



Real Estate Council of Ontario

Case Summary: Daniel Michael Baird

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| Forum | Discipline Committee |
| Decision | In violation of the Code of Ethics Fine of \$20,000.00 |
| Date of Decision | February 21, 2019 |

Summary

Baird represented a developer (as a client) in the sale of pre-construction homes.

The actual dimensions of certain lots in the development were not correctly set out in Baird's advertisements for sale of properties in the development. Further, the incorrect dimensions of these same lots were set out in the related agreements of purchase and the sale (which were prepared by Baird). The buyers of the lots relied upon the dimensions as set out in the advertisements and sales agreements.

Prior to closing of the sales of the incorrectly described lots, a concern was raised by one of the purchasers around lot frontage size. Baird did not engage in any independent inquiries or review of the actual frontage of this lot, or any of the similarly situated lots.

The purchasers of the incorrectly described lots became aware that their actual lots were smaller than what was advertised and set out in the sale agreements upon receiving MPAC statements which contained the correct – and smaller dimensions - for their purchased lots.

Having reviewed an Agreed Statement of Facts and Penalty and Waiver of Hearing, the Discipline Committee found that Baird breached sections 3, 4, 5, 21 and 38 of the [Code of Ethics](#) and he was ordered to pay a fine of \$20,000.

Read the complete Discipline Committee decision [here](#).