December 22, 2025

IN THE MATTER OF: **THE REAL ESTATE SERVICES ACT**

- and -

IN THE MATTER OF: **WILLIAM MURRAY AND MANCOM REALTY INC.**

REASONS FOR DECISION
OF THE SETTLEMENT HEARING PANEL
THE MANITOBA SECURITIES COMMISSION

Hearing Date: December 16, 2025

Panel:

Panel Chair:	Mr. D. Cheop, K.C.
Member:	Mr. C. Burns

Appearances:

A. Poushangi	)	Counsel for Staff of The Manitoba Securities Commission
G. Sinnock	)	Counsel for William Murray and Mancom Realty Inc.

Background

On November 13, 2025, Staff ("Staff") of The Manitoba Securities Commission ("Commission") issued a Notice of Hearing and Statement of Allegations under *The Real Estate Services Act* ("RESA") regarding William Murray ("Murray") and Mancom Realty Inc. ("Mancom") to consider whether, pursuant to subsection 59(1) of RESA:

(a) the registration of Murray under RESA should be cancelled or suspended;

(b) the registration of Mancom under RESA should be cancelled or suspended;

(c) Murray and Mancom should pay a penalty

(d) Murray and Mancom should pay the costs of the investigation; and

(e) such further and other orders as the Commission may deem appropriate should issue.

Subsequently, a Settlement Agreement was reached between Staff, Murray and Mancom, and this hearing was called to consider whether this Settlement Agreement should be approved. After reviewing the Settlement Agreement and the submissions of Counsel for Staff and Murray and Mancom, this Panel approved the Settlement Agreement and indicated that the reasons for doing so would follow. These are those reasons.

At all material times:

- Mancom was registered as a brokerage under RESA and, prior to that Act coming into force, under its predecessor legislation, *The Real Estate Brokers Act* ("REBA")

- Murray was registered as the official of Mancom under RESA and as its authorized official under REBA

- Murray was a practicing lawyer in Manitoba and, as such, was a member of the Law Society of Manitoba ("LSM").

In June 2022, the LSM held a hearing alleging that Murray had violated LSM's Financial Accountability Rules ("Trust Account Rules") by accepting money received by him for property management services into his law firm's trust account. During the period from 2002 to 2018, the total amount of money received into the law firm's trust account exceed $2.5 million. At the LSM hearing Murray acknowledged that he had violated the LSM's Trust Account Rules and based on a joint submission by Murray and counsel for the LSM, agreed to the issuance of an order that provided that, among other things:

- he be fined $10,000

- he disclose to the Registrar under RESA within 30 days of the order that money relating to property management services had been paid into his law firm's trust account

- he pay a contribution to costs of $7,500

After the LSM hearing Murray provided this disclosure to the Registrar.

Under REBA and RESA, money received by Mancom for property management services, as a trade or transaction in real estate, should have been paid into the trust account it was required to maintain under that legislation, unless it has been remitted directly to the owner of the property. Mancom and Murray, as its official and authorized official, did not do this. This requirement is in place as a public protection measure. RESA, and before that, REBA, limit the payments that can be made from a broker's trust account to transactions to protect the rightful owner's interest in the funds. In addition, an annual report must be filed by the broker regarding the trust account that must be certified by an independent accountant to confirm it has been properly administered. As well, the money in a broker's trust account is protected in the event of a broker's bankruptcy should there be a shortfall, up to the amount of the relevant surety bond that has been filed or the limit set by the Real Estate Reimbursement Fund. In this context, that failure of Mancom and Murray to pay the money received from the property management services they provided is a significant failure. Having said this, both counsel for Murray and Mancom and for Staff of the Commission confirmed that there is no suggestion that any of this money has been misappropriated.

The Settlement Agreement

In the Settlement Agreement the Respondents acknowledge that:

(a) they failed to deposit trust money received in connection with a trade or transaction in real estate in a trust account for Mancom

(b) while the trust money received in connection with a trade or transaction in real estate was accounted for separately for the purposes of the LSM, they failed to keep the trust money separate and apart in a separate Mancom trust account

(c) their conduct was contrary to the public interest.

In the Settlement Agreement Murray and Mancom agree to the issuance of an order that, pursuant to subsection 59(1) of RESA:

(a) both of their registration under RESA be cancelled

(b) Murray be permanently barred from applying for or becoming registered under RESA in the future.

Reasons for the Approval of the Settlement:

The Settlement Agreement is the product of negotiations between counsel for Staff of the Commission and counsel for Mancom and Murray, both of whom recommended acceptance of it. When considering a Settlement Agreement, a Commission panel must recognize the negotiation process and give significant weight to the agreement reached by the parties. Our role is to determine if the agreed upon sanctions are within the boundaries of what a reasonable person, aware of the circumstances, would consider to be in a range of reasonable outcomes. There is a high threshold to be met in order for a recommended Settlement Agreement to be rejected.

Approval of a Settlement Agreement resolves a matter quickly, efficiently and with certainty. The settlement avoids the time and costs associated with a contested hearing process. In addition, the Settlement Agreement itself becomes public and can serve as a general deterrent to others in the industry against future improper conduct.

In the panel's view, cancellation of Mancom's and Murray's registration under RESA and the permanent barring of Murray from registration under this Act is an appropriate penalty. While failure to comply with the trust account rules under RESA is a serious matter, in this particular case Murray has already suffered a significant penalty in the proceeding before the LSM. Further, there is no suggestion that any of his clients were harmed as a result of their failure and in fact the funds were held in a different trust account, albeit in one he maintained as a lawyer, not as a registrant under the Act. For these reasons, we have approved the Settlement Agreement.

*"D. Cheop"*________________
David Cheop, K.C.
Panel Chair

*"C. Burns"*______
C. Burns
Member