
Citation: *New Brunswick (Financial and Consumer Services Commission) v. Rhino Ventures Inc. et al*, 2021 NBFCST 7

PROVINCE OF NEW BRUNSWICK
FINANCIAL AND CONSUMER SERVICES TRIBUNAL
IN THE MATTER OF THE *MORTGAGE BROKERS ACT*, S.N.B. 2014, c 41, THE *REAL ESTATE AGENTS ACT*,
S.N.B. 2011, c 215, AND THE *COST OF CREDIT DISCLOSURE AND PAYDAY LOANS ACT*, S.N.B. 2002, c C-
28.3

Docket: MS-002-2021

BETWEEN:

Financial and Consumer Services Commission,

Applicant,

-and-

**Rhino Ventures Inc., formerly named Privateworx Capital Inc.,
Daniel Gallant, and Caroline Savoie,**

Respondents.

DECISION AND ORDER

PANEL: Lucie LaBoissonnière, Member of the Tribunal

DATE OF HEARING: June 2, 2021

WRITTEN REASONS: September 29, 2021

APPEARANCES: Michel Boudreau for the Financial and Consumer Services Commission
No one appeared for the respondents

I. DECISION

1. I approve the *Settlement Agreement* signed by the parties as it relates to the *Mortgage Brokers Act*, S.N.B. 2014, c 41 [*Mortgage Brokers Act*] and the *Cost of Credit Disclosure and Payday Loans Act*, S.N.B. 2002, c C-28.3 [*Cost of Credit Disclosure and Payday Loans Act*]. I do not approve the settlement as it relates to the *Real Estate Agents Act*, S.N.B. 2011, c 215 [*Real Estate Agents Act*].

II. OVERVIEW

2. Privateworx Capital Inc. ["Privateworx"] was a New Brunswick corporation which operated as a mortgage brokerage, mortgage administrator and credit broker. Initially, Caroline Savoie was its sole Director and Officer. Daniel Gallant was added as a Director and Ms. Savoie remained a Director and President of the corporation. Mr. Gallant brokered, or held himself out as brokering, mortgages on behalf of Privateworx. He also carried on the business of administering mortgages and acted as a credit broker.
3. Privateworx changed its name to Rhino Ventures Inc. on February 22, 2019.
4. On March 29, 2021, the Financial and Consumer Services Commission [the "Commission"] filed a *Statement of Allegations* thereby commencing enforcement proceedings against Privateworx, Daniel Gallant and Caroline Savoie. The *Statement of Allegations* contains several allegations, most of which relate to acting as a mortgage broker or mortgage administrator without having the required licence, acting as a real estate agent without having the required licence, and acting as a credit broker without having the required registration.
5. On March 30, 2021, the Commission filed a *Notice of Application for Approval of a Settlement*, to which was attached a *Settlement Agreement* signed by the parties and a draft *Order*. In the *Settlement Agreement*, the respondents admitted to the following breaches of financial and consumer services legislation:

Between April 1, 2016 and February 2019, Daniel Gallant:

- a) brokered over 100 mortgages without holding a mortgage broker's licence or mortgage associate's licence contrary to paragraph 5(2)(a) of the *Mortgage Brokers Act*;
- b) administered mortgages without holding a mortgage administrator's licence contrary to subsection 5(3) of the *Mortgage Brokers Act*;
- c) traded in real estate as a real estate agent without holding an agent's licence contrary to paragraph 2(a) of the *Real Estate Agents Act*;
- d) acted as a credit broker in the ordinary course of carrying on business without being registered as a credit broker or exempted from registration by regulation contrary to subsection 6(3) of the *Cost of Credit Disclosure and Payday Loans Act*;
- e) authorized, permitted or acquiesced in the contravention or non-compliance of Privateworx with the *Mortgage Brokers Act*, contrary to section 78 of that Act;

- f) authorized, permitted or acquiesced in the contravention or non-compliance of Privateworx with the *Cost of Credit Disclosure and Payday Loans Act*, contrary to section 51.8 of that Act,

Between June 13, 2017 and February 22, 2019, Privateworx:

