IN THE MATTER OF: THE REAL ESTATE BROKERS ACT

-and-

IN THE MATTER OF:

JOSE ANTONIO PEREIRA and MARIO MANUEL LOPES

## NOTICE OF HEARING

TAKE NOTICE that The Manitoba Securities Commission (the "Commission") will hold a public hearing (the "Hearing") pursuant to subsection 11(1) of The Real Estate Brokers Act (the "Act") at its offices at 1130 - 405 Broadway, Winnipeg, Manitoba, on Friday, the 6th day of July, 2001, commencing at 10:00 o'clock in the forenoon or so soon thereafter as the Hearing can be held, and from day to day thereafter until the Hearing is concluded, to consider:

- 1. whether it is in the public interest that the registration of Jose Antonio Pereira ("Pereira") as a salesman under the Act be suspended or cancelled;
- 2. whether it is in the public interest that the registration of Mario Manuel Lopes ("Lopes") as a salesman under the Act be suspended or cancelled;
- 3. whether Pereira committed a fraudulent act or acts within the meaning of the Act;
- 4. whether Lopes committed a fraudulent act or acts within the meaning of the Act:
- 5. whether Pereira acted in contravention of subsection 22(1)(f)(iv) of the Act by failing to clearly show in an offer or offers to purchase real estate a promise, undertaking or guarantee made or given by a salesman that he would in any way obtain a loan for the offerer;
- 6. whether Lopes acted in contravention of subsection 22(1)(f)(iv) of the Act by failing to clearly show in an offer to purchase real estate a promise, undertaking or guarantee made or given by a salesman that he would in any way obtain a loan for the offerer;
- 7. whether pursuant to subsection 34(1) of the Act it is in the public interest to order that Pereira and/or Lopes pay the costs of the investigation and hearing;
- 8. such further and other matters and the making of such further and other orders as the Commission may deem appropriate.

## BY REASON OF THE FOLLOWING ALLEGATIONS:

Those allegations contained in the Statement of Allegations of staff of the Commission dated the 4th day of July, 2001.

**AND FURTHER TAKE NOTICE** that a person or company attending or submitting evidence at the Hearing may be represented by counsel of its choice.

**AND FURTHER TAKE NOTICE** that any party to the proceedings may, at the Hearing, call witnesses and submit such evidence relevant to the Hearing as it may wish and, for that purpose, it may obtain from the Director of the Commission at Room 1130, 405 Broadway, Winnipeg, Manitoba, R3C 3L6, a form or forms of summons to compel the attendance of witnesses.

**AND FURTHER TAKE NOTICE** that upon failure of any party to attend at the time and place aforesaid, the Hearing may proceed in that party's absence and the Commission may make or give any decision or order as though that party were present.

**DATED** at Winnipeg, Manitoba this 4th day of July, 2001.

Director, Legal and Enforcement

TO: JOSE ANTONIO PEREIRA

AND TO: MARIO MANUEL LOPES