



Real Estate Council of Ontario

**IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE
*REAL ESTATE AND BUSINESS BROKERS ACT, 2002, S.O. 2002, c. 30, Sch. C***

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND -

MAZIN JABER

DISCIPLINE DECISION AND REASONS FOR DECISION

Subject to Rule 4.02 of the Discipline and Appeals Committee Rules of Practice (*REBBA 2002*), I, the Chair of the Discipline Committee (*REBBA 2002*) have reviewed and considered the Agreed Statement of Facts and Penalty together with the Waiver of Hearing submitted by the Parties to this proceeding and provide the following Order:

FINDINGS: In violation of Sections 3, 4, 5, 38 and 39 of the *REBBA 2002* Code of Ethics.

ORDER: Fine of \$3,250.00 payable to RECO on or before May 4, 2018.

WRITTEN REASONS:

REASONS FOR DECISION

INTRODUCTION

This matter proceeded on the basis of an Agreed Statement of Facts and Penalty and Waiver of Hearing, pursuant to Rule 4.02 of the Rules of Practice (*REBBA 2002*).

The Agreed Statement of Facts and Penalty read:

AGREED STATEMENT OF FACTS AND PENALTY

1. Mazin Jaber ("Jaber") is registered as a salesperson to trade in real estate under the Act. At the relevant time, Jaber was employed by Brokerage A.
2. On May 17, 2016, and between 2:00 p.m. and 3:00 p.m., Jaber was scheduled to show his client the Property listed for sale and located at 1-A Street, City A ("Property"). However, when the seller of the Property arrived home sometime after 4:00 p.m. that

day, she discovered the Property's lock-box open, and Jaber's clients inside unaccompanied by Jaber.

3. Jaber provided his client with the lock-box code, contrary to sections 3, 4, 5, 38 and 39 of the Code of Ethics under the Act (the "Code of Ethics").
4. Jaber permitted his client to have unsupervised access to the Property, contrary to sections 3, 4, 5, 38 and 39 of the Code.

AGREED PENALTY

MAZIN JABER, the Respondent, be ordered to pay a penalty of \$3,250.00 on or before May 4, 2018.

By initials below, I, MAZIN JABER, acknowledge that I have read and understand the penalty outlined herein and agree to the said terms and/or conditions.

[Respondent's Initials]

By initials below, I, MAZIN JABER, agree, understand, acknowledge and consent to waive the requirement for a hearing and to request an Order from the Chair of the Discipline Committee that includes this Agreed Statement of Facts and Penalty as a final settlement of this matter.

[Respondent's Initials]

By initials below, I, MAZIN JABER, acknowledge that I exercised my right to be represented by Counsel or agent in this matter.

[Respondent's Initials]

By signature below, the Parties agree, acknowledge, understand and consent to the final settlement of this matter by way of this Agreed Statement of Facts and Penalty.

[The Agreed Statement was duly signed by the Parties.]

DECISION OF THE CHAIR

Having reviewed and considered the Agreed Statement of Facts, the Chair of the Discipline Committee (*REBBA 2002*) concluded that the Respondent breached Sections 3, 4, 5, 38 and 39 of the *REBBA 2002* Code of Ethics. The Chair of the Discipline Committee (*REBBA 2002*) is also in agreement with the joint submission of the Parties as to penalty and accordingly makes the following order:

1. MAZIN JABER is Ordered a Fine of \$3,250.00 payable to RECO on or before May 18, 2018.

[Released: May 23, 2017]