

THE REAL ESTATE BROKERS ACT) **Order No. 3646**
)
Section 47) **January 30, 2002**

**An Order Exempting
Martin Liberty Realty Ltd. o/a Royal LePage/Martin Liberty Realty
From subsection 3(9) of *The Real Estate Brokers Act***

Background information

Application has been made to The Manitoba Securities Commission (the Commission) by Martin Liberty Realty Ltd. o/a Royal LePage/Martin Liberty Realty (the Applicant) for an order pursuant to section 47 of *The Real Estate Brokers Act* (the Act) exempting the Applicant from one provision of the Act.

The Applicant has represented to the Commission that:

1. The Applicant is registered as a broker under the Act;
2. The Applicant conducts real estate transactions out of branch offices located in Brandon, Dauphin and Onanole (the "Offices") in Manitoba;
3. The Applicant intends to open a branch office in Shilo, Manitoba in the Canex Mall to be operated as a part-time office staffed by Brandon registered salespeople;
4. The Applicant intends to use the same Authorized Official for the Shilo branch as for its main branch in Brandon, Manitoba;
5. The salesmen operating out of Shilo, Manitoba are experienced in real estate transactions and require minimal supervision;
6. The trust records and transactions with respect to the Shilo branch will be maintained at the Applicant's main office which is located at 633-18th Street, Brandon, Manitoba;
7. 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;
8. It would not be economically feasible to employ a separate authorized official to manage the Shilo branch office and consequently, the Applicant wishes to appoint Florence Marjorie Zawadsky as the authorized official in charge of the Shilo, Manitoba branch office.

The Commission is satisfied that it would not be contrary to the public interest to make this order.

Order and conditions

The Commission orders that, pursuant to section 47 of the Act, the Shilo, Manitoba branch office of the Applicant shall be exempt from subsection 3(9) of the Act, subject to the following conditions

- i. Florence Marjorie Zawadsky or such other person as may be approved by the Registrar under the Act, shall be the authorized official in charge of the Offices located in Brandon and Shilo; and
- ii. no salesmen shall be registered to work out of the Shilo office unless approved by the Registrar under the Act.

The fee for this order is \$150.00.

Deputy Director-Legal