

Commission of Inquiry into Money Laundering in British Columbia

Application for Standing – Ruling #2

Ruling of the Honourable Austin Cullen, Commissioner, issued 16 October 2019

A. Background

1. This ruling addresses an application for leave to participate in the Commission of Inquiry into Money Laundering in British Columbia ("Commission" or "Inquiry") under section 11(4) of the *Public Inquiry Act*, SBC 2007, c. 9 ("Act") brought by the British Columbia Real Estate Association ("BCREA").
2. BCREA sought and is hereby granted an extension of time to bring this application.
3. I set out the mandate of the Commission as well as the relevant law in respect of applications to participate in my first ruling addressing applications to participate, issued September 24, 2019 ("First Standing Ruling").

B. The Applicant, British Columbia Real Estate Association ("BCREA")

4. BCREA is the professional association representing over 23,000 commercial and residential realtors operating in British Columbia. The BCREA works with British Columbia's 11 real estate boards providing professional development and opportunities, advocacy, economic research as well as development of standard forms for use in the real estate sector.
5. BCREA was a contributor to certain reports referenced in the Commission's terms of reference ("TOR"), specifically:

Dirty Money – Part 2: Turning the Tide – An Independent Review of Money Laundering in B.C. Real Estate, Luxury Vehicle Sales & Horse Racing,
Peter M. German, Q.C., March 31, 2019 ("Second German Report");

Real Estate Regulatory Structure Review, Dan Perrin, 2018 (“**Perrin Report**”); and

Combatting Money Laundering in BC Real Estate, Maureen Maloney, Tsur Somerville and Brigitte Unger, March 31, 2019 (“**Maloney Report**”).

6. BCREA submits that the real estate industry is not specifically or generally represented in the list of parties granted standing in the First Standing Ruling.
7. BCREA submits that its participation will further the conduct of the Inquiry because it is positioned to ensure the Commission has access to evidence and input from real estate industry representatives.
8. BCREA submits that its interests may be affected by the findings of the Commission insofar as it has a role to play educating realtors, and the recommendations of the Inquiry that are implemented may be the subject of such educational activities. It further submits that the interests of its members may be impacted by findings and recommendations made by the Commission that deal with the real estate industry.
9. BCREA submits that its participation will contribute to the fairness of the Inquiry by ensuring that the views of the real estate industry are represented at the Inquiry.

Conclusion

10. The participation of BCREA is likely to further the conduct of the Inquiry and contribute to the fairness of the Inquiry insofar as the TOR require the Commission to examine the real estate sector. BCREA is granted standing with respect to the real estate sector.
11. Like the other participants, BCREA will be subject to the rules of procedure adopted by the Commission. It is anticipated that those rules will address, among other things, disclosure and access to documents; participation in evidentiary hearings; identification and attendance of witnesses; opening statements; and closing submissions.

12. Like the other participants, BCREA must avoid duplication of the contributions of other participants to the Inquiry.

Commissioner Austin Cullen