



Citation: 2020 BCSECCOM 131

Settlement Agreement

Hyongsuk Kim

Securities Act, RSBC 1996, c. 418

- ¶ 1 The Executive Director of the British Columbia Securities Commission (the Executive Director) and Hyongsuk Kim (Kim) agree as follows:

Agreed Statement of Facts

Background

1. Kim is a resident of Maple Ridge, British Columbia.
2. Kim was registered under the Act as a dealing representative of an investment dealer from March 28, 2014 to March 24, 2016.

Misconduct

3. On July 8, 2016, another investment dealer (the Dealer) filed an application on the National Registration Database (NRD) to reactivate Kim's registration as its dealing representative by submitting a Form 33-109F4 *Registration of Individuals and Review of Permitted Individuals* (Form 4).
4. Kim provided the information for Form 4 to the Dealer, and he was ultimately responsible for ensuring that the information in the Form 4 was true.
5. In the Form 4, Kim provided information that he had passed the Wealth Management Essentials (WME) course on June 30, 2016.
6. In fact, Kim had not passed the WME course, despite three attempts to do so.
7. By providing false information in Form 4, Kim contravened section 168.1(1)(b) of the Act.

Aggravating Factor

8. To support the false information in Form 4, Kim forged a notice of completion of the WME course and provided it to the Dealer.

Mitigating Factors

9. Kim is remorseful and agreed to make early admissions with respect to the above-noted misconduct prior to the issuance of a Notice of Hearing.

Public Interest

10. It is in the public interest that the Executive Director issue orders under section 161 and 162 of the Act.



Undertaking

11. Kim undertakes to pay \$10,000 to the Commission in respect of settlement of this matter, with sum is due and payable immediately without further demand.

Order

¶ 2 The Executive Director will issue an order (the Order) that:

under section 161(1)(d)(iii), Kim is permanently prohibited from becoming and acting as a registrant.

Consent to Regulatory Orders

¶ 3 Kim consents to a regulatory order made by any provincial or territorial securities regulatory authority in Canada containing the order set out in paragraph 2 above.

Waiver

¶ 4 Kim waives any right he may have, under the Act or otherwise, to a hearing, hearing and review, judicial review or appeal related to, in connection with, or incidental to this settlement.

Counterpart

¶ 5 This settlement agreement may be signed in counterpart and all such counterparts of signed copies, whether delivered electronically or otherwise, shall be read or construed together as if they formed one originally executed document.

¶ 6 May 13 , 2020

¶ 7 Hyongsuk Kim
Hyongsuk Kim

(REDACTED))

Witness Signature)

(REDACTED))

Witness Name (please print))

(REDACTED))

(REDACTED))

Address)

(REDACTED))

Occupation)

¶ 8 May , 2020
Peter J Brady
May 20 2020 10:09 AM -07:00

¶ 9 Peter J. Brady
Executive Director