- a) operated as a mortgage brokerage and brokering mortgages on behalf of numerous borrowers and private lenders without holding a mortgage brokerage's licence contrary to subsection 5(1) of the *Mortgage Brokers Act*;
- b) carried on the business of administering mortgages with respect to 7 mortgages without holding a mortgage administrator's licence contrary to subsection 5(3) of the *Mortgage Brokers Act*;
- c) represented borrowers and private investors in the same mortgage transaction, contrary to subsection 27(2) of the *Mortgage Brokers Act*;
- d) acted as a credit broker in the ordinary course of business in more than 60 mortgages without being registered or exempt from registration by regulation, contrary to subsection 6(3) of the *Cost of Credit Disclosure and Payday Loans Act*;
- e) failed to ensure that Daniel Gallant, a mortgage broker authorized to act on its behalf, complied with the *Mortgage Brokers Act* and its regulations, contrary to section 25 of the *Mortgage Brokers Act*; and
- f) declared to the Commission in a July 31, 2017 email that it was not operating as a mortgage brokerage, a statement which was untrue and breached paragraph 71(1)(a) of the *Mortgage Brokers Act*,

Between June 13, 2017 and February 2019, Caroline Savoie:

- a) authorized, permitted or acquiesced in the contravention or non-compliance of Privateworx with the *Mortgage Brokers Act*, contrary to section 78 of that Act; and
- b) authorized, permitted or acquiesced in the contravention or non-compliance of Privateworx with the *Cost of Credit Disclosure and Payday Loans Act*, contrary to section 51.8 of that Act.

6. The parties ask the Tribunal to approve the following sanctions, which they agreed upon in their *Settlement Agreement*:

- a) Daniel Gallant pay an administrative penalty of \$55,000, be prohibited from conducting mortgage brokering or mortgage administering activities under the *Mortgage Brokers Act* for 18 months, be prohibited from conducting all or any regulated activities under the *Real Estate Agents Act* for 18 months, be prohibited from conducting all or any regulated activities under the *Cost of Credit Disclosure and Payday Loans Act* for 18 months, and pay hearing and investigation costs of \$2,500;
- b) Privateworx pay an administrative penalty of \$5,000, be prohibited from conducting

mortgage brokering or mortgage administering activities under the *Mortgage Brokers Act* for 24 months, be prohibited from conducting all or any regulated activities under the *Cost of Credit Disclosure and Payday Loans Act* for 24 months, and pay hearing and investigation costs of \$2,500; and

c) Caroline Savole be reprimanded.

7. A *Notice of Hearing* was issued setting June 2, 2021 for the hearing to consider the *Settlement Agreement*. The *Notice of Hearing* was duly served upon legal counsel for the parties. Before the hearing, I asked the parties to consider the following issues, and, if a consensus could be reached, to submit a revised *Settlement Agreement*:

a) the nature of the respondents' illegal conduct under the *Real Estate Agents Act*;

b) the number of transactions under the *Real Estate Agents Act*;

c) a breakdown of the \$55,000 administrative penalty payable by Daniel Gallant between the legislation given that the maximum payable under the *Real Estate Agents Act* and the *Cost of Credit Disclosure and Payday Loans Act* was \$25,000.

8. The parties did not respond.

9. The respondents did not attend the hearing. At the hearing, the Commission advised that counsel for the respondents had advised him that he did not intend to appear at the hearing. I have jurisdiction to proceed with this matter pursuant to rule 13.9 of the Tribunal's *Rules of Procedure* because the *Notice of Hearing* was duly served upon the respondents and the *Settlement Agreement* has not been withdrawn.

10. While Privateworx admits to breaching paragraph 71(1)(a) of the *Mortgage Brokers Act* by making false statements to the Commission, I will not consider this breach as the Tribunal does not have jurisdiction over paragraph 71(1)(a). This is an offence that falls within the jurisdiction of the Provincial Court.

III. ISSUES

11. In order to determine whether I should approve the *Settlement Agreement*, I must answer the following three questions:

a) What is the test for endorsement of a settlement under the *Mortgage Brokers Act*, the *Cost of Credit Disclosure and Payday Loans Act* and the *Real Estate Agents Act*?

b) Are the sanctions proposed by the settlement within the parameters of what is reasonable?

c) Is the proposed settlement in the public interest?

IV. ANALYSIS

A. TEST

12. This is the first time the Tribunal has been asked to approve a *Settlement Agreement* under the *Mortgage Brokers Act*, the *Cost of Credit Disclosure and Payday Loans Act* and the *Real Estate Agents Act*.
13. Paragraph 79(1)(a) of the *Mortgage Brokers Act* provides that the Tribunal may terminate an enforcement proceeding (or administrative proceeding) by approving a *Settlement Agreement*:

Resolution of administrative proceedings

79(1) Despite any other provision of this Act or the regulations, an administrative proceeding conducted by the Commission, the Tribunal or the Director under this Act or the regulations may be disposed of by

(a) an agreement approved by the Commission, the Tribunal or the Director, as the case may be,

[...]

