



IN THE MATTER OF THE *MORTGAGE BROKERS ACT*,
RSBC 1996, c. 313 as amended

-AND-

IN THE MATTER OF ANIL KUMAR SINGH
(Pursuant to section 8 of the *Mortgage Brokers Act*)

NOTICE OF HEARING

NOTICES OF HEARING issued by the Registrar of Mortgage Brokers include allegations which will be considered at a hearing. The allegations contained in a Notice of Hearing are unproven until the Registrar of Mortgage Brokers or his or her appointee has determined their validity.

To: Anil Kumar Singh



TAKE NOTICE that the Registrar of Mortgage Brokers (“Registrar”) will hold a hearing pursuant to section 8 of the *Mortgage Brokers Act* (“MBA”) at the offices of the Registrar, located at the Financial Institutions Commission at **2800 - 555 West Hastings Street in Vancouver, British Columbia** to provide you with an opportunity to be heard prior to the Registrar making any order under the MBA should it be determined that your conduct contravened the MBA, or regulations made under the MBA (“Regulations”).

The hearing will commence at a date to be determined by the parties, and if no agreement is reached within one month of the date of this notice, the hearing date will be determined by the Registrar.

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

1. In your capacity as a submortgage broker, you contravened section 8(1)(i) of the MBA in that you conducted business in a manner that is prejudicial to the public interest by:

a. Submitting misleading information, including altered Canada Revenue Agency (“CRA”) documents, to [REDACTED] in support of the income of borrower [REDACTED] aka [REDACTED] when you knew or ought to have known that the information was misleading and did not represent the true income of [REDACTED]:

- i. Filogix Mortgage Application DLLE-[REDACTED], stating [REDACTED] was a self-employed nail technician with an annual income of \$82,427;
- ii. 2009 Notice of Assessment, stating [REDACTED] total income to be \$69,246; and
- iii. 2010 Notice of Assessment, stating [REDACTED] total income to be \$74,106;

which you knew or ought to have known to be false as [REDACTED] worked as a personal maid and [REDACTED] production worker with an annual income of about \$54,000, and [REDACTED] had provided her true income information to your colleague [REDACTED]

b. Submitting misleading information, including altered CRA documents, to [REDACTED] in support of the income of borrower [REDACTED] when you knew or ought to have known that the information was misleading and did not represent the true income of [REDACTED]:

- i. Filogix Mortgage Application DLLE-[REDACTED], stating [REDACTED] was a self-employed fish trader with an annual income of \$75,066;
- ii. 2010 Notice of Assessment, stating [REDACTED]’s total income to be \$62,318; and
- iii. 2011 Notice of Assessment, stating [REDACTED]’s total income to be \$68,232;

which you knew or ought to have known to be false as [REDACTED] had never been self-employed and worked as a fish filleter with an annual income of about \$30,000, and [REDACTED] had provided her true income information to [REDACTED] who had shared that information with you by granting you access to his Filogix File DLLE-[REDACTED];

c. Submitting misleading information, including altered CRA documents, to [REDACTED] in support of the income of borrower [REDACTED] when you knew or ought to have known that the information was misleading and did not represent the true income of [REDACTED]:

- i. Filogix Mortgage Application DLLE-█████, stating █████ was a self-employed nail tech at █████ with an annual income of \$60,500;
- ii. 2010 Notice of Assessment, stating █████'s total income to be \$57,100; and
- iii. 2011 Notice of Assessment, stating █████'s total income to be \$64,144;

which you knew or ought to have known to be false, as █████ has never worked at █████ or owned a business, and had an annual income of about \$20,000;

- d. Submitting misleading information, including altered CRA documents, to █████ in support of the income of borrower █████ when you knew or ought to have known that the information was misleading and did not represent the true income of █████:

- i. Filogix Mortgage Application DLLE-█████, stating █████ was a self-employed construction contractor with an annual income of \$74,803;
- ii. 2009 Notice of Assessment, stating █████'s total income to be \$73,384;
- iii. 2010 Notice of Assessment, stating █████'s total income to be \$76,223; and
- iv. 2011 Notice of Assessment, stating █████'s total income to be \$79,166;

which you knew or ought to have known to be false as █████'s genuine CRA documents show his total income for 2010 was \$1,200 and his total income for 2011 was \$6,195.97, and █████ brought to your attention the discrepancy between █████'s employment information as stated by you on his mortgage application and as listed on his Credit Bureau Report;

