



**Regulation Matters:
a CLEAR conversation**

Episode 71: CLEAR Award Recipients: Sharing Insights from Experience (Part 2) November 14, 2023

Line Dempsey: Welcome back to our podcast, Regulation Matters: a CLEAR Conversation. Once again, I'm your host, Libe Dempsey, and I'm the Chief Compliance Officer with Riccobene Associates Family Dentistry with practices in North Carolina, Virginia, and South Carolina. I've also been a board member and president of CLEAR.

As many of you are aware, the Council on Licensure, Enforcement and Regulation, or CLEAR, is an association of individuals, agencies, and organizations that comprise the international community of professional and occupational regulation. This podcast is an opportunity for you to hear about current topics in the regulatory community.

In this particular episode, we're going to continue to highlight the CLEAR award recipients. Each year, CLEAR considers nominations in several CLEAR award categories. The 2023 awards were presented in Salt Lake City during the Annual Educational Conference. While I was in Salt Lake City, I had the opportunity to chat with award recipients, and I'm excited to share the conversations that I had with you.

I got to chat with Jayde Fuller, representing the AHPRA Aboriginal and Torres Strait Islander Health Strategy Unit, recipient of the Regulatory Excellence Team Award. This award recognizes a team or agency demonstrating an outstanding contribution to the enhancement of occupational and professional regulation, regulatory processes, or consumer and public protection. The team or agency must have demonstrated exceptional leadership, vision, creativity, results, and outcomes above and beyond the regular functions of the job or expectations and beyond what is normally achieved. Let's hear about the team's accomplishments.

Line: Well, Jayde, congratulations to the team on this award, and thank you for speaking with me today. So, I understand that the unit was created in 2021 to progress the goal of a healthcare system that is culturally safe and free from racism. So, can you provide an overview of the key achievements and impacts of AHPRA's Aboriginal and Torres Strait Islander Health Strategy Unit in promoting cultural safety and health care, including legislative reforms and training initiatives?

Jayde Fuller: Yeah, I'm very proud of the unit's work. It's 100 percent Indigenous staffed. We're soon to be six people. We also have what we call the Cultural Safety Strategy Team, which is comprised of Indigenous staff

attached to the implementation of the cultural safety strategy but positioned elsewhere in the business, soon to be eight people in addition to the HSU.

So, one of the first big achievements for the unit was engaging an Indigenous supplier to develop and deliver cultural safety training, or Moong-moong-gak, which is a Wurundjeri word for safe or secure, to 1,596 staff, board, and committee members. And we understand that this is the first product of its kind tailored to healthcare regulators globally with this specific focus. It's comprised of eight hours online training and a day of facilitated discussions with Indigenous trainers. We'll continue to deliver this foundational product and are currently working with PricewaterhouseCoopers Indigenous Consulting to add bespoke modules for specific stakeholders.

Another achievement has been amending the national law—so that's the legislation that governs us and health practitioners—in 2022 with an additional guiding principle and objective to prioritize the cultural safety of Aboriginal and Torres Strait Islander people. And essentially, those changes have meant that it will align and strengthen the codes of conduct for registered health practitioners. It compels the tribunals and the courts, which operate really quite separately to AHPRA, to take into account cultural safety in the cases that are put before them in applying the national law. And it also means that practitioners are required to take appropriate steps to educate themselves on cultural safety regarding the accessibility of their services. And this has occurred six years after starting our active journey to prioritize and embed cultural safety and regulation.

And a couple more things is the, the development of an anti-racism policy. So, we've advocated to engage an Indigenous race scholar, Professor Yin Paradies, to write an anti-racism policy for Aboriginal and Torres Strait Islander people, in recognition that what we expect of health practitioners, we must expect of ourselves. So, we as the regulator need to walk the talk when it comes to expecting that Indigenous staff, board, and committee members will have a culturally safe and racism free engagement in our workplace. Our current staff code of conduct doesn't sufficiently provide guidance and clear actions to resolve and address racism in the workplace. And using specialized expertise and lived experience, Yin co-designed the policy with Indigenous scheme members. And so, the unit sees this as a real opportunity to shape a policy that centers our lived experience, is responsive, doesn't minimize the impact of racism upon us, and provide solutions that we deem appropriate.

