



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 -

BRYAN CHRISTOPHERSON BLE (aka BRYAN BLE)

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, 38 and 39 of the *REBBA 2002* Code of Ethics.

ORDER: Fine of \$4,500.00 payable to RECO on or before May 29, 2020.

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. Bryan Christopherson Ble also known as Bryan Ble ("Ble") is registered as a salesperson under the *Real Estate and Business Brokers Act, 2002* ("Act"). Ble is employed at Brokerage A.

2. Representative A is a Salesperson at Brokerage B. Brokerage B was the Listing Brokerage for a Property located at 1-A Street, Unit 1, City A (“Property”). The Property was listed on MLS® for Lease.
3. On February 1, 2019, Ble contacted Brokerage B to schedule an appointment to view the Property between the hours of 7:00 p.m. – 8:00 p.m.
4. Later that evening, Ble’s Buyer-Clients attended the Property at the appointment time scheduled and proceeded to let themselves in using the digital door access code (“code”) that was provided to them by Ble.
5. Ble’s Buyer-Clients accidentally used the code to attempt to enter Unit 1 which was not for Lease. This caused the Tenant in Unit 1 to enquire who the Real Estate Agent was. The Tenant was advised that Ble was not present.
6. Ble states that he handed his Buyer-Client the MLS® Listing that had the code written on. Ble arrived at the Property at approximately 8:00 p.m.

SUMMARY OF AGREEMENTS

It is agreed that Ble failed to comply with the Code of Ethics as follows:

1. Ble provided the digital door access code to a non-registrant that allowed unsupervised access to the Property, contrary to Sections 3, 38 and 39 of the Code of Ethics.

It is agreed that Ble failed to comply with the following sections of the Code of Ethics:

Fairness, honesty, etc.

3. A registrant shall treat every person the registrant deals within the course of a trade in real estate fairly, honestly and with integrity.

Error, misrepresentation, fraud, etc.

38. A registrant shall use the registrant’s best efforts to prevent error, misrepresentation, fraud or any unethical practice in respect of a trade in real estate.

Unprofessional conduct, etc.

39. A registrant shall not, in the course of trading in real estate, engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming a registrant.

AGREED PENALTY

BRYAN CHRISTOPHERSON BLE (aka BRYAN BLE), the Respondent, be ordered to pay a penalty of \$4,500.00 on or before May 29, 2020.

By initials below, I, BRYAN CHRISTOPHERSON BLE (aka BRYAN BLE), 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, BRYAN CHRISTOPHERSON BLE (aka BRYAN BLE), 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, BRYAN CHRISTOPHERSON BLE (aka BRYAN BLE), acknowledge that I was aware of 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, 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. BRYAN CHRISTOPHERSON BLE (aka BRYAN BLE) is Ordered a Fine of \$4,500.00 payable to RECO on or before May 29, 2020.

[Released: January 14, 2020]

