

THE REAL ESTATE BROKERS ACT) **Order No. 2465**
)
Section 39.1) **March 19, 2002**

SEBASTIAO MANUEL VIEIRA

WHEREAS:

(A) Sebastiao Manuel Vieira ("Vieira") was first registered under The Real Estate Brokers Act ("Act") as a real estate salesman on December 10, 1976;

(B) During the years of 2000 and 2001, Vieira was registered under the Act as a real estate salesman with his employing broker being 3529763 Manitoba Ltd. operating as Coldwell Banker National Preferred ("Coldwell Banker"), until February 14, 2001 at which time his employment was terminated and his registration was suspended;

(C) A hearing was held before The Manitoba Securities Commission ("Commission") on Tuesday, March 19, 2002 to determine:

1. whether the Manitoba Real Estate Association Inc. ("MREA") should be ordered to pay to a person or persons any amount out of the Real Estate Reimbursement Fund ("Fund") under clause 39.1(2)(a) of the Act pertaining to the actions of Vieira in connection with a trade or transaction in real estate;

2. such further and other matters and the making of such further and other orders as the Commission may deem appropriate;

pursuant to a Notice of Hearing and Statement of Allegations both dated December 21, 2001;

(D) Upon hearing the submissions of staff and of Vieira appearing in person, the MREA not appearing but consenting to the making of this order, and upon reviewing the evidence submitted by staff being the Certified Statement of the Deputy Registrar dated October 11, 2001 and the affidavit of the Investigator, William Donald Baluk sworn March 15, 2002, the Commission found Vieira to have committed fraudulent acts in connection with trades or transactions in real estate while registered as a salesman under the Act and employed by Coldwell Banker;

IT IS ORDERED:

1. THAT, pursuant to subsection 39.1(2) of the Act, the MREA forthwith pay out of the Real Estate Reimbursement Fund a total of \$4,500.00 to the persons and in the respective amounts as follows:

(i) Mr. Thong Tran \$3,000.00

3 Burntwood Crescent
WINNIPEG MB R2J
2Z9;

- | | | |
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| (ii) | Mr. Mike Zborowsky;
421 Montreith Street
WINNIPEG MB R2X
2E4; | 500.00 |
| (iii) | Ms. Odete Reis
408 Minnegaffe Street
WINNIPEG MB R2X
1Z6. | 1,000.00 |

BY ORDER OF THE COMMISSION

Director, Legal and Enforcement