



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

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**IN THE MATTER OF  
MONEY GATE MORTGAGE INVESTMENT CORPORATION,  
MONEY GATE CORP., MORTEZA KATEBIAN  
And PAYAM KATEBIAN**

Timothy Moseley, Vice-Chair and Chair of the Panel  
M. Cecilia Williams, Commissioner  
Lawrence P. Haber, Commissioner

File No. 2017-79

April 1, 2021

**ORDER**

(Subsection 127(1) and section 127.1 of the  
*Securities Act*, RSO 1990, c S.5)

WHEREAS on July 14 and 23, 2020, the Ontario Securities Commission (the **Commission**) held a hearing by videoconference to consider the sanctions and costs that the Commission should impose on Money Gate Mortgage Investment Corporation (**MGMIC**), Money Gate Corp. (**MGC**), Morteza Katebian, and Payam Katebian as a result of the findings in the Commission's Reasons and Decision on the merits, issued on December 17, 2019;

ON READING the materials filed by Staff of the Commission (**Staff**), and by MGC, Morteza Katebian and Payam Katebian, and on hearing the submissions of the representatives for Staff, and for MGC, Morteza Katebian and Payam Katebian, no one appearing on behalf of MGMIC;

IT IS ORDERED THAT:

1. Pursuant to paragraphs 2 and 2.1 of subsection 127(1) of the *Securities Act*, RSO 1990, c S.5 (the **Act**):
  - (a) trading in securities of MGMIC shall cease permanently, except for trades effected by the receiver of MGMIC;
  - (b) MGC and MGMIC are permanently prohibited from trading in any securities or derivatives, or acquiring any securities, except for any trades or acquisitions effected by the receiver of MGMIC;
  - (c) Morteza Katebian and Payam Katebian are permanently prohibited from trading in any securities or derivatives, or acquiring any securities, except that each may, after he has fully paid the amounts in paragraphs 6, 7 and 8 of this order, trade securities or derivatives, and acquire securities, for any Registered

Retirement Savings Plan, Registered Retirement Income Fund, Registered Education Savings Plan, Registered Disability Savings Plan or Tax-Free Savings Account (as those terms are defined in the *Income Tax Act*, RSC, 1985, c 1 (5<sup>th</sup> Supp)), of which he, his spouse or his children are the sole legal and beneficial owners, through a registered dealer in Canada to whom he has given a copy of this order and a certificate from Staff confirming that he has paid the amounts as required;

2. pursuant to paragraph 3 of subsection 127(1) of the Act, any exemptions contained in Ontario securities law shall not apply to any of the respondents, permanently, except to the extent necessary for the receiver of MGMIC to carry out its duties;
3. pursuant to paragraphs 7 and 8.1 of subsection 127(1) of the Act, Morteza Katebian and Payam Katebian shall resign any positions that they hold as directors or officers of any issuer or registrant;
4. pursuant to paragraphs 8 and 8.2 of subsection 127(1) of the Act, Morteza Katebian and Payam Katebian are prohibited permanently from becoming or acting as directors or officers of any issuer or registrant;
5. pursuant to paragraph 8.5 of subsection 127(1) of the Act, the respondents are prohibited permanently from becoming or acting as a registrant or as a promoter;
6. pursuant to paragraph 9 of subsection 127(1) of the Act, Morteza Katebian and MGC shall pay administrative penalties of \$750,000 each, and Payam Katebian shall pay an administrative penalty of \$600,000, which amounts shall be designated for allocation or use by the Commission in accordance with subclause 3.4(2)(b)(i) or (ii) of the Act;
7. pursuant to paragraph 10 of subsection 127(1) of the Act, Morteza Katebian, Payam Katebian and MGC shall, jointly and severally, disgorge to the Commission \$8,711,138, which amount shall be designated for allocation or use by the Commission in accordance with subclause 3.4(2)(b)(i) or (ii) of the Act; and
8. pursuant to section 127.1 of the Act, Morteza Katebian, Payam Katebian and MGC shall, jointly and severally, pay \$597,122.58 for the costs of the investigation and hearing.

"Timothy Moseley"

Timothy Moseley

"M. Cecilia Williams"

M. Cecilia Williams

"Lawrence P. Haber"

Lawrence P. Haber