And finally, we know that the complaints processes that we uphold don't, by their very nature, center the cultural safety needs of Indigenous people. So, in response to this, we developed the Culturally Safe Notifications (or Complaints) Project to essentially reform our processes to improve their safety. And this project is led by the unit's Kevin Yow Yeh and the working group, chaired by Linda Renouf, a really experienced board regulator.

Line: That sounds like quite the journey over the last six years. That's great. How has AHPRA's Health Safety Unit ensured Indigenous representation in regulatory decision-making and led reforms to make regulatory processes culturally safe?

Jayde: So yeah, firstly, we recognize that our regulatory processes were developed by and predominantly for non-Indigenous people. So, as a key deliverable of our five-year cultural safety strategy, we've developed a culturally safe notifications project. We started by establishing a working group and a terms of reference. To maintain cultural integrity and steer the direction of the project, a working group comprised of Indigenous board, committee, staff, and community members and non-Indigenous senior leaders like Kym Ayscough was formed in December last year to review complaints processes specifically as they pertain to both Indigenous

health consumers and practitioners.

So, the terms of reference for this working group are very different in the way representation is framed, to allow for free thinking and to keep the work mostly confidential, while ideas and approaches are being tested and fleshed out. So, the group has asked that non-Indigenous people respect this paradigm shift to give space and to trust their ways of being, knowing, and doing.

The first major project milestone was the establishment of the new Indigenous Special Issues Committee, or INSIC for short, where all complaints and compliance matters go to a committee comprised of both Indigenous and non-Indigenous practitioners and community members to decide on the outcome of the referred matter. So, this is really different to the way matters involving Indigenous people are decided upon, which usually goes to delegated committees of national boards, generally mostly comprised of non-Indigenous people. So, this new approach aligns with principles of self-determination and our definition of cultural safety and the legislative changes.

Initially we asked for majority Indigenous membership in the committee and had to compromise on this composition, as board members were cautious of the legal advice sought at the prospect of apprehended bias. Shortly we'll be commencing focus groups led by an Indigenous research unit at one of the major universities with Indigenous practitioners and notifiers who have lived experience of engaging in our complaints processes to gather data around where our processes need immediate focus.

And to compliment the decision making end of the process, we've committed to hiring Indigenous people in key roles within notifications or complaints, initially at intake and as social workers. It's critical that a cultural lens is applied which includes Indigenous ways of knowing, being, and doing. What we've witnessed to date is that the involvement of Indigenous advice and engagement has really enriched the process and outcomes for everyone involved. And also, it's really critical that we establish the correct data points from the beginning of this project to report and evaluate so that longitudinally we can measure the impact of our changed processes in order to publish this methodology and impact to share with other regulators, institutions, and sectors.

Line: Well, that sounds great. Well, can you maybe discuss some of the strategies that you employed to recruit Indigenous members to the national scheme boards and create innovative communication channels to foster cultural safety within the organization? Because I'm assuming that it was initially challenging.

Jayde: Yeah. So in short, resourcing with staff, a dedicated mentoring program, webinars and using communication mediums our community uses. So, in terms of recruitment, we hired a senior Indigenous engagement officer Dr. Stephen Corporal an Eastern Arunta man, whose role it is to actively recruit Indigenous people for our board and committee roles year-round. He's a social worker by background and a really highly respected elder within our community and has spent many years recruiting and supporting Indigenous people into health professions at university, particularly medicine. So, his PhD is written specifically about this. He attends all of the Indigenous health practitioner peak body conferences and actively builds relationships and cares about Indigenous practitioners.

A key success factor for us to increasing Indigenous representation, whether that be on boards or onto staff, is that once prominent community and sector people have joined a regulator and get to understand the value proposition of protecting community, they want to participate. We've also found that holding webinars at the beginning of a board recruitment campaign has yielded great results - a casual panel discussion with existing

Indigenous board members, talking about their experience and what's involved. It's really helped to demystify the regulatory board experience and speak to the values of participation. We're currently underrepresented in Indigenous practitioner members for particular professions. And in recognition of this next week, we're actually holding another information webinar to attract Indigenous practitioner committee members to decide on matters involving Indigenous people and their newly formed committees. So that's a really strong values alignment. And we know that the statutory appointments process can be very, very lengthy. And this approach is a shorter EOI (or expression of interest) process, allowing people with non regulatory but clinical experience to get involved in regulatory decision making in a shorter amount of time with condensed training.

