

THE REAL ESTATE BROKERS ACT) **Order No. 2523**
)
Subsection 11(1)) **May 5, 2005**

PAUL RAYMOND HRANKOWSKI

WHEREAS:

(A) On April 20, 2005, The Manitoba Securities Commission (“Commission”) granted an interim order of suspension, without notice to the respondent, pursuant to section 11(1) of The Real Estate Brokers Act (“Act”), being Order No. 2521 (“Interim Suspension Order”);

(B) Pursuant to the Interim Suspension Order, HRANKOWSKI’s registration under the Act was suspended from April 20, 2005 through to May 4, 2005, both dates inclusive;

(C) On April 21, 2005, the Commission gave notice of its intention to hold a hearing on May 4, 2005 to consider whether to extend the period of the Interim Suspension Order (“Notice of Hearing for Interim Relief”);

(D) On May 3, 2005, the Commission issued a Notice of Hearing, together with a Statement of Allegations of staff of the Commission, returnable on May 4, 2005, to consider whether the registration of HRANKOWSKI should be suspended or cancelled (“Notice of Hearing for Full Hearing”);

(E) On May 4, 2005, the Commission received information from staff of the Commission and from HRANKOWSKI, appearing in person having been served with the Notice of Hearing for Interim Relief, the Interim Suspension Order, the materials before the panel of the Commission on April 20, 2005, and the Notice of Hearing for Full Hearing and the Statement of Allegations both dated May 3, 2005;

(F) Upon hearing the submissions of counsel for staff of the Commission and the submissions of the respondent HRANKOWSKI, the Commission is of the opinion that it is in the public interest to make this order.

IT IS ORDERED:

1. THAT, the full hearing of the matter commenced by the Notice of Hearing for Full Hearing and the Statement of Allegations date May 3, 2005 be set for Thursday, May 19, 2005 at 9:00 a.m. before a panel of the Commission.

2. THAT, pursuant to subsection 11(1) of the Act, the interim suspension of the registration of HRANKOWSKI pursuant to Order No. 2521 is hereby lifted for the period of May 4, 2005 to May 19, 2005, being the date upon which the full hearing is to be held, subject to the following conditions:

(a) On or before May 13, 2005, HRANKOWSKI provides to staff of the Commission disclosure as set out in the Pre-Hearing Procedures Policy of the Commission, MSC Notice 2004 – 16, including copies of all documents upon which the respondent HRANKOWSKI intends to rely, the respondent's witness list, and a synopsis of the anticipated evidence of the witnesses HRANKOWSKI intends to call at the hearing;

(b) HRANKOWSKI reports to the Registrar on a weekly basis as to his activities as a registrant under the Act.

2. THAT, this matter be adjourned to Thursday, May 19, 2005 at 9:00 a.m. at the offices of the Commission at 1130 - 405 Broadway, Winnipeg, Manitoba.

BY ORDER OF THE COMMISSION

Director – Legal and Enforcement