



Real Estate Council of Ontario

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**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 -**

**MANJINDER SINGH**

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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 February 15, 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. Manjinder Singh (“Singh”) 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. Singh represented Buyer A and Buyer B (the “Complainants”) in the purchase of a property located at 1-A Street, City A (the “Property”).

3. On or about May 6, 2017, the Complainants requested a showing of the Property. Singh contacted the listing brokerage and made an appointment for May 7, 2017.
4. On May 7, 2017 at approximately 4:54 p.m., Singh had texted the lock-box code to the Complainants. Furthermore, the Complainants inquired via text if it was ok to go into the Property without a realtor and was provided the following reply by Singh: “*You can please go ahead and make sure lock it before you leave [sic]*”.
5. The Complainants stated that they were not comfortable going alone and wanted to wait for Singh. The Complainants, at their discretion, did not attend the Property on May 7, 2017 without Singh.

### **SUMMARY OF AGREEMENTS**

#### **It is agreed**

6. On or about May 7, 2017, Singh provided the lock-box code for the Property to a non-registrant, contrary to sections 4, 5 and 39 of the Code of Ethics.

### **AGREED PENALTY**

MANJINDER SINGH, the Respondent, be ordered to pay a penalty of \$5,000.00 on or before February 15, 2019.

By initials below, I, MANJINDER SINGH, 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, MANJINDER SINGH, 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, MANJINDER SINGH, 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. MANJINDER SINGH is Ordered a Fine of \$5,000.00 payable to RECO on or before February 15, 2019.

*[Released: December 19, 2018]*