79(2) An agreement, written undertaking or decision made, accepted or approved under subsection (1) may be enforced in the same manner as a decision made by the Commission, the Tribunal or the Director under any other provision of this Act or under the regulations.

14. The *Real Estate Agents Act* and the *Cost of Credit Disclosure and Payday Loans Act* have identical provisions: sections 43.81 and 51.81 respectively. All three statutes are silent as to the test to be applied by the Tribunal in deciding whether to approve a *Settlement Agreement*.
15. In *New Brunswick (Financial and Consumer Services Commission) v. Howse*, 2018 NBFCST 2 [Howse] and *New Brunswick (Financial and Consumer Services Commission) v J.B. Côté et Fils Ltée et al.*, 2021 NBFCST 6 [J.B. Côté], this Tribunal considered the approval of settlements under equivalent provisions of the *Securities Act* and the *Pre-arranged Funeral Services Act*. The Tribunal formulated the test to be met for approval of a settlement agreement as follows:

(a) Are the sanctions proposed by the settlement within the parameters of what is reasonable?

(b) Is the proposed settlement in the public interest?

16. The Tribunal also stated in *J.B. Côté*, at paragraph 14, that it would be desirable that this test be applied across “financial and consumer services legislation”, as this term is defined in section 1 of the *Financial and Consumer Services Commission Act*. I agree. Given that the *Mortgage Brokers Act*, the *Real Estate Agents Act* and the *Cost of Credit Disclosure and Payday Loans Act* come within the definition of “financial and consumer services legislation” and that the provisions in these statutes are virtually identical to those in the *Securities Act* and the *Pre-arranged Funeral Services Act*, I find the test set out in *Howse*, and adopted in *J.B. Côté*, should be applied in this matter.
17. As recognized in *Howse* and in *J.B. Côté et Fils Ltée*, the purpose of the legislation is also relevant in determining whether a proposed settlement is in the public interest. Neither the *Mortgage Brokers Act*, the *Real Estate Agents Act* nor the *Cost of Credit Disclosure and Payday Loans Act* enunciate a purpose. However, these statutes should be interpreted in the broader context of financial and consumer services legislation. Section 2 of the *Financial and Consumer Services Commission Act* sets out its dual purpose:

Purposes of Act

2 The purposes of this Act are to

- (a) enable the Commission to provide regulatory services that protect the public interest and enhance public confidence in the regulated sectors, and
- (b) enable the Commission to disseminate knowledge and promote understanding of the regulated sectors and develop and conduct educational programs.

18. In *J.B. Côté*, the Tribunal further stated that a hearing panel should also consider the following in analyzing whether to approve a *Settlement Agreement*:

- whether the allegations in the *Settlement Agreement* fall within the Tribunal’s jurisdiction;
- that the only evidence that can be considered by the Tribunal is that contained in the *Settlement Agreement*;
- whether sufficient evidence has been provided in the *Settlement Agreement* to allow the Tribunal to determine whether the proposed sanctions come within reasonable parameters;
- whether the sanctions contemplated in the *Settlement Agreement* fall within the Tribunal’s jurisdiction;
- whether the proposed sanctions are preventive and prospective in nature and not remedial or punitive;
- that a *Settlement Agreement* arises out of negotiations between Commission staff and the

respondents and therefore significant weight should be given to the agreement reached between parties, given that a balancing of factors and interests has already taken place in reaching that agreement; and

- that settlements serve the public interest by resolving enforcement proceedings quickly, efficiently and with certainty and by avoiding the significant resources that would be committed to a contested proceeding.

B. PROPOSED SANCTIONS

19. I find that the proposed sanctions under the *Mortgage Brokers Act* and *Cost of Credit Disclosure and Payday Loans Act* fall within the parameters of what is reasonable. I am unable, however, to approve the proposed sanctions under the *Real Estate Agents Act*. Aside from Mr. Gallant's admission that he acted as a real estate agent without holding an agent's licence, there is no evidence in the *Settlement Agreement* allowing me to assess whether the proposed sanctions are within the parameters of what is reasonable. Evidence pertaining to the nature of Mr. Gallant's actions and the number of real estate transactions is required.
20. I am also mindful, in considering the proposed settlement, that Daniel Gallant was the directing mind and driving force behind Privateworx.
21. In *Howse* and *J.B. Côté*, the Tribunal set out 10 factors to be analyzed in determining whether the sanctions come within the parameters of what is reasonable. I turn to the analysis of these factors as it pertains to the allegations under the *Mortgage Brokers Act* and the *Cost of Credit Disclosure and Payday Loans Act*.

