

IN THE MATTER OF: THE REAL ESTATE BROKERS ACT

- and -

IN THE MATTER OF: JEFFRE

JEFFREY MARK RABB, DORCHESTER DEVELOPMENTS LTD. OPERATING AS WINPARK DORCHESTER PROPERTIES,

AND ALDERMAN CAPITAL

**CORPORATION OPERATING AS** 

ALDERMAN CAPITAL

# STATEMENT OF ALLEGATIONS OF STAFF OF THE MANITOBA SECURITIES COMMISSION

STAFF OF THE MANITOBA SECURITIES COMMISSION ALLEGE, AMONG OTHER THINGS, THAT:

#### A. REGISTRATION

- 1. Dorchester Developments Ltd. is a company incorporated under the laws of Manitoba.
- 2. Dorchester Developments Ltd. was first registered under The Real Estate Brokers Act ("Act") on August 28, 1992.
- 3. From August 28, 1992 up to and including July 14, 2016, Dorchester Developments Ltd., or Dorchester Developments Ltd. operating as Winpark Dorchester Properties, ("DORCHESTER") was registered under the Act at various periods of time.
- 4. At all material times in 2012 and 2015, except as described below, DORCHESTER was registered under the Act as a real estate broker with conditions on its license restricting its activities to property management.
- 5. Jeffrey Mark Rabb ("RABB") was first registered under the Act on August 28, 1992 as Authorized Official for DORCHESTER and has continued to be registered as Authorized Official for DORCHESTER as

- and when DORCHESTER has been registered.
- At all material times in 2012 and 2015, except as described below, RABB was registered under the Act as DORCHESTER's Authorized Official.
- 7. On March 21, 2016, Dorchester Developments Ltd. changed its name to Alderman Capital Corporation.
- 8. From July 15, 2016 to present, Alderman Capital Corporation operating as Alderman Capital ("ALDERMAN") has been registered under the Act as a real estate broker with conditions on its license restricting its activities to property management. RABB has been and continues to be registered as its Authorized Official.

### B. DETAILS

#### Unregistered activity (2015) -

- 1. In 2015, unless renewed, the registration of DORCHESTER and of RABB ("respondents") under the Act was to expire on November 27, 2015.
- 2. On September 14, 2015, a reminder was sent to the respondents confirming November 27, 2015 as the date the registration would expire and stating the requirement for application for renewal of registration to be filed with the Registrar no later than 30 days before that date.
- 3. No application for renewal of the respondents' registration was received by the Registrar prior to or on the date of expiration.
- 4. On November 27, 2015, the respondents' registration expired.
- 5. On the afternoon of November 28, 2015, RABB logged on to the on-line service for registration renewal. As the registration had already expired, no renewal could be done by this method.
- 6. On November 30, 2015, the Deputy Registrar Registrations forwarded to the respondents the requirements to renew the registrations.
- 7. On December 10, 2015, applications and fees were submitted by the respondents, with deficiencies.
- 8. On December 16, 2015, the items required for registration of the

- respondents were received by the Commission.
- 9. On December 16, 2015, the respondents DORCHESTER and RABB were registered under the Act as broker and Authorized Official with conditions restricting the activities to property management.
- 10. During the period of time in 2015 for which the respondents were not registered, DORCHESTER and RABB continued to engage in real estate transactions and trade in real estate including managing 25 properties, advertising 6 properties, and signing 11 lease agreements.

#### Prior failure to renew (2012) -

- 11. Prior to 2015, the respondents had also failed to renew registrations in time in 2012.
- 12. On July 17, 2012, a renewal reminder letter had been sent advising of the expiration date of September 28, 2012.
- 13. On September 28, 2012, the registrations expired for failure to renew.
- 14. For the period of time from and inclusive of September 29, 2012 to November 28, 2012, the respondents were not registered until they became registered again on November 28, 2012.

## C. <u>ALLEGATIONS</u>

- 1. Staff of the Commission allege that:
  - (a) DORCHESTER and RABB acted contrary to subsection 12(1) of the Act by failing to make application for renewal of registration within the prescribed time;
  - (b) RABB acted contrary to subsection 3(4) of the Act by engaging in real estate trades or transactions without registration;
  - (c) DORCHESTER acted contrary to subsection 24(1) of the Act with RABB as its Authorized Official while unregistered;

and that due to these allegations, it is in the public interest that the registration of the respondents under the Act be suspended or cancelled.

2. Such further and other matters as counsel may advise and this

Commission permits.

**DATED** at Winnipeg, Manitoba this 3 day of August, 2016.

Director

TO: JEFFREY MARK RABB

AND TO: ALDERMAN CAPITAL CORPORATION OPERATING AS

ALDERMAN CAPITAL formerly known as DORCHESTER DEVELOPMENTS LTD. OPERATING AS WINPARK

**DORCHESTER PROPERTIES**