



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 -**

**HARNOOR SINGH TOOR also known as HARNOOR TOOR**

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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 \$7,000.00 payable to RECO on or before November 22, 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. Harnoor Singh Toor also known as Harnoor Toor (“Toor”) is employed by Brokerage B, a brokerage registered under the Act.
2. At the time of the alleged conduct, Toor was employed by Brokerage A, a brokerage registered under the Act.

3. On or about August 18, 2017, Toor contacted Brokerage C to book two showings for a property located at 1-A Street, City A (“Property”).
4. Toor was provided two showing times of 12:00 p.m. – 1:00 p.m. on August 18, 2017 and 7:00 p.m. – 8:00 p.m. on August 30, 2017.
5. The appointments were confirmed, and the lock-box code was provided to Toor.
6. On August 18, 2017, Toor’s buyer client attended the property without Toor. Toor provided the lock-box code to his buyer client as he was away from the city and unable to attend. At the time of the viewing, a salesperson from Brokerage C attended to find the buyer client inside the house without a salesperson present. The buyer client advised that he was provided the lock-box code by Toor.
7. On August 30, 2017, Toor instructed his client to attend again to view the Property without a salesperson present. This time it was discovered by the home owners that Toor’s buyer client had been provided the lock-box code and told to attend the Property unaccompanied.
8. Toor instructed his client on at least two occasions to attend the Property without a salesperson present by using the lock-box code provided.

### **SUMMARY OF AGREEMENTS**

**It is agreed that Toor breached the following sections of the Code:**

9. On or about August 18, 2017 and August 30, 2017, Toor facilitated unauthorized access to the Property by providing the lock-box code to his client, contrary to sections 4, 5 and 39 of the Code of Ethics, Ontario Regulation 580/05.

### **AGREED PENALTY**

HARNOOR SINGH TOOR also known as HARNOOR TOOR, the Respondent, be ordered to pay a penalty of \$7,000.00 on or before November 22, 2019.

By initials below, I, HARNOOR SINGH TOOR also known as HARNOOR TOOR, 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, HARNOOR SINGH TOOR also known as HARNOOR TOOR, 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, HARNOOR SINGH TOOR also known as HARNOOR TOOR, acknowledge that I exercised my right to be represented by Counsel 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. HARNOOR SINGH TOOR also known as HARNOOR TOOR is Ordered a Fine of \$7,000.00 payable to RECO on or before November 22, 2019.

*[Released: December 11, 2018]*