



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 -

DINA VINCENZA DALIA (a.k.a. DINA DALIA)

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 \$3,500.00 payable to RECO on or before March 23, 2021.

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. At all relevant times, Dina Vincenza Dalai (“Dalia”) was employed as a salesperson at Brokerage A.
2. Representative A (“Complainant”) is employed as a salesperson at Brokerage B.

Seller A was the seller of a residential property located at 1-A Street, City A (the "Property"). Brokerage B through the Complainant, represented the seller.

3. On or about, July 25, 2019, Brokerage B confirmed Dalia's request to show the between 8:00 p.m. and 8:30 p.m. that day.
4. At or about 8:00 p.m., July 25, 2019, Dalia accessed the Property with her client. Dalia then exited and permitted her client to view the Property unsupervised while she waited outside the Property.
5. When the Complainant went to check the Property on or about 8:26 p.m. that evening, the Complainant discovered that Dalia had left the back patio and sliding screen doors wide open.

SUMMARY OF AGREEMENTS

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

6. Dalia permitted her buyer client to view the Property partially without her direct supervision thereby breaching sections 3 and 39 of the Code of Ethics.
7. Dalia left the Property unsecured by leaving the patio and screen door wide open after her client viewed the Property contrary to sections 3, and 39 of the Code of Ethics.

It is agreed that Dalia 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.

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

DINA VINCENZA DALIA (a.k.a. DINA DALIA), the Respondent, be ordered to pay a penalty of \$3,500 on or before March 23, 2021.

By initials below, I, DINA VINCENZA DALIA (a.k.a. DINA DALIA), 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, DINA VINCENZA DALIA (a.k.a. DINA DALIA), 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, DINA VINCENZA DALIA (a.k.a. DINA DALIA), 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. DINA VINCENZA DALIA (a.k.a. DINA DALIA) is Ordered a Fine of \$3,500.00 payable to RECO on or before March 23, 2021.

[Released: April 27, 2020]