

IN THE MATTER OF

The Registrar, *Trust in Real Estate Services Act, 2002*, S.O. 2002, c. 30, Sched. C
and Regulations thereto, as amended (the “**Act**”)

- and -

The Registration of **SHIRIN KHIYANI** under the Act

NOTICE OF PROPOSAL TO REVOKE REGISTRATION

WHEREAS Shirin Khiyani (“**Registrant**”) is registered under the Act;

AND WHEREAS section 13 of the Act provides that the Registrar may revoke a registration if, in the Registrar’s opinion, the registrant is not entitled to registration under section 10 of the Act;

AND WHEREAS section 14 of the Act provides that where the Registrar proposes to revoke the registration, the Registrar shall serve notice of the proposal on the registrant;

AND WHEREAS in the Registrar’s opinion the Registrant is not entitled to registration under section 10 of the Act and the Registrar proposes to revoke the said registration for the reasons that follow.

A. REASONS

1. The Registrant is not entitled to registration on the following grounds:
 - a) pursuant to section 10(1)(a)(ii) of the Act because, in the Registrar's opinion, the past and present conduct of the Registrant affords reasonable grounds for belief that the Registrant will not carry on business in accordance with law and with integrity and honesty;
 - b) pursuant to section 10(1)(a)(iii) of the Act because, in the Registrar's opinion, the Registrant has made a false statement in an application for registration;
 - c) pursuant to section 10(1)(c) of the Act because, in the Registrar's opinion, the Registrant has carried on, and/or is carrying on, activities that are or will be in contravention of the Act and the regulations;
 - d) pursuant to section 10(1)(e) of the Act because, in the Registrar's opinion, the Registrant has not met and does not meet the educational requirements for registration as specified under the regulations; and
 - e) pursuant to section 10(1)(g) of the Act because, in the Registrar's opinion, registration of the Registrant would be contrary to the public interest.

B. PARTICULARS

IT IS ALLEGED AS FOLLOWS:

2. In order to become eligible to first become registered under the Act, a person must meet prescribed requirements, failing which registration is prohibited.¹
3. The prescribed requirements include successfully completing the educational courses that are designated by the Registrar for salesperson applicants (the "**Initial Education**").²
4. Under the Act, the Registrar designates organizations that are authorized to provide the Initial Education.³

¹ See section 9.1 of the Act.

² See section 1 of O. Reg. 579/05 and section 1(4) of O. Reg. 567/05.

³ See section 8 of O. Reg 579/05.

5. During the time period of July 2020 through June 2021, the Ontario Real Estate Association (“**OREA**”) was a designated provider for the Initial Education.
6. During this time period, exams for the courses making up the Initial Education were completed by students through an on-line exam process.
7. The Registrant completed exams via the on-line exam process during this time period.
8. The Registrant engaged in academic misconduct in the completion of online examinations for the following courses (the “**Courses**”):
 - a) Real Estate as a Professional Career
 - b) Land, Structures & Real Estate Trading
 - c) The Real Estate Transaction - General and The Residential
 - d) The Commercial Real Estate Transaction
 - e) Principles of Appraisal
 - f) Real Property Law
9. As a result of engaging in academic misconduct in the completion of these exams, the Registrant did not, in fact, successfully complete the Courses as was required and thus the credit given for the successful completion of the Courses was and is illegitimate (the “**Illegitimate Credits**”)
10. The Registrant subsequently submitted an application for registration to the Real Estate Council of Ontario (“**RECO**”) in which the Illegitimate Credits were put forward and relied upon by the Registrant as part of satisfying the prescribed requirements for registration.
11. As part of submitting the Application, the Registrant falsely represented that they had successfully completed the courses required for the Initial Education.

12. The Registrant's application was accepted by the Registrar and the Registrant was registered under *Real Estate and Business Brokers Act, 2002* ("REBBA").⁴
13. In approving the Registrant's application for registration, the Registrar relied upon the Registrant's false claims to having successfully completed the Initial Education.
14. In the absence of relying upon the Illegitimate Credits, the Registrant was not eligible to be registered and would not have been registered under the Act.

