



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

-AND-

KEVIN ANDREW BOWNICK

**CONSENT ORDER
(Pursuant to section 8(1.2) of the Mortgage Brokers Act)**

WHEREAS Kevin Andrew Bownick (“Mr. Bownick”) had been a registered submortgage broker since January, 2004 and was most recently registered with Verico The Mortgage Advantage (“Verico”) since March, 2013. Mr. Bownick’s registration terminated on January 25, 2016.

AND WHEREAS the Registrar of Mortgage Brokers (the “Registrar”) issued a Notice of Hearing on April 1, 2016 (the “Notice of Hearing”);

AND WHEREAS the following agreement has been reached between the staff of the Registrar of Mortgage Brokers and Mr. Bownick;

AND WHEREAS the Registrar agrees to the following terms of a consent order:

A. FINDINGS

The Registrar makes the following finding against Mr. Bownick, and Mr. Bownick accepts the following findings made against him:

1. Mr. Bownick failed to comply with a Summons to Attend Before Investigators (the “Summons”) dated March 4, 2015 pursuant to section 6(3) of the *Mortgage Brokers Act* [RSBC 1996] Chapter 313 (the “Act”), by failing to produce the documents described in the Summons contrary to sections 6(7.5) and 8(1)(f) of the Act.

B. ORDERS AND PENALTY

Pursuant to section 8(1.2) of the Act, Mr. Bownick hereby consents to, and the Registrar hereby makes the following orders:

1. Mr. Bownick is not eligible to re-apply for registration under the Act, and agrees to never re-apply for registration under the Act, and the Registrar will not accept an application by Mr. Bownick for registration.
2. Pursuant to section 6(9) of the *Act* Mr. Bownick will pay investigative costs of \$2,236.38.
3. All payments will be made by cheque, bank draft or money order payable to the Minister of Finance and all amounts outstanding thirty (30) days following execution of this Order will represent a debt owing and be subject to interest pursuant to the Financial Administration Act, R.S.B.C. 1996, c. 138.

C. AGREED FACTS

As the basis for this Consent Order, Mr. Bownick acknowledges the following facts as correct and makes the following admissions:

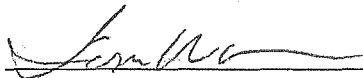
1. In August of 2013, Mr. Bownick was advised by Staff that a company of which he was the sole director and shareholder may require registration under the Act.
2. Mr. Bownick initially stated that he did not believe that the company required registration because the mortgages were arranged through a registered brokerage.
3. Staff requested additional information from Mr. Bownick in a letter dated December 13, 2013; however, Mr. Bownick failed to respond to the letter.
4. The December 13, 2013 letter was re-sent by registered mail on January 27, 2014; however, the registered letter was never claimed.
5. On February 25, 2014 Staff advised Mr. Bownick by email of the letters and again made a request for further information. Mr. Bownick responded to the emails, but refused to comply with the request for further information.
6. Mr. Bownick then agreed to have the company registered under the Act, but ultimately did not pay the required registration fee, so the company was not registered. 38 auto-generated email reminders for Mr. Bownick to pay the registration fee were sent to Mr. Bownick. The registration fee was never paid, and the company remains unregistered.


7. On March 12, 2015 Mr. Bownick was served with a summons to attend for an interview and produce documents. Mr. Bownick responded on March 18, 2015 stating he would not comply with the summons, and that the company was not funding any new mortgages.
8. After further correspondence, Mr. Bownick provided some of the documents set out in the summons, but did not provide a fulsome response to the summons as required.
9. Mr. Bownick has no prior discipline history with the Registrar.
10. Mr. Bownick's registration lapsed on January 15, 2016.

D. WAIVER


Mr. Bownick waives his right to a hearing under sections 4 and 8 of the *Act* and waives his right to appeal under section 9 of the *Act*.

Approved as to form and content by:

 this 30th day of August, 2017
Joni Worton
 Counsel for the Staff of the Registrar of Mortgage Brokers

 this 30th day of August, 2017
Kevin Andrew Bownick

Dated in the City of Vancouver, in the Province of British Columbia, this
~~30th~~ day of ~~August~~ September 2017
 5th


Cheryl Vickers, Appointee
 Registrar of Mortgage Brokers
 Province of British Columbia