And for mentoring and ongoing support, we're about to go to market to engage an Indigenous supplier to develop a mentoring support framework for us to run as an in house program for Indigenous board committee and staff members that centers our support, connection, and development needs. This program will work to retain and grow board members as well as attract. And in relation to other communication channels, we've seen great success promoting board vacancies on social media platforms using language that speaks to the value proposition, national Indigenous radio, a podcast hosted by the unit's own Kevin Yow Yeh, raising the opportunities in Indigenous practitioner newsletters and at conferences. And word of mouth is really strong in our local communities as well.

Line: I'm sure. It's probably once you can get that kind of the dominoes starting to fall and things start to fall into place. That's fantastic. So, can you share some success stories or examples from where the work of AHPRA's Health Strategy Unit has directly improved healthcare outcomes or positively impacted the healthcare system for Indigenous communities?

Jayde: Yeah, this is a challenging one to answer for a number of reasons. Because much of our focus has been preventative, correlation is difficult to attribute right now, and we need to work on collecting the right measures to show this over time. But on the whole, the HSU's work has really focused on holding people accountable and using regulatory mechanisms to do that – and where they don't exist, create them.

And interestingly, accountability is a huge cultural alignment for our ways of knowing, being, and doing. So, we're a risk based regulator, so we don't typically hear from people unless harm has already occurred. But the measure of impact we'd say is actually an increase in complaints from Indigenous community members, which we definitely have seen since 2020 when our strategy was released. Because that's an indicator that people are hearing about the role of AHPRA from our communication efforts and that we have Indigenous led and staffed teams ready to engage them in a safe way.

So, we've also invested our efforts in strengthening the accountability tools of regulation at the preventative end. So, by changing the codes of conduct and the standards for all the health practitioners so cultural safety is an expected standard of practice and in legislation, those changes create an authorizing environment for us to work within to hold unsafe practitioners to account in a way that we haven't been able to easily do in the past.

And there's been a lot of attention from the community and the sector on the establishment of the new Indigenous National Special Issues Committees where Indigenous practitioners and community members play a key role in deciding on regulatory responses on matters involving us. It's self-determining, and it's powerful. Our insights will help immensely to analyze and respond to these cases, particularly deaths in custody in Australia.

Line: Well, you know, anytime there's a bump in the number of complaints, it always can be a little scary, but I think you're hitting the nail on the head when you say, you know, what this is is now we're giving them a voice and giving them an opportunity.

So, what advice would you offer to other regulatory agencies looking to prioritize cultural safety, even without maybe a legislative mandate based on AHPRA's experience?

Jayde: So, I would say be patient and understand that cultural safety work is fundamentally built on trust and relationships. So, you can't successfully prioritize cultural safety without building strong, two-way, non-transactional relationships with First Nations people. And appreciating that we've been promised so much from governments and other institutions throughout the colonial project that have exploited, lied, or failed us in so many ways, that actions really speak louder than words. And it's through those consistent actions of showing up in the space and doing the work that trust will grow.

I would also say, start with Indigenous governance. So, create and remunerate a collective of First Nations people to guide your efforts, for both regulatory strategic work and operational staff in the business. And as we would say in Australia, 'nothing about us without us.' The issues and solutions need to be determined and led by First Nations people for anything to work or have credibility.

I would also recommend defining what cultural safety means in your space and ensure Indigenous people decide upon what that is. Having shared definitions and language is hugely important when you're bringing about institutional change. This definition has been integral to basing so much of our operational, strategic, and legislative direction.

And the final thing I would say is, get comfortable with being uncomfortable. Lean into it. So, accept that you're going to mess up—and that's okay. It's how you respond that's important. Feedback from us is a gift because we want you to do better. And we're investing in you with our time to share to enable you to do just that. And this also means non-Indigenous allies, especially leaders, standing up and calling out their people when they're not acting in a safe way.

