



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 -**

**MANAGE ANURA SIRIMANNA (a.k.a. ANURA SIRIMANNA)**

---

**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 \$5,000.00 payable to RECO on or before May 3, 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 the relevant times, Sirimanna was employed as a salesperson at Brokerage A and represented buyers.
2. Representative A (the “Complainant”) is employed as salesperson at Brokerage B.

3. Seller A and her spouse were the sellers of a residential property located at 1-A Street, City A (the "Property"). The sellers listed their Property for sale with Brokerage B and the Complainant was their sales representative.
4. On or about, March 2, 2019, Sirimanna attended a showing which he had booked, for between 11:00 a.m. - 11:45 a.m. (the "11:00 a.m. Showing").
5. Immediately following the 11:00 a.m. Showing, Sirimanna contacted Brokerage B and the Complainant to schedule an appointment to view the Property between 4:00 p.m. and 4:30 p.m. on March 2, 2019.
6. The Complainant declined the request.
7. Despite the Complainant declining Sirimanna's requested appointment, Sirimanna attended the Property with his clients without an appointment and without the knowledge and consent of the Complainant or the Sellers.
8. Sirimanna accessed the lockbox and the Property using a code that he had acquired from the 11:00 a.m. Showing.

### **SUMMARY OF AGREEMENTS**

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

9. Sirimanna attended and accessed the Property without an appointment and without the knowledge and consent of the Complainant contrary to Sections 3 and 39 of the Code of Ethics.

**It is alleged that Sirimanna 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**

MANAGE ANURA SIRIMANNA (a.k.a. ANURA SIRIMANNA), the Respondent, be ordered to pay a penalty of \$5,000.00 on or before May 3, 2021.

By initials below, I, MANAGE ANURA SIRIMANNA (a.k.a. ANURA SIRIMANNA), 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, MANAGE ANURA SIRIMANNA (a.k.a. ANURA SIRIMANNA), 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, MANAGE ANURA SIRIMANNA (a.k.a. ANURA SIRIMANNA), acknowledge that I was aware of 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. MANAGE ANURA SIRIMANNA (a.k.a. ANURA SIRIMANNA) is Ordered a Fine of \$5,000.00 payable to RECO on or before May 3, 2021.

*[Released: May 11, 2020]*