

THE REAL ESTATE BROKERS ACT) **Order No. 2588**
)
Section 47) **February 20, 2008**

**Kilkenny Real Estate Ltd. o/a
Sutton Group-Kilkenny Real Estate**

WHEREAS:

(A) Kilkenny Real Estate Ltd. o/a Sutton Group-Kilkenny Real Estate (the "Applicant") is registered as a broker under the Real Estate Brokers Act (the "Act");

(B) Subsection 3(9) of the Act states that a broker shall not appoint an authorized official to be in charge of more than one office;

(C) The Applicant has applied to The Manitoba Securities Commission (the "Commission") for an order that the applicant should be exempt from the provisions of section 3(9) of the Act;

(D) The Applicant has represented to the Commission that:

1. That the Applicant will be maintaining an office in Winnipeg, Manitoba, where it currently employs David William Smith ("Smith") as its authorized official;
2. The Applicant intends to operate a real estate office in Steinbach, Manitoba, with Smith as the authorized official with David Kauenhowen and Cornelia Kauenhowen, as salespersons registered under the Act;
3. It would not be economically feasible for the Applicant to employ another authorized official to manage the offices in Steinbach;
4. The Applicant is requesting permission for Smith to be appointed as authorized official in charge of the Steinbach branch office.

(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 Applicant shall be exempt from section 3(9) of the Act with respect to the office in Steinbach;
2. **THAT** this order will expire on February 20, 2009.
3. **THAT** the fee for this order shall be \$150.00.

BY ORDER OF THE COMMISSION

Deputy Director - Legal