Line: That's great. Well, I really appreciate you being able to meet me in person here at the Salt Lake Annual Educational Conference for CLEAR. I want to congratulate you again on the Regulatory Excellence Team Award, and we're so proud of you, and thank you for being a part of this podcast.

Jayde: Thank you. It's been great being here.

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The Real Estate Council of Alberta is the recipient of the Investigative Excellence Award for a team. The award recognizes an investigative team in occupational professional regulation that has demonstrated exceptional performance in a particular case or a history of excellent performance beyond what is expected or required that resulted in a direct and significant impact to the protection of the public or consumer interests. I was able to catch up with members of this team virtually, so here's my conversation with Holly Childs, Jonathan Gordon, and Andrew Brainard with the Real Estate Council of Alberta.

Line: Well, congratulations to the team, the Real Estate Council of Alberta, for the Investigative Excellence Team Award. So, thank you for speaking with me today. So, can you provide an overview of the complex investigation into The Printing Press and the mortgage fraud scheme? What initially triggered this investigation? And then what was the extent of the scheme you actually uncovered?

Holly Childs: I'll answer that. We had received two complaints initially that one of our, we call them licensees here in Alberta, but they're actually realtors had been involved with some fraudulent activity. The first complaint that we received was from our police, the Calgary Police Services. He had been called by one of our realtor's brokerages. She had received some conveyancing documentation and a commission check for one of her realtors. The letterhead that was attached to that package was not her letterhead; it had been altered. And she was quite concerned that something untoward was going on and that her trust account may have been manipulated in some way.

So, we had received that first. At the same time, in and around the same time, we received a second complaint from the Scotia Bank, having concerns that one of the properties they were being asked to fund a mortgage on had been inflated quite a lot. She had recognized that the realtor involved with that transaction had been involved with something untoward with a Scotia Bank in the past, so she was concerned enough to contact us. So, it was determined that the realtor licensee in question was involved in both of these complaints. Also, there was an unauthorized individual, The Printing Press, that was also involved with both of these complaints. So, that's how we sort of got the package.

So, I took the initial complaints because that's the area that I deal with. The first thing that we did in this particular case, because we had an indication of inflated values, was we obtained all of the multiple listings for the licensee or the realtor involved over the past two years, or we went back two years, so we noted that he had some 32 properties that have been listed.

So, what we started to know was there was a pattern of inflating prices on these properties. It became very obvious that the properties have been inflated in a particular neighborhood within Calgary. So, we went on from there to pull the titles and the mortgages for all of these properties. And at that point, we made a determination on how many that we could actually manage, because we can't take 32 properties and try to investigate all 32 of them. So, we had to narrow them down somewhat. So, in the course of the investigation, we found also that a lot of the mortgages were entered into by new people to Canada. So, they certainly didn't understand our process. And they had all dealt with The Printing Press, but they believed this Printing Press for a genuine brokerage that they were allowed to trade in real estate. They didn't have any idea that they weren't licensed in Alberta.

So, the investigation sort of morphed into this organized fraud scheme where we saw 16 of our real estate agents and mortgage brokerages involved. Presently, there are multiple ones that we have suspended. We have 50 businesses linked to the fraudulent documents. That's a lot of businesses. Eighty transactions in total, 86 buyers and sellers, and we estimate the value of fraudulent mortgages to be up and over 100 million dollars.

So, 18 months after we started this investigation, we had another anonymous tip suggesting that The Printing Press was still active. There were 3 transactions that may have been connected to them. On the surface, the MO looks similar, but they sort of changed and morphed their system at this point because they knew they were under investigation. We reviewed the documentations and conducted searches on public registries and linked one of the properties directly to the investigation that we were doing through messages, WhatsApp

messages. While the investigation into The Printing Press is complete, it's actually still ongoing, involving other parties that appeared to have been working with The Printing Press, whether knowingly or otherwise. So, it is an ongoing investigation at this point.

Line: Fascinating. So, investigating a case involving thousands of potentially fraudulent documents must have been you know, for lack of a better term, overwhelming. How did your team effectively identify red flag documents and prioritize their examination? I mean, that's a lot of stuff to go through. How big was the team for that matter?