(i) Seriousness of the Allegations

22. The allegations against Daniel Gallant and Privateworx are serious as they relate primarily to unlicensed or unregistered activity under the *Mortgage Brokers Act* and the *Cost of Credit Disclosure and Payday Loans Act*. As with other regulated industries, licensing requirements are the cornerstone of regulation of the financial and consumer services sectors in New Brunswick and serve an important purpose. Licensing or registration is designed to ensure that those who operate in the regulated sectors are proficient in their field and act with integrity. Unlicensed or unregistered activity undermines consumer protection and the integrity of the financial and consumer services sectors.
23. An important aggravating factor in this matter is that Privateworx and Mr. Gallant deliberately contravened the licensing requirements of the *Mortgage Brokers Act*. Privateworx and Mr. Gallant knew that they required licences to operate in the mortgage field. Privateworx started, but did not complete, applications for a mortgage brokerage licence on the Commission's online registration portal on two occasions. As for Mr. Gallant, he started but did not complete three applications for a mortgage broker's licence. This demonstrates behaviour that flagrantly disrespects the regulatory scheme.

24. Another aggravating factor is the duration of the unlicensed or unregistered activity. Over a period of 20 months, Privateworx brokered mortgages on behalf of numerous borrowers and private lenders, it administered seven mortgages, and acted as a credit broker in the ordinary course of carrying on business in more than 60 mortgages. Mr. Gallant's conduct spanned almost three years, during which he brokered or held himself out as brokering over 100 mortgages on behalf of Privateworx and carried on the business of administering mortgages with respect to several mortgages. Mr. Gallant also acted as a credit broker in the ordinary course of carrying on business for a period of twelve months.
25. While the unlicensed or unregistered activity is in and of itself a serious breach of the legislation, this conduct was compounded by further contraventions of financial and consumer services legislation. Privateworx represented borrowers and private investors in the same mortgage transaction; it should have ensured that the borrowers were represented by another mortgage brokerage pursuant to subsection 27(2) of the *Mortgage Brokers Act*. Privateworx also failed to ensure that Daniel Gallant, who acted as a mortgage broker on its behalf, complied with the *Mortgage Brokers Act* and its regulations, contrary to section 25 of the *Mortgage Brokers Act*. Mr. Gallant, in his capacity as a former director of Privateworx, contravened section 78 of the *Mortgage Brokers Act* and section 51.8 of the *Cost of Credit Disclosure and Payday Loans Act* by authorizing, permitting or acquiescing in the contravention of the legislation by Privateworx.
26. I find that the allegations against Caroline Savoie are at the lower end of the seriousness scale. Caroline Savoie was a director of Privateworx since its incorporation on June 13, 2017. There is no evidence that Ms. Savoie was involved personally in any illegal activity. Her sole involvement in this matter was as a director of Privateworx. Ms. Savoie admits to contravening section 78 of the *Mortgage Brokers Act* and section 51.8 of the *Cost of Credit Disclosure and Payday Loans Act* by authorizing, permitting or acquiescing in the contravention of these statutes by Privateworx over a 20-month period.

(ii) Past Conduct

27. There are no past violations of financial and consumer services legislation by the respondents.

(iii) Experience and Level of Activity in the Sectors

28. Daniel Gallant worked as a mortgage broker for many years prior to the enactment of the *Mortgage Brokers Act* on April 1, 2016. Privateworx was a new company incorporated in 2017 with the intent of operating as a mortgage brokerage. It operated as a mortgage brokerage for approximately two years. There is no evidence of Caroline Savoie's prior experience in the mortgage brokering industry.

(iv) Recognition of the Seriousness of the Improper Activity

29. The Respondents have admitted to the breaches of *Mortgage Brokers Act* and the *Cost of Credit Disclosure and Payday Loans Act*. They have accepted responsibility for their conduct by signing the *Settlement Agreement* and agreeing to the proposed sanctions against them.

(v) Benefit Received as a Result of the Improper Activity

30. There is no evidence in the *Settlement Agreement* as to the benefit the respondents received because of their improper activity. However, I deduce that they would have earned income due to their unlicensed activity.

