



British Columbia Securities Commission

Citation: 2017 BCSECCOM 5

## Notice of Hearing

**Roy Ping Bai, also known as Ping Bai, and RBP Consulting**

**(collectively, the Respondents)**

### **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 the Respondents under sections 161, 162 and 174 of the *Securities Act*, RSBC 1996, c. 418 (the Act), based on the following facts:

#### **Summary**

1. The Respondents perpetrated a fraud of about \$1.4 million on investors, contrary to section 57(b) of the Act, by promising to invest their money in the foreign exchange market (Forex) but instead paying investors or personal expenses. To perpetuate their fraud, the Respondents told investors a series of lies.

#### **Background**

2. Bai has been a British Columbia resident since 1997.
3. RBP Consulting is a partnership registered in 2008 with the British Columbia Ministry of Finance. Bai and his wife were the two partners of RBP Consulting, although his wife had no role in the partnership.

#### **Fraud**

4. Between February 2012 and the end of 2013, the Respondents received around \$1.53 million (Funds) from nine investors, most of whom were BC residents. The Respondents promised to invest their Funds in Forex and pay interest of 30% to 60% per year, to be paid monthly or annually.
5. The Respondents invested about \$129,000 of the Funds into Forex. They did not invest the remainder of the Funds (about \$1.4 million) in Forex, but instead paid investors or paid personal expenses for Bai and his wife.



6. To perpetuate their fraud, the Respondents told the investors the following lies, that:
  - a. they were going to take their company public with a target date of May 1, 2013 and, as a result, they would no longer pay monthly returns. In fact, the Respondents took no steps to publicly list a Forex trading company;
  - b. they received a notice from the Commission that their application to go public was deficient and so the Respondents would reapply. In fact, they had made no application to go public and there was no notice from the Commission;
  - c. their application for a public offering was not approved. In fact, there was no such application;
  - d. they received a notice from the taxation department about a tax audit starting in June 2014. In fact, there was no such notice;
  - e. they would pay back investors on June 30, 2014. In fact, there was not enough money to pay investors; and
  - f. they would start paying back investors through money transfers on July 7, 2014. In fact, they made no transfers.

### **Hearing Process**

- ¶ 2 The Respondents or their counsel are required to attend at the 12th Floor Hearing Room, 701 West Georgia Street, Vancouver, British Columbia, on **Tuesday, February 7, 2017, at 9 a.m.** if they wish 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 Respondents upon request to the Executive Director.
- ¶ 3 At the Hearing, the Respondents may be represented by counsel, make submissions and tender evidence. The Respondents are requested to advise the Commission of their intention to attend the Hearing by informing the Secretary to the Commission at PO Box 10142, Pacific Centre, 701 West Georgia Street, Vancouver, BC V7Y 1L2; phone: (604) 899-6500; email: commsec@bcsc.bc.ca.



- ¶ 4 If the Respondents or their counsel do not appear at the Hearing, the Executive Director will apply to have questions of liability and sanction heard at the same time. Determinations adverse to the Respondents may be made in their absence.

*Peter J. Brady*  
*Jan 6 2017 12:01 PM -08:00*

- ¶ 5 Peter J. Brady  
Executive Director