Holly: We started, I started off; Johnny quickly joined in. Obviously, I needed the assistance. This is overwhelming for one person. And sort of a couple of years into it, Andrew also joined in. So, there were three of us in total, plus our manager, of course.

So, it was challenging at best. But working as a team, we certainly were managing to put it through. But I will say is we didn't investigate every single transaction that we were aware of. We had to sort of narrow it down and focus in on what we felt were the best chances of succeeding in this investigation. So, we did narrow it down. You know, obviously we couldn't do 60, 70 different transactions. We sort of morphed it down to, you know, probably about 15 or 20 at this point. So, we really focused on those transactions. We really focused on the titles and the mortgages. And that sort of led us to everything else.

One of the things we did notice were the trends in the documents, including the same employer being used on different transactions. We did notice in the beginning that the wording on employment letters had the same grammatical errors. The bank statements were similar to one another with, obviously, issues with different names and the same account numbers, things like that. We noticed that telephone numbers appearing from multiple companies, and then being reused on what we call gift letters. The gifters were then morphed into buyers. So, it was this sort of repeat of employers, repeat of telephone numbers, repeat of the same type of errors on the contracts, things like that, that we started to notice.

So, we suspected that the source was connected to The Printing Press, one of the individuals' email addresses were used to send the documents. So, in the original complaint, we uncovered an email of The Printing Press and we were aware of that because we had previously dealt with The Printing Press back in 2017. So, it was something that I remembered because I've been with RECA for a fair amount of time. So, from there we also started noticing that previous suspended realtors that we had dealt with were now involved with The Printing Press directly. So, it was a sort of chain event that we kept seeing the same things over and over again.

I'm going to let Johnny continue because he was the one that put this all together for us so that we were able to map it out quickly. Because just going by memory sometimes, obviously, and having to find documents was proving problematic with our system.

Jonathan Gordon: Yeah, one thing we noticed early on was the fact that we'd look at document properties for a PDF document, for example, and we've seen that we would notice the same make and model scanner used time and time again. So, that make and model scanner came up on different documents across different transactions, and it wasn't from the research that I did or we did we weren't able to establish that it was an overly common make and model scanner. So we were looking at things like, in terms of the traits that we're seeing the same class characteristic over and over again for the scanner. So we're able to have a look at that. And then we're able to look at the dates and times that the documents were scanned and from witnesses were

then able to put the scanned document connect that to an email that was sent from The Printing Press's office.

So we're then able, because initially we saw the scanner, we weren't able to identify exactly who that had come from. We weren't sure whether it was a licensee or The Printing Press as an unlicensed entity or another party. However, from working back with the document properties from dates and times and data communications information, we're able to tie that make and model scanner to The Printing Press's office and therefore going forward, we're able to make things a lot easier for ourselves.

Look at the document properties. Is it that make and model scanner? Yes. Okay. Right. Well, we're interested in this right away. The issue we had later was, whether it broke or they just changed the scanner, we then got a different scanner, which we could only get the make of the scanner back. So obviously it's not as good a class characteristic. So, it made things a little bit more difficult in that, but at least we could say, 'Yeah, well, we've got this make scan. It may well be from them.' So that's kind of how we identify a lot of documents early on anyway.

Line: Fascinating.

Holly: We were able to also obtain all of the banking records, so any of the bank documentation that we had received within the mortgage packages, we were able to confirm whether or not those were true. You know, account holders were able to start to notice that the same account numbers were being used across the board, things like that.

So, we do have at least legislated power to be able to obtain banking records, which was crucial in this investigation, because we had so many bank account statements, payroll statements, things like that, that we have to confirm went in and out. So, it certainly was a process.

Line: No doubt. Well, the nomination mentions that you developed a custom case management system using Excel and SharePoint. I know many of us have utilized, you know, similar things, but what necessitated the development of such as a custom system, if you would? And how did this ultimately aid in the investigation?

