



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 -

ANGELA BETTIOL

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 Section 38, with respect to error only, of the *REBBA 2002* Code of Ethics.

ORDER: Fine of \$2,500.00 payable to RECO on or before April 30, 2019.

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. Angela Bettiol ("Bettiol") is and was, at all relevant times, registered as a salesperson under the Act and employed by Brokerage A.

2. As a favour to another registrant (“Registrant”) employed by Representative A, Bettiol agreed to witness the signatures for two buyer clients, Buyer 1 and Buyer 2, who were attending the offices of Representative A on October 18, 2012, to sign a waiver document (“Waiver”) for a real estate transaction.
3. However, on October 18, 2012, only Buyer 1 attended. While Bettiol signed as witness for Buyer 1 in the Waiver, she inadvertently signed as witness for Buyer 2.
4. Buyer 1 provided the Waiver to Buyer 2, who signed the document.
5. When Bettiol realized her error in signing the Waiver, she took steps to confirm that the Waiver was actually signed by Buyer 2.
6. Bettiol took full responsibility for the error she made in signing the Waiver.

SUMMARY OF AGREEMENTS

It is agreed that Bettiol breached Ontario Regulation 580/05: Code of Ethics under the Act (“Code”) as follows:

7. Signed as witness for Buyer 2 even though she never witnessed Buyer 2 sign the document, contrary to section 38, with respect to error only, of the Code.

AGREED PENALTY

ANGELA BETTIOL, the Respondent, be ordered to pay a penalty of \$2,500.00 on or before April 30, 2019.

By initials below, I, ANGELA BETTIOL, 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, ANGELA BETTIOL, 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, ANGELA BETTIOL, 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 Section 38, with respect to error only, 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. ANGELA BETTIOL is Ordered a Fine of \$2,500.00 payable to RECO on or before April 30, 2019.

[Released: June 12, 2019]