



**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 -**

**BELLO OMOLASOYE IYSA OLUWATOSIN BELLO (aka TOSIN BELLO)**

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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 31, 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. Bello Bello also known as Tosin Bello (“Bello”) is registered to trade in real estate as a broker under the Act and is employed by Brokerage A, a brokerage under the Act.

2. Representative A, who is the complainant, is registered to trade in real estate as a salesperson under the Act and is employed by Brokerage B, a brokerage under the Act.
3. On or about June 9, 2017, Representative A, on behalf of her seller clients, was retained to list a property located at 1-A Street, City A (the "Property").
4. On or about June 13, 2017, Bello had a scheduled showing at the Property with his buyer clients.
5. On June 14, 2017, Bello, on behalf of his buyer clients, submitted an offer on the Property. The offer was accepted by the sellers on June 15, 2017.
6. On June 22, 2017, Bello and his buyer clients entered the Property without booking a showing and/or without the permission of Brokerage B or the sellers. Bello used the lock-box code information from the viewing on June 13, 2017.

#### SUMMARY OF AGREEMENTS

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

1. On June 22, 2017, Bello facilitated unauthorized access to the Property, contrary to sections 4, 5 and 39 of the Code of Ethics.

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

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.

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

BELLO OMOLASOYE IYSA OLUWATOSIN BELLO (aka TOSIN BELLO), the Respondent, be ordered to pay a penalty of \$5,000.00 on or before October 31, 2019.

By initials below, I, BELLO OMOLASOYE IYSA OLUWATOSIN BELLO (aka TOSIN BELLO), 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, BELLO OMOLASOYE IYSA OLUWATOSIN BELLO (aka TOSIN BELLO) 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, BELLO OMOLASOYE IYSA OLUWATOSIN BELLO (aka TOSIN BELLO) 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. BELLO OMOLASOYE IYSA OLUWATOSIN BELLO (aka TOSIN BELLO) is Ordered a Fine of \$5,000.00 payable to RECO on or before October 31, 2019.

*[Released: July 15, 2019]*