Jonathan: So, we had due to the amount of data communications information touched on before, but then in addition to that, we have things along the lines of- so we would extract Facebook friends lists and export those because the Facebook profiles that we have for the individuals were wide open, which obviously helped us. We were able to establish connections between parties, which was very, very nice for us. So, we're able to extract that. And then we could use that in interviews where people said that they didn't know someone. But we needed a means of storing this information along with the document properties we had along with the grammatical errors we had, along with the telephone numbers we had.

And initially we basically looked at each individual transaction, put together an Excel template, and we would record the key information on those, the identifying information that we're looking at, and we then put some basic lookups in just to say, okay, well, has this appeared before, you know, type in a telephone number. Oh, it appears. We know straight away that this employer may have been used before or at least that telephone number may link to another individual. So, that was really useful for cross referencing. And that came in about, I guess, about six months into the investigation, just because we needed to be able to cross reference that.

The current system we have, the case management, is really good when you're talking about an individual case;

however, when you're taking documents and you're trying to compare it against multiple cases and transactions, it becomes more difficult. So, we have to kind of get that into place. But as the investigation and more and more transactions were coming up, Excel was a 2D approach to what we're looking at. We weren't able to then say, right, okay, well, we want to separate the addresses up because we noticed that sometimes the same address would come up on two different transactions. So, we needed a means of recording matters in more of a 3D means.

And so what we did, we used, I guess SharePoint lists is now Microsoft lists, but we use that almost as a database and they were able to link the individual lists to show how everything's connected as well as put a quick note for the key documents in. So, we're able to review the documents when they came in, immediately link that document to the key information that we're recording, and then when it came to searching, we could just pull that information out so that you're not having a situation where you're having to manually remember telephone numbers, remember email addresses, or remember everything on those documents. The key information required for the investigation could be extracted from those documents. And then you could have a one-page overview of each transaction. So that when you're, you know, three months since you've looked at a transaction, you've still got the header information and it immediately refreshes your memory.

And so, one more thing that we did, we were then able to take that data and look for the address information and export that into Google Earth. And then we can see hotspots around the city as to where these employers were based. And it gave us an idea of, you know, the streets that they were on and, you know, the units that they were working out of. And then also, we were able to establish the same with the transactions we're seeing. We're able to see where most of the transactions were occurring around the city. So, that was quite a useful tool just to say, well, you know, we've got this area where this employer is - could this employer be based on where it is be connected? It gave us the ability to target and search specific information on these organizations.

Line: I figure once you've got all this information, you're going to have to do some interviews, right? You're gonna have to talk to some folks, and I would imagine they weren't maybe forthcoming with a lot of the information that they wanted to provide or give you. So, did you develop any techniques or strategies to deal with, you know, this resistance that you might have faced during interviews, especially dealing with individuals that were directly involved in this fraudulent scheme? I mean, I can't imagine they're wanting to give you information.

Jonathan: No, our process involves us, anyone connected to the investigation, we have to demand that people attend an interview. But our process would normally be that we serve them a letter and offer them some dates in the future, like two weeks in the future. But the problem we had was a lot of the buyers, because they believed that The Printing Press were genuine licensed individuals, they would go back to The Printing Press and say, 'Hey, I've got this letter. What am I supposed to do?' The Printing Press would then tip them off to what they needed to say and what they needed to do. And basically they could use intimidation to say, 'look, well, if you don't lie to them, then there's going to be consequences.' So, we were up against that straight away with the bias. Especially as the communities and the new-to-Canada individuals may not necessarily know who RECA was. So, they've got a familiar person in the community versus this organization that they've never heard of that's saying, 'turn up for an interview.' So obviously that was immediately quite difficult.

However, what we would do is, it's just basically for interviews, it would be fairly bread and butter stuff, really. It would be you know, we want to build a rapport with these individuals as soon as we can. We want to get their account out across. Often they would start off by lying to us. They would go with what they were told. But as

the interview progressed, we would, you know, some would warm to us early, some would immediately tell us, 'Oh, okay, well, I've been told to say this, but, you know, I want to tell you this.' And tell us the truth. But in most cases, what would happen is we would allow them to provide effectively a free recall into what's happened. And then we would allow them to almost lock themselves into the lie in some cases, and then we'd show them the fraudulent documents.

