



**Licence Appeal Tribunal File Number: 18096/TRESA**

In the matter of an appeal from a Notice of Proposal to Revoke Registration and Immediate Suspension Order Issued by the Registrar, *Trust in Real Estate Services Act, 2002*, S.O. 2002, c. 30, Sched. C

Between:

**Farinosh Naimian**

**Appellant**

and

**Registrar, Trust In Real Estate Services Act, 2002**

**Respondent**

**AND ORDER**

**VICE-CHAIR:** Avril A. Farlam

**APPEARANCES:**

For the Appellant: Farinosh Naimian, Self-represented

For the Respondent: Sania Cherian, Counsel

**HEARD: December 16, 2025, February 11, 18, March 2, 3, 5, 2026**

## OVERVIEW

- [1] Farinosh Naimian (the “appellant”) appealed the following issued by the Registrar, *Truth in Real Estate Services Act, 2002* (the “Registrar”) pursuant to the provisions of the *Truth in Real Estate Services Act, 2002*, S.O. 2002, C. 30, Sched. C (the “Act”):
- (i) Notices of Proposal to Revoke Registration dated November 24, 2025 to revoke the registration of the appellant as a real estate broker (“NOP”), and
  - (ii) Immediate Suspension Order dated November 24, 2025 issued by the Registrar to temporarily suspend the registration of the appellant as a broker under the Act (the “Order”)
- [2] Pursuant to s. 15(3) of the Act, if a hearing is requested in respect of a Notice of Proposal, the Order expires 15 days after the written request for a hearing is received by the Tribunal but the Tribunal may extend the time of expiration until the hearing is concluded, if a hearing is commenced within the 15-day period.
- [3] The appellant’s Notice of Appeal requesting a hearing is dated December 9, 2025. This hearing commenced on December 16, 2025, within the 15-day period. All parties agreed at the hearing that the sole issue in dispute before me is whether the immediate suspension of the appellant’s licence is necessary in the public interest. All parties agreed that the appeal of the Notice of Proposal is adjourned to be heard at a later date, and should proceed to a case conference before the balance of the hearing is held.
- [4] This hearing proceeded with respect to the extension of the Order only.
- [5] At the conclusion of the evidence and submissions at this part of the hearing, I ordered that the Order is extended until my interim decision and order resulting from this part of the hearing is released to the parties.
- [6] The Registrar issued the Order under s.15 of the Act to temporarily suspend the registration of the appellant under the Act because the Registrar considers it in the public interest to do so.
- [7] The NOP alleges that:
- (a) Under s. 10(1)(a)(i), having regard to the appellant’s past and present financial position she cannot reasonably be expected to be financially responsible in the conduct of business.

(b) Under s. 10(1)(a)(ii), the appellant's past and present conduct affords reasonable grounds for belief that the appellant will not carry on business in accordance with the law and with integrity and honesty;

(c) Under s. 10(1)(iii), the appellant is not entitled to registration because she has made false statements in applications for registration.

## ISSUE

- [8] The sole issue in dispute before is whether the Order issued by the Registrar dated November 24, 2025 should be extended to the conclusion of the hearing.

## RESULT

- [9] For the reasons that follow, the Order issued by the Registrar to the appellant dated November 24, 2025 is extended to the conclusion of the hearing. The hearing will respect to the Notice of Proposal is adjourned. A case conference for the hearing will be scheduled by the Tribunal.

## ANALYSIS

### ***Registrar's Onus***

- [10] The Registrar bears the onus to establish that it is in the public interest that the Order be extended pending the outcome of the appeal of the Notice of Proposal. To satisfy this onus, the Registrar must establish that the conduct on which it relies occurred and forms a reasonable basis for the Notice of Proposal and that the nature of the conduct and the circumstances are such that it is a matter of public interest that the registration remain suspended pending the outcome of the Notice of Proposal hearing.

### ***Immediate Suspension is Necessary in the Public Interest***

- [11] For the following reasons, I find that the Registrar has established that extension of the Order is necessary in the public interest and should be extended pending the outcome of all issues in this appeal.
- [12] The Registrar's witnesses, Leena Kaiprath, the registration officer assigned to the appellant's file, and investigator Bryan Tighe testified at the hearing as did the appellant.

***Prima Facie Case Has been Established***

- [13] I find that the Registrar has established a prima facie case that the conduct alleged in the Notice of Proposal and Order occurred.
- [14] In their testimony, Ms. Kaiprath and Mr. Tighe, RECO's investigator, gave details of the appellant's past and present conduct. As a result of their testimony, which I accept because it is substantially consistent with the Registrar's documentary evidence filed, I find that the Registrar has established a prima facie case establishing that the conduct alleged in the Notice of Proposal and Order occurred.
- [15] The most concerning of the appellant's conduct can be summarized as follows.
- [16] Although the appellant denies misconduct on her examination in 2021, documents from Humber College show that the college found her conduct on her examination academically dishonest.
- [17] There is an unpaid judgement in the Ontario Superior Court of Justice filed in 2020 ordering the appellant to pay some \$2,000,000.00. to a creditor, in addition to five other judgments filed from 2021 to 2026, all of which total \$2,156,273.04. In addition, the appellant filed, but later withdrew, a consumer proposal under the Bankruptcy and Insolvency Act of Canada in 2022 listing her assets as \$37,001.00 and monthly family income of \$4,840.00 a month.
- [18] The appellant requested a loan from Dr. Farah Karimi, agreed to repayment within 30 days and issued an undated cheque for \$20,000.00 as security, which cheque was returned due to insufficient funds. The loan remains outstanding.
- [19] The appellant falsely answered questions on her applications for registration/renewal dating back to 2022.
- [20] The appellant admitted that she did not notify RECO when she incorporated her three businesses as required and did not report this activity on her applications for registration/renewal.
- [21] The appellant admitted that she did not report three charges under the *Criminal Code of Canada* within five days as required or disclose them in her application to RECO.

