER

AND

DONNA MARIE BREEN

AND

ROBERT JAMES DOORNENBAL

NOTICE OF HEARING

(Pursuant to section 27 of the *Real Estate Development Marketing Act*)

[This Notice has been redacted before publication.]

NOTICES OF HEARING issued by the Superintendent of Real Estate include allegations which will be considered at a hearing. The allegations contained in a Notice of Hearing are unproven allegations until the Superintendent of Real Estate or their appointee has determined their validity.

To: 1216920 BC Ltd.
PO Box 319
201 – 438 Birch Avenue
100 Mile House, BC | V0K 2E0

To: Marty Clifford Fletcher
c/o 1216920 BC Ltd.
PO Box 319
201 – 438 Birch Avenue
100 Mile House, BC | V0K 2E0

To: Donna MARIE Breen
c/o 1216920 BC Ltd.
PO Box 319
201 – 438 Birch Avenue
100 Mile House, BC | V0K 2E0

To: Robert James Doornenbal
c/o 1216920 BC Ltd.
PO Box 319
201 – 438 Birch Avenue
100 Mile House, BC | V0K 2E0

WHEREAS Marty Clifford Fletcher, Donna Marie Breen, and Robert James Doornenbal are directors (the “Directors”) of 1216920 BC Ltd., and 1216920 BC Ltd. is the developer (the “Developer”) of a property named [Development 1] (the “Development”);

TAKE NOTICE that the Superintendent of Real Estate (the “Superintendent”) of the BC Financial Services Authority (“BCFSA”) will hold a hearing pursuant to section 29 of the *Real Estate Development Marketing Act* (“REDMA”) from **August 13 to 15, 2024 commencing at 9:30 am** in the virtual Hearing Room at BCFSA’s offices located at **600 – 750 West Pender Street, Vancouver, British Columbia** to determine whether your conduct contravened the REDMA or the regulation made under the REDMA (the “Regulation”).

AND TAKE NOTICE that the allegations against you are as follows:

1. You failed to comply with the terms of a cease-marketing order under sections 30(1) and 32(1) of REDMA accepted by the Superintendent on August 19, 2019 in relation to the Development, contrary to section 36 of REDMA.
2. You failed to comply with section 11(1) of REDMA by marketing Development units, and receiving deposit funds from purchasers for these units, before making adequate arrangements to ensure that a purchaser of a Development unit would have assurance of title or other interest for which the purchaser had contracted.
3. You failed to comply with section 15 of REDMA by:
 - a. Entering into purchase agreements for the sale of six Development units without providing the purchasers with a copy of the Development’s disclosure statement; and
 - b. Entering into a purchase agreement for the sale of one Development unit without providing the purchaser with a copy of a disclosure statement that had been accepted by the Superintendent.
4. You marketed the Development when you were required to first file a new or amended disclosure statement with the Superintendent, contrary to section 16(4) of REDMA.
5. You received deposits in relation to an interest in land for seven Development units and failing to place them with a brokerage, lawyer, notary public, or prescribed person to hold the deposit as trustee in a trust account in a savings institution in British Columbia as required by section 18(1) of REDMA.

AND FURTHER TAKE NOTICE that if the Superintendent finds the Directors and/or Developer have been non-compliant, the Superintendent may make an order against you, and may also order you to pay enforcement expenses incurred by BCFSA, under sections 30 and 31 of the REDMA.

AND FURTHER TAKE NOTICE that if, following a hearing as set out in section 29 of the REDMA, the Superintendent determines that the Developer has been non-compliant with the REDMA, then pursuant to section 30(2) of the REDMA an order can be made against either the Developer or the Directors or both to pay the administrative penalty or for recovery of enforcement expenses.

AND FURTHER TAKE NOTICE that if you do not attend the enforcement hearing, the Superintendent may proceed with the enforcement hearing in your absence and may make findings and orders under sections 30 and 31 of the REDMA without further notice to you.

AND FURTHER TAKE NOTICE that you are entitled, at your own expense, to be represented by legal counsel and to participate in the hearing.

Dated this 15th day of February, 2024 at the City of Victoria, British Columbia.

Superintendent of the BC Financial Services Authority

“Original signed by Jonathan Vandall”

Jonathan Vandall
Delegate of the Superintendent of Real Estate
Province of British Columbia