RECO
Real Estate Council of Ontario

File #2025080010

IN THE MATTER OF A DISCIPLINE PROCEEDING HELD PURSUANT TO THE *TRUST IN REAL ESTATE SERVICES ACT, 2002*

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND -

SONG HUANG (registered as JOSEPH HUANG)

DISCIPLINE DECISION AND REASONS FOR DECISION

Subject to Rule 4.02 of the Discipline Committee Rules of Practice (*TRESA 2002*), I, the Chair of the Discipline Committee (*TRESA 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 1 and 2(a)(b) of the *TRESA 2002* Code of Ethics O.Reg 365/22.

In violation of Sections 22.5(a)(b) of the General Regulation O.Reg 567/22.

ORDER: Fine of $6,500.00 payable to RECO not later than six (6) months after the date of the Decision of the Discipline Committee: May 3, 2027

Successful completion of the "*MCE Introduction to TRESA*" course and provide proof of completion not later than six (6) months after the date of the Decision of the Discipline Committee, and to provide proof of completion to RECO within 60 days of completion of the course.

WRITTEN REASONS: *attached*

Lucy Aita
Chair, ~~Discipline Committee~~ (*TRESA 2002*)

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 (*TRESA 2002*).

The Agreed Statement of Facts and Penalty read:

AGREED STATEMENT OF FACTS AND PENALTY

It is agreed as follows:

1. Song Huang registered as Joseph Huang ("Huang") was registered as a salesperson under the *Trust in Real Estate Services Act, 2002* ("Act"). At all relevant times, Huang was employed at the brokerage Red Carpet Real World Realty. ("World Realty").
2. Matthew Carpenter (the "Seller") had their property for sale located at 103 Glenayr Place, Welland, Ontario (the "Property"). The Seller was represented by Coldwell Banker Momentum Realty ("Seller's Brokerage") and Telina Fishbach ("Seller's Representative").
3. On or about June 17, 2025, Huang, on behalf of their buyer-client, submitted an Agreement of Purchase and Sale ("APS") for the Property. The APS was accepted by all parties. The APS was scheduled to close on the completion date of July 23, 2025, and permitted a visit to the Property prior to this date.
4. On July 19, 2025, Huang requested a final walkthrough for the Property from the Seller's Brokerage. A confirmation was provided for July 21, 2025, between 5:00 p.m. to 6:00 p.m.
5. On July 21, 2025, at approximately 6:15 p.m., Huang's buyer-client is witnessed by security camera footage at the Property using the lockbox to gain access. Huang was not in attendance.
6. Huang arrived at the Property at approximately 6:40 p.m., where he was witnessed by security camera footage using the doorbell to have his buyer-client answer the door at the Property.
7. Huang admits they released the lockbox code to their buyer-client as they were stuck in traffic.

SUMMARY OF AGREEMENTS

It is agreed that Huang failed to comply with the Act and/or Regulations as follows:

A. Huang facilitated unauthorized and/or unsupervised access to the Property by releasing the lockbox code to their buyer-client to gain entry into the Property, without the consent of the Seller and/or the Seller's Representative, contrary to sections 1 and 2 of the Code of Ethics O.Reg 365/22 and section 22.5(a)(b) of the General Regulation O.Reg 567/22.

It is agreed that Huang failed to comply with the following sections of the Code of Ethics, O. Reg. 365/22:

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.

It is agreed that Huang failed to comply with the following sections of the General Regulation, 567/05:

Protection of property

22.5 In carrying on business, a registrant shall not provide any person with access to real estate unless,

(a) a registrant is present with the person; or

(b) the owner of the real estate has consented in writing.

AGREED PENALTY

The Respondent understands and agrees to the following penalty:

To pay a fine of **$6,500.00** not later than six (6) months after the date of the Decision of the Discipline Committee.

To successfully complete the following courses or programs by the identified completion date:

Course Title (Provider)	**Completion date**
MCE Introduction to TRESA	No later than six (6) months after the date of the Decision of the Discipline Committee

To provide proof of completion to RECO within 60 days of completion of the courses.

Respondent acknowledgements:

1. I acknowledge that I have read and understand the penalty outlined herein and agree to the said terms and/or conditions.
2. I acknowledge my right to seek legal counsel in this matter before signing this agreement.
3. I agree, understand, acknowledge and consent to waiving my right to a hearing before the Discipline Committee.

Waiver of hearing before the Discipline Committee:

4. The parties consent to disposing of the matter without a hearing before the Discipline Committee and agree to the terms set out herein.
5. The parties request an Order from the Chair of the Discipline Committee that includes this Agreement of Facts and Penalty as a final settlement of this matter.

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 Parties duly signed the Agreed Statement.]

DECISION OF THE CHAIR

Having reviewed and considered the Agreed Statement of Facts, the Chair of the Discipline Committee (*TRESA 2002*) concluded that the Respondent breached Sections 1 and 2(a)(b) of the *TRESA 2002* Code of Ethics O.Reg 365/22; and Section 22.5(a)(b) of the General Regulation O.Reg 567/22.

The Chair of the Discipline Committee (*TRESA 2002*) is also in agreement with the joint submission of the Parties as to penalty and accordingly makes the following order:

1. HUANG, Song (registered as HUANG, Joseph), is ordered to pay a fine in the amount of $6,500.00, payable to RECO, not later than six (6) months after the date of the Decision of the Discipline Committee.

2. HUANG, Song (registered as HUANG, Joseph), is ordered to successfully complete the "*MCE Introduction to TRESA*" course no later than six (6) months after the date of the Decision of the Discipline Committee, and to provide proof of completion to RECO within 60 days of completion of the course.

Released: November 3, 2026