



**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 -**

**ULLANDA CHU**

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**DISCIPLINE DECISION AND REASONS FOR DECISION**

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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:

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

**ORDER:** Fine of \$5,000.00 payable to RECO on or before October 5, 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**

It is agreed as follows:

1. Ullanda Chu (“Chu”) is registered to trade in real estate as a salesperson under the Act and is employed by Brokerage A, a brokerage under the Act.

2. Chu represented Buyer A (“Buyer A”) in the purchase of a property located at 1-A Street, City A (“Property”).
3. After the purchase of the Property, a home inspection was scheduled for August 9, 2017 between the hours of 10:30 a.m. – 12:30 p.m.
4. The home inspector, Individual A of Company A, visited the Property on August 9, 2017, between the hours of 10:30 a.m. – 12:30 p.m., to complete his inspection. Prior to Individual A visiting the Property, he was provided the lock-box code from Chu. Chu was not present at the time of the home inspection.
5. Following the home inspection at the Property, Individual A left the Property without returning the key to the lock-box that was located outside. The key was later returned the next day.

Chu breached the following sections of the Code:

6. On or about August 9, 2017, Chu provided the lock-box code for the Property to a non-registrant, contrary to sections 4, 5 and 39 of the Code of Ethics.
7. Such further and other particulars as may be disclosed by or on behalf of Chu at or in anticipation of a hearing in this matter.

Best interests

4. A registrant shall promote and protect the best interests of the registrant’s clients.

Conscientious and competent service, etc.

5. A registrant shall provide conscientious service to the registrant’s clients and customers and shall demonstrate reasonable knowledge, skill, judgment and competence in providing those services.

AGREED PENALTY

ULLANDA CHU, the Respondent, be ordered to pay a penalty of \$5,000.00 on or before October 5, 2019.

By initials below, I, ULLANDA CHU, 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, ULLANDA CHU, 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, ULLANDA CHU, 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 4, 5 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. ULLANDA CHU is Ordered a Fine of \$5,000.00 payable to RECO on or before October 5, 2019.

*[Released: March 25, 2019]*