

JOSE ANTONIO PEREIRA
also known as JOE PEREIRA

WHEREAS:

(A) A hearing (“Hearing”) was held by The Manitoba Securities Commission (“Commission”) on June 11, 12 and 15, 2018, with previous appearances before the Commission on January 31, February 28, April 4 and April 25, 2018, pursuant to a Notice of Hearing dated December 21, 2017 and Statement of Allegations of staff dated December 21, 2017 as amended by Amended Statement of Allegations dated April 23, 2018, to consider:

- (i) whether or not it is in the public interest to order, pursuant to section 11(1) of *The Real Estate Brokers Act* (“Act”), that the registration of Jose Antonio Pereira also known as Joe Pereira (“PEREIRA”) as a salesperson under the Act be suspended or cancelled;
- (ii) whether the Manitoba Real Estate Association Inc. (“MREA”) should be ordered to pay to a person any amount out of the Real Estate Reimbursement Fund (“Fund”) under clause 39.1(2)(a) of the Act pertaining to the actions of PEREIRA in connection with a trade or transaction in real estate;
- (iii) whether pursuant to subsection 34(1) of the Act it is in the public interest to order that PEREIRA pay the costs of the investigation and hearing;
- (iv) such further and other matters and the making of such further and other orders as the Commission may deem appropriate.

(B) After reading the Notice of Hearing and Statement of Allegations of staff, as amended, and upon hearing the evidence and submissions of counsel for staff and for PEREIRA, the Commission issued Reasons for Decision dated September 28, 2018;

(C) The Commission is of the opinion that it is in the public interest to make this order.

IT IS ORDERED:

1. THAT, pursuant to subsection 11(1) of the Act, PEREIRA shall be barred from becoming a real estate broker for a period of three (3) years commencing

September 29, 2018.

2. THAT, pursuant to subsection 11(1) of the Act, PEREIRA can continue his present registration as a real estate salesperson under the Act which expires September 25, 2018 and, if he so decides to apply for renewal of that registration, to be registered as a real estate salesperson under the provisions of the Act provided that:

- (a) Within six (6) months of the renewal date, PEREIRA is to provide and satisfy the Registrar that he has successfully re-taken the presently approved Real Estate Course as well as an Ethics course to be approved by the Registrar; and
- (b) During the first twelve (12) months from renewal of his registration as a real estate salesperson, PEREIRA shall be supervised by his broker, who is to report monthly to the Registrar on PEREIRA's activities in a form and content to be determined by the Registrar from time to time, and the Registrar shall be entitled to report back to this Panel in that regard for assistance and direction and such other conditions, including cancellation of PEREIRA's registration, as this Panel may direct.

BY ORDER OF THE COMMISSION



Director