THE REAL ESTATE BROKERS ACT	)	Order No. 2433
	)	
Section 47	)	January 19, 2000

## MANITOBA HYDRO and MTS COMMUNICATIONS INC.

## **WHEREAS:**

- (A) Manitoba Hydro ("Hydro") is a public utility incorporated under The Manitoba Hydro Act in the Province of Manitoba;
- **(B)** MTS Communications Inc. ("MTS") is a public telecommunications company incorporated under The Cor1, orations Act in the Province of Manitoba;
- (C) Hydro and MTS (the "Applicants") have represented to the Commission that:
- 1. The Applicants administer employee relocation plans (the "ERP") at no cost for their employees who are required to relocate to other areas of Manitoba for employment reasons and require another principal residence ("Eligible Employees");
- 2. The Applicants offer the ERP only to Eligible Employees and not to members of the public;
- 3. Under the ERP, houses owned by Eligible Employees are listed for sale with brokers registered under The Real Estate Brokers Act (the "Act");
- 4. The Applicants offer a guaranteed price at which they purchase the house if it is not sold by the time it is vacated;
- 5. Where houses purchased under the ERP do not sell on a timely basis, it is frequently necessary for the Applicants to maintain the houses until they are sold;
- 6. Because such houses are frequently located in remote areas, it is difficult and costly for the Applicants to obtain market valuations, brokerage and property management services (the "Services");
- 7. The Applicants are seeking to reduce costs and improve services provided to employees under the ERP through joint coordination with Hydro providing the Services on behalf of MTS and its employees;
- 8. Hydro will charge MTS on an hourly basis for the Services and not on a commission basis; and

- 9. Hydro will not receive or handle trust money on behalf of employees of Hydro or MTS in connection with the ERP.
- (**D**) The Applicants have applied to The Manitoba Securities Commission (the "Commission") for an order exempting the Applicants from the provisions of the Act with respect to the ERP;
- (E) The Commission is of the opinion that it would not be prejudicial to the public interest to grant the order requested.

## IT IS ORDERED:

- 1. THAT pursuant to section 47 of the Act the Applicants shall be exempt from the provisions of the Act with respect to the ERP;
- 2. THAT the fee for this Order shall be \$300.

## BY ORDER OF THE COMMISSION