(vi) Risk to Customers in the Regulated Sectors

31. The proposed settlement will prohibit Daniel Gallant and Privateworx (now Rhino Ventures) from operating as mortgage brokers, mortgage administrators and credit brokers for 18 months and 24 months respectively, eliminating any risk to customers during that time.

(vii) Damage Caused to the Integrity of the Regulated Sectors

32. While having unlicensed or unregistered persons operate in regulated sectors does cause damage to the integrity of the regulated sectors, this damage will be mitigated by the sanctions imposed on the respondents in this decision.

(viii) Deterrence and Education

33. In analyzing the proposed settlement, I must determine whether the sanctions fulfill the goals of general and specific deterrence. Specific deterrence refers to deterring the respondents from breaching financial and consumer services legislation in the future. In my view, the proposed sanctions will accomplish the goal of specific deterrence.

34. The maximum administrative penalties under the *Mortgage Brokers Act* are \$100,000 for an individual and \$500,000 for a person other than an individual. As for the *Cost of Credit Disclosure and Payday Loans Act*, the maximum is \$25,000 for an individual and \$100,000 for a person other than an individual.

35. Privateworx, now Rhino Ventures, will be banned from regulated activities under the *Mortgage Brokers Act* and the *Cost of Credit Disclosure and Payday Loans Act* for 24 months. It will also have to pay an administrative penalty of \$5,000 and costs of \$2,500. While the administrative penalty appears low at first glance, it reflects the fact that Daniel Gallant was the directing mind and driving force behind Privateworx.

36. As for Daniel Gallant, he will be banned from regulated activities under the *Mortgage Brokers Act*, and the *Cost of Credit Disclosure and Payday Loans Act* for 18 months. He will also have to pay a significant administrative penalty of \$55,000 and costs of \$2,500. Given that Daniel Gallant was the directing mind and driving force behind Privateworx, it is appropriate that he pay a significant administrative penalty. In my view, these sanctions will deter Mr. Gallant from breaching financial and consumer services legislation in the future.

37. Finally, Caroline Savoie will be reprimanded for her actions. Given her minimal role, this appears appropriate.
38. As for general deterrence, its purpose is to deter other industry participants from breaching financial and consumer services legislation. For example, a weak penalty imposed on the respondents could result in other industry participants believing the cost of conducting non-compliant business is low. I find that the proposed sanctions in the within matter send the message that engaging in unlicensed or unregistered conduct in New Brunswick will not be tolerated. I therefore conclude that the general deterrence purpose is met.

(ix) Mitigating Factors

39. There are several mitigating factors in this matter:

- The Commission did not receive any complaints regarding the respondents from mortgage borrowers or lenders;
- There is no evidence that clients of Mr. Gallant or Privateworx were harmed or suffered any prejudice because of their non-compliant activity;
- There is no evidence of fraudulent or malicious activity by the respondents towards their clients;
- When it became clear that the Commission's investigation was proceeding, Mr. Gallant and Privateworx halted all non-compliant activity and cooperated fully with the investigation;
- Mr. Gallant admitted to all non-compliance with the legislation.

(x) Previous Decisions Made in Similar Circumstances

40. In the case of *Seann Spence*, the Real Estate Council of Alberta considered an unlicensed mortgage brokering/administering matter spanning a 10-year period. The unlicensed activity involved several borrowers and lenders. The Council ordered the payment of a \$10,000 administrative penalty. The penalty was determined based upon Schedule 2 of the Real Estate Council By-Laws, which prescribe a maximum penalty of \$25,000 for the offences in question.
41. The decision of *In the Matter of Gabriel Jason Hoffart and John Stephen McKay*, a 2019 decision of the Registrar of Mortgage Brokers of British Columbia, is also pertinent. Mr. Hoffart was registered as a mortgage/sub-mortgage broker. Mr. McKay carried on the business of a mortgage broker by arranging mortgage loans for 17 people over the course of 2.5 years, without having the required licence. The Registrar ordered an administrative penalty of \$17,500 and \$2,500 in investigation costs against Mr. McKay. Mr. Hoffart enabled the unregistered activity by McKay, failed to oversee his activities, failed to ensure borrowers received the disclosures required under

legislation (such as a cost of credit disclosure), and made a false statement in a record. He was ordered to pay an administrative penalty of \$12,500 and \$2,500 in investigation costs.

