



**IN THE MATTER OF THE MORTGAGE BROKERS ACT
R.S.B.C. 1996, c 313**

-AND-

MONTGOMERY-SWAN PARTNERSHIP INC.

-AND-

MONTGOMERY-SWAN PARTNERSHIP INC.

doing business as

MONEYSMART CONSULTANTS

-AND-

GEOFFREY MONTGOMERY-SWAN

CONSENT ORDER

Montgomery-Swan Partnership Inc. (MSP), Montgomery-Swan Partnership Inc. doing business as Moneysmart Consultants (Moneysmart), Geoffrey Montgomery-Swan and the Registrar of Mortgage Brokers (Registrar) agree to the following:

A. ORDERS

1. Neither Geoffrey Montgomery-Swan nor any corporation, sole proprietorship or partnership, including, but not limited to, MSP or Moneysmart, in which Geoffrey Montgomery-Swan is an officer, director, partner, shareholder, or in which

Geoffrey Montgomery-Swan has a direct or indirect ownership interest will, directly or indirectly:

- a. engage in activities which fall within the definition of "mortgage broker" or "submortgage broker" under the *Mortgage Brokers Act*, RSBC 1996, c. 313 (the *Act*), including activities identified in information bulletins issued by the Registrar, unless registered under the *Act*;
 - b. engage in the activities identified in (1)(a) whether or not a fee is charged for that service; or
 - c. administer, promote, offer or endorse the Financial Equalization Program created and copyrighted by Charles S. Bell, president of the Financial Equalization Action Technique Inc. or any similar program in British Columbia regardless of whether or not a fee is charged for that service, until the program is reviewed by the Registrar as part of an application to become registered under the *Act*.
2. MSP and/or Moneysmart shall within fourteen (14) days of the execution of this Order cause the name Moneysmart Consultants Inc. to be removed from the Financial Equalization Program website at www.financialequalization.com and any other websites associated with the Financial Equalization Program.
 3. The Registrar has determined that administrative or cost penalties pursuant to s. 8(1.4) and s. 6(9) of the *Act* will not be imposed under this Order.

B. FACTS AND ADMISSIONS

As a basis of this Order, MSP, Moneysmart and Geoffrey Montgomery-Swan acknowledge the following facts as correct and make the following admissions:

Background

1. Moneysmart is a sole proprietorship that is registered in British Columbia and owned and operated by MSP.
2. MSP is an Ontario incorporated company whose officers are Geoffrey Montgomery-Swan and Sabina Montgomery-Swan.

3. Neither Moneysmart, MSP, Geoffrey Montgomery-Swan nor Sabina Montgomery-Swan have ever been registered as a mortgage broker or submortgage broker in British Columbia.
4. The Moneysmart website, www.moneysmart.info, prior to January 11, 2013 promoted the "Financial Equalization Plan", created by Charles S. Bell, as "the most unique and powerful plan available in the mortgage and debt reduction industry today".
5. Moneysmart was listed as a British Columbia 'Consultant' on the Financial Equalization Action Techniques Inc.'s website.

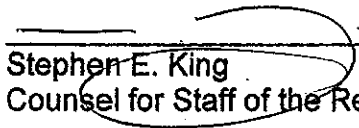
Breaches

6. MSP, Moneysmart and Geoffrey Montgomery-Swan have promoted, offered, and/or endorsed the Financial Equalization Plan in British Columbia. This plan requires clients to obtain new mortgage financing.
7. Through the promotion, offering, and/or endorsement of the Financial Equalization Plan, MSP, Moneysmart and Geoffrey Montgomery-Swan have arranged, and offered to arrange, mortgages for clients in British Columbia by:
 - a. advising clients on mortgage structuring and terms;
 - b. taking and pre-screening mortgage applications;
 - c. finding registered mortgage brokers for clients to deal with; and
 - d. instructing, advising and dealing with mortgages on behalf of clients for mortgage renewals.
8. Clients paid MSP fees in excess of \$1,000 in 2010 and 2011 for assisting them with the arrangement of mortgage financing, as required by the Financial Equalization Program.
9. The aforementioned conduct constitutes mortgage broker activity that requires registration under the *Act*, and represents a breach of s. 21 of the *Act*.

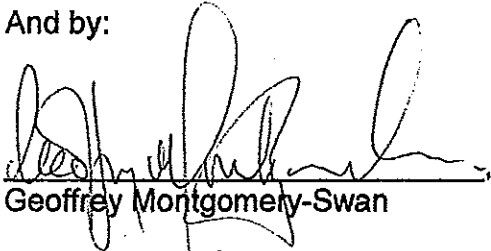
C. WAIVER

10. MSP, Moneysmart and Geoffrey Montgomery-Swan waive their right to a hearing under s. 8(1.4) of the Act and waive their right to an appeal under s. 9 of the Act.

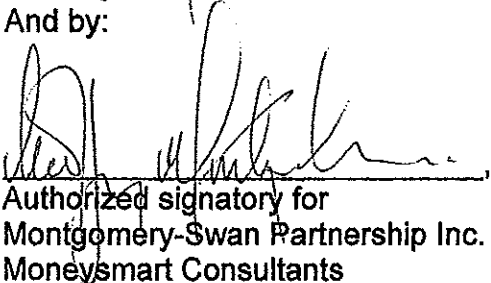
APPROVED AS TO FORM AND CONTENT:


_____, this 21st day of February, 2013
Stephen E. King
Counsel for Staff of the Registrar of Mortgage Brokers

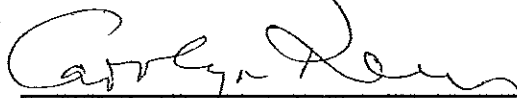
And by:


_____, this 18th day of FEBRUARY 2013
Geoffrey Montgomery-Swan

And by:


_____, this 18th day of February, 2013
Authorized signatory for
Montgomery-Swan Partnership Inc. dba
Moneysmart Consultants

Issued this 4th day of March
at Vancouver, British Columbia



Carolyn Rogers
Registrar of Mortgage Brokers
Province of British Columbia