- e. Submitting misleading information, including altered CRA documents, to █████ in support of the income of borrower █████ aka █████ when you knew or ought to have known that the information was misleading and did not represent the true income of █████:

- i. Filogix Mortgage Application DLLE-█████, stating █████ was self-employed doing automotive scavenging with an annual income of \$81,803;
- ii. 2010 Notice of Assessment, stating █████'s total income to be \$79,377; and
- iii. 2011 Notice of Assessment, stating █████'s total income to be \$84,230;

which you knew or ought to have known to be false, as █████ worked part-time for a carpentry company and had an annual income of about \$30,000;

- f. Submitting misleading information, including altered CRA documents, to [REDACTED] in support of the income of borrower [REDACTED], when you knew or ought to have known that the information was misleading and did not represent the true income of [REDACTED]:
- i. Filogix Mortgage Application DLLE-[REDACTED], stating [REDACTED] was a self-employed landscaper-owner with an annual income of \$81,899;
 - ii. 2010 Notice of Assessment, stating [REDACTED]'s total income to be \$69,236; and
 - iii. 2011 Notice of Assessment, stating [REDACTED]'s total income to be \$73,199;

which you knew or ought to have known to be false;

- g. Failing to take sufficient or any steps to verify the accuracy of income information which you submitted to lenders in the following additional 22 mortgage applications:

- i. [REDACTED] aka [REDACTED], Filogix File DLLE-[REDACTED];
- ii. [REDACTED], Filogix File DLLE-[REDACTED];
- iii. [REDACTED] aka [REDACTED], Filogix File DLLE-[REDACTED];
- iv. [REDACTED], Filogix File DLLE-[REDACTED];
- v. [REDACTED], Filogix File DLLE-[REDACTED];
- vi. [REDACTED] aka [REDACTED], Filogix File DLLE-[REDACTED];
- vii. [REDACTED], Filogix File DLLE-[REDACTED];
- viii. [REDACTED], Filogix File DLLE-[REDACTED];
- ix. [REDACTED], Filogix File DLLE-[REDACTED];
- x. [REDACTED], Filogix File DLLE-[REDACTED];
- xi. [REDACTED], Filogix File DLLE-[REDACTED];
- xii. [REDACTED], Filogix File DLLE-[REDACTED];
- xiii. [REDACTED] aka [REDACTED], Filogix File DLLE-[REDACTED];
- xiv. [REDACTED] Vo, Filogix File DLLE-[REDACTED];
- xv. [REDACTED], Filogix File DLLE-[REDACTED];
- xvi. [REDACTED], Filogix File DLLE-[REDACTED];
- xvii. [REDACTED], Filogix File DLLE-[REDACTED];
- xviii. [REDACTED], Filogix File DLLE-[REDACTED];
- xix. [REDACTED], Filogix File DLLE-[REDACTED];
- xx. [REDACTED], Filogix File DLLE-[REDACTED];
- xxi. [REDACTED], Filogix File DLLE-[REDACTED]; and
- xxii. [REDACTED], Filogix File DLLE-[REDACTED].

AND TAKE FURTHER NOTICE that the Registrar will determine if you would be disentitled to registration if you were an applicant under section 4 of the MBA, pursuant to section 8(1)(e) of the MBA.

AND TAKE FURTHER NOTICE that in the event the Registrar determines that your conduct, as set out above, contravened the MBA and/or the Regulations, the Registrar may make any of the orders set out in section 8 of the MBA, including but not limited to, the remedies permitted pursuant to sections 8(1) and 8(1.1) of the MBA. In addition the Registrar may make an order against you for payment of the investigation and costs of the hearing, pursuant to section 6(9) of the MBA, and may make any further orders under the MBA as deemed appropriate by the Registrar.

AND TAKE FURTHER NOTICE that in the event of your non-attendance at the hearing, the Registrar may proceed with the hearing in your absence. The Registrar may hear evidence and make findings regarding your conduct and may make orders described above, all without further notice to you.

AND TAKE FURTHER NOTICE that you are entitled, at your own expense, to be represented by legal counsel at the hearing and you and your counsel will have the full right to cross-examine all witnesses called and to call evidence in your defence and reply in answer to the allegations.

Issued at the City of Vancouver, BC this 15 day of September 2016

Registrar of Mortgage Brokers

A handwritten signature in black ink, appearing to be 'K/C', written over a horizontal line.

Per: Chris Carter
Acting Registrar of Mortgage Brokers
Province of British Columbia