

Citation: 2024 BCSECCOM 271

## **Notice of Hearing**

### **Brandon Wade Boddy**

#### **Section 161 of the *Securities Act*, RSBC 1996, c. 418**

- ¶ 1 The British Columbia Securities Commission (Commission) will hold a hearing (Hearing) at which the Executive Director will tender evidence, make submissions and apply for orders against Brandon Wade Boddy (Boddy) under sections 161, 162 and 174 of the *Securities Act*, RSBC 1996, c. 418 (the Act), based on the following facts:

#### **Summary**

1. Boddy obstructed justice by refusing to give evidence on oath and to produce any records required for an investigation.
2. By engaging in the conduct as set out in this notice of hearing, Boddy contravened section 57.5 of the Act, and he is also liable under sections 161(6.1) and 162(3) of the Act.

#### **Background**

3. Boddy is a resident of Port Moody, British Columbia.

#### **Misconduct**

4. On July 4, 2023, staff issued Boddy a demand under section 144 of the Act to produce certain records in his custody, possession or control by July 28, 2023 (the Demand).
5. On July 4, 2023, staff issued Boddy a summons under section 144 of the Act requiring him to attend before an investigator to give evidence on oath at the offices of the Commission on August 29, 2023 (the Summons).
6. On July 6, 2023, Boddy was personally served with copies of the Demand and the Summons.
7. On July 13, 2023, at the request of Boddy's counsel, staff extended the deadline for Boddy to respond to the Demand to August 9, 2023, and rescheduled the interview to October 4, 2023. Subsequently, Boddy requested additional time to respond to the Demand and an adjournment of the interview.

8. Between August 2023 and May 2024, staff contacted Boddy through his counsel on multiple occasions requesting a response to the Demand and seeking to arrange an interview.
9. Boddy has failed to comply with the Demand and the Summons, as he has not provided any records pursuant to the Demand or attended an interview to give evidence on oath pursuant to the Summons.

### **Hearing Process**

- ¶ 2 The Respondent or his counsel is required to attend at the 12th Floor Hearing Room, 701 West Georgia Street, Vancouver, British Columbia, on **Tuesday, August 13, 2024, at 9:00 a.m.** if the Respondent wishes to be heard before the Commission sets a date for the Hearing. Relevant information gathered by Commission Staff in the investigation of this matter will be disclosed to the Respondent upon request to the Executive Director.
- ¶ 3 At the Hearing, the Respondent may be represented by counsel, make submissions and tender evidence. The Respondent is requested to advise the Commission of his intention to attend the Hearing by informing the Hearing Office at PO Box 10142, Pacific Centre, 701 West Georgia Street, Vancouver, BC V7Y 1L2 phone: (604) 899-6500; email: [hearingoffice@bcsc.bc.ca](mailto:hearingoffice@bcsc.bc.ca).
- ¶ 4 If the Respondent or his counsel do not appear at the Hearing, the Executive Director may apply to have questions of liability and sanction heard at the same time. Determinations adverse to the Respondent may be made in his absence.
- ¶ 5 Orders made against the Respondent in this matter may automatically take effect against him in other Canadian jurisdictions, without further notice to the Respondent.

*Peter J. Brady*  
*06/26/2024 | 6:18 PM PDT*

- ¶ 6 Peter J. Brady  
Executive Director