42. The 2018 decision of *The Matter of the Mortgage Brokers Act and Dennis Percival Rego, Shank Capital Systems Inc., and Arvind Shankar* also provides guidance. Mr. Shankar conducted business as a mortgage broker without being registered for a period exceeding two years. This included arranging for mortgages, advising clients, negotiating with lenders, and receiving commissions for these services. The Registrar of Mortgage Brokers found this conduct to be egregious, posing a significant threat to the public interest and the public's confidence in the mortgage industry. The Registrar imposed an administrative penalty of \$50,000 on Mr. Shanker, the maximum permitted by the legislation, and investigation costs of \$6,771.50.
43. The parties indicate that unlicensed activity cases typically don't attract the maximum administrative penalty. They arrived at a \$55,000 administrative penalty for Daniel Gallant by calculating 40% of the \$100,000 maximum penalty allowable under the *Mortgage Brokers Act*, and adding \$15,000 for the more minor breaches of the *Real Estate Agents Act* and the *Cost of Credit Disclosure and Payday Loans Act*. Based on the above caselaw, I find the proposed administrative penalties of \$55,000 for Daniel Gallant appears reasonable.
44. As for the industry bans, the parties have provided no caselaw that would suggest an appropriate range for similar conduct.
45. The parties have provided no caselaw with respect to Ms. Savoie's conduct.

C. PUBLIC INTEREST

46. I find that the sanctions proposed in the *Settlement Agreement* serve the public interest. The unlicensed and unregistered conduct of Daniel Gallant and Privateworx were serious breaches of financial and consumer services legislation that extended over a two to three-year period. They were not innocent breaches, but rather deliberate contraventions with full knowledge of the requirement to be licensed or registered. I find that the proposed sanctions will have a significant deterrent effect on the respondents and will send the message that unlicensed or unregistered activity in the financial and consumer services sectors will not be tolerated in New Brunswick. The *Settlement Agreement* holds the respondents accountable for their actions and furthers the objectives of financial and consumer services legislation.

V. ORDER

47. I hereby order that:

- a) Pursuant to subsection 76(1) of the *Mortgage Brokers Act* and subsection 51.71(1) of the *Cost of Credit Disclosure and Payday Loans Act* globally, Daniel Gallant shall pay an administrative

penalty of \$55,000 to the Financial and Consumer Services Commission;

- b) Pursuant to paragraph 75(1)(c) of the *Mortgage Brokers Act*, Daniel Gallant shall not broker mortgages nor administer mortgages, as described in subsections 1(3) or 1(4) of the *Mortgage Brokers Act*, for a period of 18 months from the date of this Decision and Order;
- c) Pursuant to paragraph 51.7(1)(d) of the *Cost of Credit Disclosure and Payday Loans Act*, Daniel Gallant shall not conduct any regulated activities under that statute for a period of 18 months from the date of this Decision and Order;
- d) Pursuant to subsection 44(1) of the *Financial and Consumer Services Commission Act*, Daniel Gallant shall pay hearing and investigation costs of \$2,500 to the Financial and Consumer Services Commission;
- e) Pursuant to subsection 76(1) of the *Mortgage Brokers Act* and subsection 51.71(1) of the *Cost of Credit Disclosure and Payday Loans Act* globally, Rhino Ventures Inc., formerly Privateworx Capital Inc, shall pay an administrative penalty of \$5,000 to the Financial and Consumer Services Commission;
- f) Pursuant to paragraph 75(1)(c) of the *Mortgage Brokers Act*, Rhino Ventures Inc., formerly Privateworx Capital Inc., shall not broker mortgages nor administer mortgages, as described in subsections 1(3) or 1(4) of the *Mortgage Brokers Act*, for a period of 24 months from the date of this Decision and Order;
- g) Pursuant to paragraph 51.7(1)(d) of the *Cost of Credit Disclosure and Payday Loans Act*, Rhino Ventures Inc., formerly Privateworx Capital Inc, shall not conduct any regulated activities under that statute for a period of 24 months from the date of this Decision and Order;
- h) Pursuant to subsection 44(1) of the *Financial and Consumer Services Commission Act*, Rhino Ventures Inc., formerly Privateworx Capital Inc., shall pay hearing and investigation costs of \$2,500 to the Financial and Consumer Services Commission;
- i) Pursuant to paragraph 75(1)(f) of the *Mortgage Brokers Act* and paragraph 51.7(1)(g) of the *Cost of Credit Disclosure and Payday Loans Act*, Caroline Savoie is reprimanded.

DATED this 29th day of September, 2021.

Lucie LaBoissonnière

Lucie LaBoissonnière
Tribunal Member