

BC FINANCIAL SERVICES AUTHORITY

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*
SBC 2004, c 42 as amended**

AND

IN THE MATTER OF

**YOO KYUNG (ASHLEY) KIM
(184774)**

NOTICE OF DISCIPLINE HEARING

[This Notice has been redacted before publication.]

To: Yoo Kyung (Ashley) Kim
c/o Evergreen West Realty Inc dba Evergreen West Realty
206 – 2963 Glen Drive
Coquitlam, BC V3B 2P7

TAKE NOTICE that the Superintendent of Real Estate (the “Superintendent”) of the BC Financial Services Authority (“BCFSA”) will hold a discipline hearing under Part 4 of the *Real Estate Services Act* (“RESA”) on **October 1-4, 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 RESA, the *Real Estate Services Regulation* (the “Regulation”), or the *Real Estate Services Rules* (the “Rules”).

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

1. You committed professional misconduct within the meaning of section 35(1)(a) [*Misconduct by licensee: contravention of the RESA, the Regulation or the Rules*] of the RESA when while acting as buyer’s agent, you:
 - a. failed to act with reasonable care and skill when you did not accompany your clients to the showing of the property located at [Property 1], Langley, BC (the “Property”) on May 19, 2021, contrary to section 34 of the Rules [*Duty to act with reasonable care and skill*] (previously Rules, s 3-5); and
 - b. failed to act in the best interest of your clients when you allowed an unlicensed person to provide real estate services when you asked them to show your clients the Property in your place, contrary to section 30(a) of the Rules [*Act in the best interests of the client*] (previously Rules, s 3-3(a)).

2. You committed professional misconduct within the meaning of section 35(1) [*Misconduct by licensee*] including section 37(4) [*Withhold, destroy, conceal or refuse to provide information or things required for an investigation*], 35(1)(e) [*Misconduct by licensee: fails or refuses to cooperate with an investigation*] and/or 35(1)(g) [*Misconduct by licensee: makes or allows to be made a false or misleading statement*] of the RESA when, during the investigation conducted by BCFSA, you provided different statements to BCFSA, orally and in writing, regarding the showing of the Property, including whether or not you attended and why you did not attend, which were false or misleading.

AND FURTHER TAKE NOTICE that if the Superintendent finds you committed professional misconduct, the Superintendent must make an order against you, and may also order you to pay enforcement expenses incurred by BCFSA, under sections 43 and 44 of the RESA.

AND FURTHER TAKE NOTICE that if you do not attend the discipline hearing, the Superintendent may proceed with the discipline hearing in your absence and may make findings and orders under sections 43 and 44 of the RESA 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 discipline hearing.

Dated this 24th day of June, 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