And then we'd, you know, say to them, 'look, you've said this. These documents clearly show this. We've confirmed, for example, with a bank that this document is fraudulent. Come on, look. Help us because we, these guys are going to continue doing this and they're going to continue to make victims.' And that's ultimately what we want to do is we want to get these guys to stop. We want the public to be aware of what's happening. So, it's important for us to do what we can to get them on side.

I mean, there were occasions where, for example, one interview I had, the buyer really didn't like me, and I don't know why. I approached it in exactly the same way. For whatever reason, he didn't like me. He preferred to speak with my colleague, Andrew, who unfortunately can't be here today. But in that instance, it was very much, 'well, okay, Andrew, you take [this one]'. So, if in an interview we find one interviewee is preferring one of the investigators over the other, then we'll be dynamic and we'll switch and we'll work out what the best way is to get that information out.

Ultimately, we have this power that allows us, if people fail to comply with us, we can issue administrative penalties, but in this investigation, I don't believe we actually had any non-cooperation APs.

Holly: I think we had one, but if they do decide to cooperate, then we will retract it. So, we do have that power under our legislation that everybody must comply. So, if they don't show up for an interview or if they refuse to talk to us, we can issue administrative penalties up to \$25,000 if that's what it takes. So, I think that we did on one occasion have to use that bit of a scare tactic.

I think what was very paramount to us in the beginning was that most of the buyers were not directly involved with the fraud. They were victims themselves. So, some of them, we highly suggested that they go to the police and file formal complaints with the police so that this could enter into a criminal investigation alongside of our civil or regulatory.

So, we do have a fair amount of power within our legislation, which I think certainly helps in these situations, but I find that most people that we dealt with-the individual people-were very good to deal with. They were scared; they thought they would lose their houses. They were new to Canada, so they certainly didn't have the expertise. The realtors that were involved and licensees that were involved - if we have too much information on them, what they would end up doing is withdrawing from the industry. We have within our legislation, the power and the ability for them to seek a lifetime ban or withdraw from the real estate industry. So, we knew how involved they were because we would lose a significant amount of realtors within all this because they would just withdraw from the industry. So, it was a challenge at best.

Line: Wow! Well, I think many of our listeners and I certainly have had to deal with lengthy multiple-year investigations. How did you maintain your momentum and keep your motivation going on a long investigation like this?

Holly: I think most of it comes down to personality. The three of us within this unit are probably geared the same way in that we absolutely want to see this to the end. And I think we became so involved with following

this through and carrying this through, especially for some of the people that we dealt with because they were victims, that we just never stopped.

Our mandate is to protect consumers. That's part of our goal is for protection and having them sit in front of us, having a young couple sit in front of us thinking that they're going to lose their house because they'd been taken advantage of. And they paid way too much at the time for their property to begin with, so they were stuck in a property where even if they were to try to sell it, they would lose a significant amount of money. They were mortgaged to the extreme. Basically, most of them are well over 100 percent financed. So, it was actually sad to watch. So, I think we drew from that and just sort of carried on. But I actually don't think we even realized how long this was going on for. You just become so involved in the whole scheme and trying to figure this out and trying to get the different information that we just put our heads down and I don't think we looked up, to tell the truth. And we're still investigating this file.

Line: Right. Well, I guess we want to know, what was the ultimate outcome of the case? And how did your team alert the consumers and work with law enforcement and other agencies to raise awareness about this scheme?

Jonathan: So, we've issued \$275,000 worth of administrative penalties relating to these transactions. We've issued a warning to cease in between some of the administrative penalties. So basically, we've told them that they have to stop trading in real estate and dealing in mortgages. And recently we've obtained an interim injunction against them to this effect to prevent further trades. We have several licenses now out of the industry. We've issued multiple consumer warnings relating to the parties involved. And then we've published the outcomes on our website.

As many of those involved were new to Canada, we've worked with our colleagues in investigations and communications to go out and target those communities, with our colleagues presenting directly to these groups. Communications, I understand they're currently working on presenting information in the languages that we're seeing appear so that anyone who is new to Canada who may not have English as a first language can see what's going on and understand the information.

