

**IN A MATTER BEFORE THE DISCIPLINE COMMITTEE OF THE REAL ESTATE COUNCIL OF
ONTARIO**

BETWEEN

REAL ESTATE COUNCIL OF ONTARIO (“**RECO**”)

Applicant

AND

ASHLEY SHERRARD

Respondent

AND

ENLIGHTENED INTENTIONS REALTY INC.

Respondent

ALLEGATION STATEMENT

WHEREAS the respondent Ashley Sherrard (“**Sherrard**”) is registered as a broker under the *Trust in Real Estate Services Act, 2002* (“**Act**”) and the respondent Enlightened Intentions Realty Inc. (“**Enlightened**”) is registered as a brokerage under the Act;

AND WHEREAS section 20 of the Act provides that if the Registrar is of the opinion, whether as a result of a complaint or otherwise, that a registrant has contravened any provision of the Act or of a regulation under the Act, the Registrar may refer the matter in whole or in part to the Discipline Committee of RECO (“**Discipline Committee**”);

AND WHEREAS section 21 of the Act provides that the Discipline Committee shall hear and determine whether a registrant has contravened any provision of the Act or of a regulation under the Act;

THEREFORE, take notice that pursuant to section 20 of the Act, the Registrar hereby refers this matter to a hearing before the Discipline Committee based on the allegations set out herein.

A. PARTICULARS

It is alleged as follows:

1. At all material times, Sherrard was the broker of record and the sole officer and director of Enlightened.
2. On March 17, 2025, RECO commenced an inspection of Enlightened under section 21.2 of the Act. Among other things, RECO requested financial institution statements confirming the balance and activity of Enlightened's real estate trust, commission trust, and general operating accounts.
3. On March 28, 2025, Sherrard provided RECO with a draft Certificate of Non-Trading, claiming that Enlightened had not negotiated any trades or handled trust monies in the previous twelve months.
4. On April 4, 2025, RECO stated that additional financial documents, including reconciliation statements and financial institution statements, were required.
5. On April 11, 2025, Sherrard provided reconciliation statements but failed to produce financial institution statements for the three accounts. She claimed these were unavailable due to a zero balance and inactivity on the accounts.
6. On April 25, 2025, RECO advised that Enlightened was still required to produce a document or report from a financial institution confirming the zero balance and inactivity, and requested that this be produced by April 28, 2025.
7. On May 1, 2025, RECO noted Sherrard's lack of response and repeated its request for documents. Neither Sherrard nor Enlightened responded.
8. On May 6, 2025, RECO asked Sherrard to confirm receipt of its email, reminded her of the brokerage's obligation to comply with inspection requests under section 21.2 of the Act, and again requested financial institution records by later that day. RECO warned that failure to comply would result in escalation of the file. Although an email delivery receipt was received, neither Sherrard nor Enlightened responded.

9. On May 8, 2025, RECO sent another email to Sherrard, noting the continued lack of response, and reiterated Enlightened's statutory obligation to comply with inspection requests. RECO advised that the matter would be further escalated if the requested documents were not provided by May 9, 2025. Although an email delivery receipt was received, neither Sherrard nor Enlightened responded.
10. To date, Enlightened has failed to produce the requested financial institution records.

B. SUMMARY OF ALLEGATIONS

It is alleged that Enlightened failed to comply with the Act as follows:

- A. Enlightened failed to produce financial institution records confirming a zero balance and inactivity of its real estate trust, commission trust, and general operating accounts, and thereby obstructed an inspector from conducting an inspection, contrary to sections 21.2(7) and 21.2(10) of the Act.

It is alleged that Enlightened failed to comply with the following sections of the Act:

Obligation to produce and assist

21.2 (7) If an inspector demands that a record or other thing be produced for inspection, the person having custody of the record or other thing shall produce it for the inspector within the time provided for in the demand, and shall, upon the inspector's demand,

- (a) provide whatever assistance is reasonably necessary to produce a record or other thing in a readable form, including using any data storage, processing or retrieval device or system; and
- (b) provide whatever assistance is reasonably necessary to interpret a record or other thing for the inspector.

No obstruction

21.2 (10) No person shall obstruct an inspector conducting an inspection or a person accompanying the inspector under subsection (3) or withhold from the inspector or other person or conceal, alter or destroy any record or other thing that is relevant to the inspection.

It is alleged that Sherrard failed to comply with the Act and Regulations as follows:

- A. Sherrard failed to ensure Enlightened's compliance with inspection obligations, contrary to section 12(2) of the Act; and
- B. Sherrard failed to act with courtesy, integrity, and professionalism by ignoring RECO's repeated communications, contrary to sections 1 and 2(a) of the Code of Ethics.

It is alleged that Sherrard failed to comply with the following section of the Act:

Duties

12 (2) The broker of record shall ensure that the brokerage complies with this Act and the regulations.

It is alleged that Sherrard failed to comply with the following sections of the Code of Ethics:

Integrity, honesty, good faith, etc.

1. In carrying on business, a registrant shall act with courtesy, honesty, good faith and integrity in relation to every person the registrant deals with.

Unprofessional conduct, etc.

2. A registrant shall not engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as,

- (a) being disgraceful, dishonourable, unprofessional or unbecoming a registrant; or
- (b) likely to bring the sector into disrepute or to undermine public confidence the regulation of registrants under the Act.

C. APPLICATION OF THE STATUTORY POWERS PROCEDURE ACT

The *Statutory Powers Procedure Act*, R.S.O. 1990, Chapter S.22 ("**SPPA**"), as amended, applies to matters before the Discipline Committee. Section 8 of the SPPA provides as follows:

8. Where the good character, propriety of conduct or competence of a party is an issue in a proceeding, the party is entitled to be furnished prior to the hearing with reasonable information of any allegations with respect thereto.

RECO states that propriety of conduct or competence shall be an issue in the hearing and RECO has provided herein information of the allegations with respect thereto.

D. FURTHER PARTICULARS / ALLEGATIONS

RECO may send further or other particulars or allegations relevant to this matter or the allegations set out herein. RECO may rely upon such other matters that arise during a hearing of this complaint and that the Discipline Committee sees fit to consider.

Lisa Key, Registrar (Interim)
Trust in Real Estate Services Act, 2002

Date January 14, 2026