Summary of Statutory Grounds for Revocation

15. The Registrant is disentitled to registration because:
 - a) under section 10(1)(a)(ii) of the Act, the Registrant engaged in academic misconduct in completing the Initial Education, made false statements based on such dishonesty, and proceeded to accept and continue to hold registration going forward under false pretences and in breach of the Act;
 - b) under section 10(1)(a)(iii) of the Act, the Registrant made false statements in their application for registration by, among other things, representing that they had completed the required Initial Education courses when, in fact, that was not the case;
 - c) under section 10(1)(c) the Act, the Registrant is and has been carrying on activities that are contrary to the Act, including but not limited to s. 40(1)(a) of the Act, s.1(1) of Reg. 579/05, s.1(4) of Reg. 567/05, and sections 2 and 4 of Reg. 365/22;
 - d) under section 10(1)(e) of the Act, the Registrant does not meet the prescribed educational requirements of the Act; and
 - e) under section 10(1)(g) of the Act, the registration of the Registrant is and would be contrary to the public interest due to the Registrant being a person who engaged in dishonest conduct to obtain registration unlawfully and under

⁴ The *Real Estate and Business Brokers Act, 2002* was the name of the Act at the time of the Registrant's application for registration. The name of the Act was changed to the *Trust in Real Estate Services Act, 2002* as part of amendments that went into force on December 1, 2023.

false pretences, and who has not demonstrated that they possess the required standard of knowledge and competency to practice in the industry.

C. RIGHT TO A HEARING

Take notice that Section 14 of the Act provides that a registrant is entitled to a hearing by the Licence Appeal Tribunal (the "Tribunal") in respect of a proposal by the Registrar to revoke a registration if WITHIN 15 DAYS after service of this notice (deemed to be on the third day after mailing by registered mail) the registrant mails or delivers notice in writing that a hearing is required to the following parties:

TO: The Registrar
Licence Appeal Tribunal
15 Grosvenor Street
Toronto, ON M7A 2G6

AND TO: The Registrar
Real Estate Council of Ontario
1400-3300 Bloor St. West, West
Tower Toronto, ON M8X 2X2

Section 14(4) of the Act provides that where the registrant does not require a hearing by the Tribunal, the Registrar may carry out the proposal. Any person who, while not registered, trades in real estate is, subject to exceptions enumerated in the Act, in contravention of the Act and is liable to prosecution.

Section 14(5) of the Act provides that where a registrant requires a hearing by the Tribunal, the Tribunal shall hold the hearing and may by order direct the Registrar to carry out the Registrar's proposal or may substitute its opinion for that of the Registrar and the Tribunal may attach conditions to its order or to a registration.

If a registrant requires a hearing regarding this proposal and further wishes to be represented by a lawyer or agent at the hearing, it is strongly advised that the registrant make these arrangements as soon as possible. The Registrar reserves the right to oppose any request by the registrant for an adjournment of the hearing in order for the registrant to make such arrangements.

D. NOTICE OF MOTION FOR COSTS

If a hearing is requested as described in Section C and, at any time during the course of proceedings arising from this request, the Registrar believes the registrant has acted

unreasonably, frivolously, vexatiously or in bad faith, the Registrar will make a request for an award of costs from the Tribunal, such costs to be paid by the registrant.

E. APPLICATION OF THE STATUTORY POWERS PROCEDURE ACT

The Statutory Powers Procedure Act, R.S.O. 1990, Chapter S.22 as amended ("SPPA") applies to the Tribunal. 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.

If a hearing is held as requested by the registrant, the Registrar states that the good character, propriety of conduct or competence of the registrant shall be an issue in the hearing and the Registrar has provided herein reasonable information of allegations with respect thereto.

F. FURTHER PARTICULARS/SUPPLEMENTAL NOTICE

The registrant may be sent further or other particulars in respect of any matter herein or in respect of any other matter including further grounds for revocation of registration.

August 19, 2025

Joseph Richer, Registrar
Trust in Real Estate Services Act, 2002

Date