So, obviously, it's important to get that information out to the communities in Calgary. We've also worked together with Calgary Police and the CRA [Canadian Revenue Agency] and we've given presentations on the scheme to fraud investigation associations, including the IAFCI [International Association of Financial Crimes Investigators]. And we've also presented information to lenders and fraud groups within lenders to make sure that they're aware of the scheme and what to look for and try and prevent this from occurring. Because ultimately, the more we can prevent, the fewer victims there are. And you know, potentially from a selfish point of view without you know, wanting to do myself out of a job, then it's a lot quicker to prevent a transaction from taking place than to spend the time investigating it, demanding all the information we require, reviewing that information, and everything else.

But ultimately, we want to protect the consumer. We want to protect people; we want to make people aware of what's going on so they know exactly what to look for. But as Holly said, you know, we are continuing this investigation. Yes, the matter involving The Printing Press at this time is concluded. But, you know, Holly, Andrew and myself, we'll continue to investigate parties involved in this matter and continue to ensure that we do all we can to prevent this and investigate any matters that have taken place.

Line: Fantastic! Well, any takeaways from this for other investigators? What lessons or best practices that you

could share that might make their jobs a little easier?

Holly: And we just wanted to, in this particular case, reviewing the documentation over and over and over again, trying to obtain the original documentation when we could, obviously looking at the properties of the documentation, who the author was, how it was created, what devices were used. These became very, very important within the investigation itself.

Creating our case management system - We have a system in place for storing documents, of course, but it just to us wasn't working. So, to create your own system sometimes works if it allows the team to be able to access the information quickly and easily works.

Education - We find the more people we talk to about this file, I think the better it's going to be, the better the outcome is going to be.

And we just, I don't think we ever stopped. With our team, I think the team itself worked really well together. That's really, really important. I don't think there is a leader in this team. We just all work together. We know what our roles are; we know what our strengths are, and I think we need to play to those strengths. Johnny's strengths, obviously, when you're talking to him, his IT background, among other things. With his roles and previous life in the police force and things like that, that certainly helps. I have investigated multiple mortgage fraud, so I do have that clear understanding of what mortgage fraud is as defined in Alberta. So, I think that each of our individual strengths really came into play heavily here, and I think people need to rely on their team. So, obviously, that's something I feel quite strongly about.

Just pick your best files too. We can't do it all. I think people see a bunch of investigations and they think, great, we'll have 40 investigations. But the reality is you're just not capable of managing that type of workload. I think we really need to focus in on the best and move forward in that way.

Line: Great. Well, congratulations. Yeah. Anything else, Jonathan?

Jonathan: So, I was just going to add Andrew to the mix. Unfortunately, he couldn't be here. But he came in a bit later, but he just came in straight away and was great to work with, great for interviews. He was really good in the interviews I was with, he was really great to just listen. So, I mean, interviewing in pairs is something that I would always always recommend because when one person is asking the question - and I think we did that well. And I think when I worked with or interviewed with Andrew, Andrew was very good at picking up something I may have missed. It may be that he had a different direction to go in, but also read things like silence as well, because obviously those silences are important, so you don't want someone kind of jumping in. So just make sure you communicate before the interview and plan carefully is all I would say.

Line: Well, great. Well, it was a pleasure speaking with you all today. And again, congratulations on winning the Investigative Excellence Team Award. And thanks again for joining us today.

Holly and Jonathan: Thank you very much.

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Line: It was a lot of fun to talk with our award recipients. We hope these conversations have given you some ideas, techniques, and skills that you can focus on in your regulatory role as we pursue regulatory excellence.

I want to thank our listeners for tuning in for this episode. If you're new to the CLEAR podcast, please subscribe to us. You'll find us on Podbean or any of your favorite podcast services. If you've enjoyed this podcast episode, please leave a rating or comment in the app. Your reviews help us to improve our ranking and make it easier for new listeners to find us. Feel free to also visit our website at www.clearhq.org for additional resources as well as a calendar of upcoming programs and events.

Finally, I'd like to thank our CLEAR staff, specifically Stephanie Thompson. She is our content coordinator and editor for our program. Once again, I'm Line Dempsey, and I hope to be speaking to you again very soon.

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