- [22] Although the appellant claims to have been representing a buyer on the potential purchase of property for \$8,200,000.00, she never provided any documents verifying the existence of this person who allegedly resided in another country. The agreement of purchase and sale was not completed.
- [23] Although the appellant made an offer to purchase another property for some \$7,800,000.00, on behalf of her corporation, she later told the sellers to list the property with another agent as she didn't want to be involved.
- [24] The appellant entered into three promissory note agreement with three separate individuals that she obtained loan from, but failed to repay these loans.
- [25] The appellant gave several cheques to persons at a time when she knew or ought to have known there were no funds in the account and that these cheques would be dishonoured, including her landlord for one of her non-real estate businesses.
- [26] Some of the above conduct involved her clients as a real estate broker.
- [27] In the Notice of Proposal and the Order the Registrar alleges that there grounds under s. 10(1((a)(i), (ii) and (iii) of the Act to revoke the appellant's registration as a broker. At this point in the proceeding, I find that the evidence establishes that the Registrar's concerns have been established on a prima facie basis.
- [28] Although the appellant testified that she does not view the Order as fair to her because it does not take into account that she has been involved in divorce proceedings since 2017, brings up conduct from five or six years ago that she has already discussed with RECO, does not owe any judgment, and that at least one of the creditor owes her money, the evidence before me at this time does not support the appellant's testimony. Much documentation was filed by the Registrar, including copies of dishonoured cheques, loan documents, and real estate documents which establish, at least on a prima facie basis, that the appellant engaged in the conduct described in the Notice of Proposal.
- [29] Although the appellant blamed the answers she gave on her applications to RECO on advice from her lawyer, there was no supporting testimony or documentation that persuades me that she was directed to give false answers on her applications. Further, even if she received advice to give false answers, the duty to answer application questions fully and honestly lies with the appellant as the applicant/registrant.

- [30] Although the appellant testified that the offer regarding the property at 267 Arnold was created by others and is not a real offer, the appellant's testimony in this regard was not supported by any other witness or document and for that reason I do not find it credible or reliable, lacking corroboration.
- [31] The documentary evidence brought forward by Ms. Kaiprath, and Mr. Tighe, and his testimony explaining this documentation, about his interview of the appellant and others regarding the appellant's conduct is enough on a prima facie evidentiary basis to raise concerns by the Registrar that the appellant cannot reasonably be expected to be financially responsible in the conduct of business, affords reasonable grounds for belief that the appellant will not carry on business in accordance with the law and with integrity and honesty, and to establish that the appellant has made false statements in applications for registration
- [32] It is important for the protection of the public that real estate brokers be financially responsible in the conduct of business, carry on business in accordance with the law and with integrity and honesty, and that registrants not make false statements in their applications for registration/renewal. These are fundamentally important obligations of the appellant that she has been unable or unwilling to comply with to date.
- [33] I find that the Registrar has established the grounds for the extension of the Order on a prima facie evidentiary basis based on the totality of the evidence.

***Extension of the Order is in the Public Interest***

- [34] I find that the Registrar has established that the nature of the alleged conduct and the surrounding circumstances are such that it is in the public interest that the Order be extended pending the outcome of the hearing of all issues in this appeal.
- [35] Ms. Kaiprath testified an immediate suspension order under s. 15 of the Act is rarely issued and only when there are serious concerns for the public interest. Ms. Kaiprath testified that she recommended the revocation after reviewing the appellant's past seven applications, the criminal charges on record, the appellant's unpaid judgment and the appellant's conduct. The Order was issued to protect the public given the appellant's concerning conduct which includes many complaints from members of the public, false statements on applications to RECO and the appellant's failure to provide information to RECO within five days as required.

- [36] The Order is in the public interest as it goes to the appellant's lack of trustworthiness, ability to accept responsibility for her actions, and to comply with legal obligations.
- [37] Having heard and reviewed the testimony of both parties and the Registrar's witnesses, I agree that here the extension of the Order is important to protect the public from dealing with the appellant on financial transaction as a real estate broker. It is not in the public interest to have the appellant trading in real estate in circumstances where she appears to owe large amounts of money to various creditor, has been untruthful on her applications to RECO, and her dealings with several members of the public have resulted in complaints regarding financial transactions and loans. I am of the view that it is in the public interest and in the protection of the public's money that the appellant not trade in real estate at this time.
- [38] The paramount consideration in this hearing is the public interest, not the private interest of the appellant. However, I note that the appellant is not precluded from working, just from being a real estate broker in Ontario. The appellant stated at this hearing that she is acts as a real estate professional in other countries.

### ***Conclusion***

- [39] I find that the Registrar has met the burden of establishing that the Order should be extended until the hearing of all issues in this appeal is concluded.

### ***Next Steps***

- [40] The appeal of the Notice of Proposal will proceed to a case conference to be scheduled by the Tribunal.

### **ORDER**

- [41] For the reasons set out above, the Order issued by the Registrar dated November 24, 2025 is extended to the conclusion of the hearing.
- [42] The hearing with respect to the Notice of Proposal is adjourned. A case conference will be scheduled by the Tribunal.
- [43] The Licence Appeal Tribunal Rules, 2023 apply to this appeal except where varied by Order of the Tribunal.

[44] Nothing in this Order affects any requirement under the Act.

[45] I am not seized.

**Released:** April 7, 2026



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**Avril A. Farlam**  
Vice-Chair