



THE MORTGAGE BROKERS ACT)
)
)
Section 55 and subsection 5(1))

Order No. 2809

April 29, 2021

Sun Mortgage Corporation

WHEREAS:

(A) Sigmar Mortgage Services Ltd. (“Sigmar”) is registered as a Mortgage Broker under The Mortgage Brokers Act (the “MBA”);

(B) Thomas Standing (“Standing”) is registered as the Authorized Official of Sigmar under the MBA;

(C) In this order, Sigmar and Standing jointly are referred to as “the Respondents”;

(D) On March 5, 2021, the Commission issued order number 2804 under the MBA suspending the registrations of the Respondents;

(E) Since issuing Order No. 2804, staff has had discussions with the Respondents about the possibility of Sigmar retaining another registrant under the MBA to administer the affairs of Sigmar on a limited basis (the “Custodian”) while awaiting the outcome of the hearing of this matter on the merits, without prejudice to the rights of the Respondents contesting their respective suspensions;

(F) Staff and the Respondents are of the view that retaining a Custodian would be in the interests of the clients of Sigmar while awaiting the outcome of the hearing of this matter on the merits;

(G) Sigmar has entered into an agreement to have Sun Mortgage Corporation, a broker registered under the MBA (the “Custodian Agreement”), to act as Custodian over the affairs of Sigmar. Sun Mortgage Corporation has reviewed the terms and conditions on the registration of Sigmar and agrees to comply with them in acting as Custodian over Sigmar;

(H) The Registrar under the MBA has no objection to Sun Mortgage Corporation acting as Custodian;

(I) Staff and the Respondents are of the view there would be no prejudice to the public for Sun Mortgage Corporation to act as Custodian over the

affairs of Sigmar and to receive compensation from Sigmar for acting as Custodian, in accordance with the terms of the Custodian Agreement;

(J) Under section 19(1) of the MBA an authorized official or mortgage broker can only carry on business or act as a mortgage broker; or act as a mortgage salesperson for the registered mortgage broker in whose certificate of registration the individual is named as an authorized official. For Sun Mortgage Corporation to act as Custodian, it would need to be exempted from subsection 19(1) of the MBA;

(K) The Commission is of the opinion it is in the public interest to make this order.

IT IS ORDERED THAT:

1. Under section 55 of the MBA, Sun Mortgage Corporation and its authorized officials are exempt from the requirements of subsection 19(1) of the MBA only with respect to Sun Mortgage Corporation acting as custodian for Sigmar.

BY ORDER OF THE COMMISSION



Director – Legal