



**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 -**

**MANPREET KHURANA (also known as RICKY KHURANA)**

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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 3, 4, 5 and 37 (1) of the *REBBA 2002* Code of Ethics.

**ORDER:** Fine of \$7,500.00 payable to RECO on or before September 12, 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:

**I. AGREED STATEMENT OF FACTS**

1. Manpreet Khurana also known as Ricky Khurana (“Khurana”) 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. On or about March 31, 2017, Khurana on behalf of his Seller Client listed a property located at 1-A Street, City A (“Property”).
3. The MLS® listing for the Property contained brokerage remarks, more specifically, it stated: *“Offer Presentation is scheduled for April 9<sup>th</sup> At 7:00 p.m. Please Register By 4:00 p.m. Seller Reserves the Right To Accept Any Pre-Emptive Offer Without Any Notice”*
4. On or about April 1, 2017, Representative A (“Complainant”) a salesperson at Brokerage B, scheduled a viewing of the Property between the hours of 10:00 – 11:00 a.m. with her Buyer Client.
5. On or about April 2, 2017, the Complainant states that they discussed the unit with their client and prepared an offer.
6. On or about April 2, 2017, Khurana had his Buyer Clients Offer accepted by his Seller Client. At no time did Khurana advise the Complainant that he was in receipt of a pre-emptive offer.

## **II. JOINT SUBMISSION AS TO PENALTY**

1. On or about April 2, 2017, Khurana allowed his Buyer Client to accept a pre-emptive offer before notifying everyone in writing who had expressed an interest in the Property, contrary to sections 3, 4, 5 and 37(1) of the Code of Ethics.

## **III. RECOMMENDED PENALTY:**

1. Manpreet Khurana also known as Ricky Khurana be ordered to pay a penalty of \$7,500.00 on or before September 12, 2019.

By initials below, I, MANPREET KHURANA (also known as RICKY KHURANA), 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, MANPREET KHURANA (also known as RICKY KHURANA), 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, MANPREET KHURANA (also known as RICKY KHURANA), 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 and 37(1) 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. MANPREET KHURANA (also known as RICKY KHURANA) is Ordered a Fine of \$7,500.00 payable to RECO on or before September 12, 2019.

*[Released: May 17, 2019]*