



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 -

PAUL NATHAN PETERSON (a.k.a. PAUL PETERSON)

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

ORDER: Fine of \$3,000.00 payable to RECO on or before December 31,2020

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

It is agreed as follows:

1. Paul Nathan Peterson ("Peterson") is registered as a salesperson under the Real Estate and Business Brokers Act, 2002. At the relevant time, Peterson was employed at Brokerage A.
2. Buyer A, the Complainant in this matter, was the Buyer of a property located at 1-A Street, City A ("Property").
3. Peterson was the Listing Representative and represented only the Seller in this transaction.
4. The transaction closed and Buyer A moved into the Property on July 15, 2019, and Buyer A installed a security camera.
5. On or about July 18, 2019, three days after Buyer A had taken possession of the Property, Peterson attended the Property to remove the lockbox. Peterson discovered that the key to the Property was still inside the lockbox. Peterson entered the Property through the front door using the key from the lockbox and could be seen standing in the foyer for approximately 8 seconds via security camera footage before leaving.
6. Peterson did not have an appointment or permission to enter the Property. Peterson states he entered the Property as he was concerned that the previous owner, his seller client, had left boxes behind as he could see boxes in the foyer through the window.
7. After the incident, Buyer A had all the locks changed at the Property.

SUMMARY OF AGREEMENTS

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

- A. Peterson accessed the Property without an appointment or permission, therefore breaching Sections 3 and 39 of the Code of Ethics.

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

Fairness, honesty, etc.

3. A registrant shall treat every person the registrant sales with in the course of a

trade in real estate fairly, honestly and with integrity.

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

PAUL NATHAN PETERSON, the Respondent, be ordered to pay a penalty of \$3,000.00 on or before December 31, 2020.

By initials below, I, PAUL NATHAN PETERSON, 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, PAUL NATHAN PETERSON, 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, PAUL NATHAN PETERSON, 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 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. PAUL NATHAN PETERSON is Ordered a Fine of \$3,000.00 payable to RECO on or before December 31, 2020.

[Released: June 10, 2020]