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IN THE MATTER of the *Trust in Real Estate Services Act, 2002,* and Regulations, as amended, (the "**Act**")

- and -

IN THE MATTER of Luxury Homes World Inc. (the "**Brokerage**") and Inthiran Swamy ("**Swamy**")

DIRECTOR'S ORDER

TAKE NOTICE THAT pursuant to and under the authority of section 25(1) of the Act, the Director under the Act hereby orders:

a) Any person having on deposit or controlling any assets or trust fund of the Brokerage to hold those funds or assets;

b) The Brokerage to refrain from withdrawing any asset or trust fund from a person having it on deposit or controlling it;

c) The Brokerage to hold any asset or trust funds of a client, self-represented party or other person in trust for the person entitled to it.

AND TAKE FURTHER NOTICE THAT pursuant to and under the authority of section 25(1) of the Act, "any person" includes, without limitation, Swamy, the Brokerage (which includes, without limitation, Swamy, any broker of record, shareholder, officer, director, agent, successor or assign of the Brokerage), any client, self-represented party, agent, or employee of the Brokerage, any co-operating or selling brokerage of the Brokerage, any shareholder, officer, director, agent, successor or assign of the Brokerage, and any offices or branches of a bank or other financial institution holding assets or funds on behalf of, for the benefit of, or to the credit of the Brokerage.

AND TAKE FURTHER NOTICE THAT this Order applies specifically to the branch of the Bank of Montreal located in Toronto, Ontario, (the "**Bank**"). The Bank shall hold any and all assets and/or trust funds on deposit, under its control, or held for safekeeping which are being or have been kept and maintained for the Brokerage in any account or term deposit, howsoever named, numbered, or designated, including **Account #[redacted]** (Real Estate Trust Account), **Account #[redacted]** (Commission Trust Account) and **Account #[redacted]** (General Account).

AND TAKE NOTICE THAT pursuant to section 25(2), the Director believes it advisable to make this Order for the protection of clients of the Brokerage and/or Swamy or self-represented parties dealing with the Brokerage and that proceedings in relation to a contravention under this Act are about to be or have been instituted against the Brokerage and Swamy.

THIS ORDER SHALL apply with immediate effect from the date of service of this Order and it shall remain and continue to remain in effect until the Director revokes it, the Licence Appeal Tribunal cancels this Order, the Director consents to the release of any particular asset or trust fund, or other money, from the Order, or the Superior Court of Justice provides direction or an order relating to the disposition of assets, trust funds or land affected by the order or notice.

To facilitate full and proper compliance with the Order made herein, section 25 of the Act is attached herewith.

DATED AT Toronto this 9th day of November, 2026.

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Samantha Pinto, Director
Trust in Real Estate Services Act, 2002

Freeze order

25 (1) If the conditions in subsection (2) are met, the director may in writing,

(a) order any person having on deposit or controlling any assets or trust funds of a registrant or former registrant to hold those funds or assets;

(b) order a registrant or former registrant to refrain from withdrawing any asset or trust fund from a person having it on deposit or controlling it; or

(c) order a registrant or former registrant to hold any asset or trust fund of a client, self-represented party or other person in trust for the person entitled to it. 2002, c. 30, Sched. C, s. 25 (1); 2006, c. 19, Sched. G, s. 9 (1); 2020, c. 1, s. 16 (1).

Conditions

(2) The director may make an order under subsection (1) if he or she believes that it is advisable for the protection of the clients of a registrant or former registrant or the protection of self-represented parties dealing with a registrant or former registrant and,

(a) a search warrant has been issued under this Act; or

(b) criminal proceedings or proceedings in relation to a contravention under this Act or under any other Act are about to be or have been instituted against the registrant or former registrant in connection with or arising out of the business in respect of which the registrant or former registrant is or was registered. 2002, c. 30, Sched. C, s. 25 (2); 2006, c. 19, Sched. G, s. 9 (2); 2020, c. 1, s. 16 (2).

Limitation

(3) In the case of a financial institution described in subsection (3.1), the order under subsection (1) applies only to the offices and branches named in the order. 2007, c. 7, Sched. 7, s. 190 (3).

Financial institutions

(3.1) A financial institution referred to in subsection (3) is,

(a) a bank or authorized foreign bank as defined in section 2 of the *Bank Act* (Canada);

(b) a loan or trust corporation; or

(c) a credit union within the meaning of the *Credit Unions and Caisses Populaires Act, 2020*. 2007, c. 7, Sched. 7, s. 190 (3); 2020, c. 1, s. 16 (3); 2020, c. 36, Sched. 7, s. 334 (2).

Release of assets

(4) The director may consent to the release of any particular asset or trust fund from the order or may wholly revoke the order. 2002, c. 30, Sched. C, s. 25 (4).

Exception

(5) Subsection (1) does not apply if the registrant or former registrant files with the director, in such manner and amount as the director determines,

(a) a personal bond accompanied by collateral security;

(b) a bond of an insurer licensed under the *Insurance Act* to write surety and fidelity insurance;

(c) a bond of a guarantor accompanied by collateral security; or

(d) another prescribed form of security. 2002, c. 30, Sched. C, s. 25 (5).

Application to court

(6) An application may be made to the Superior Court of Justice for a determination in respect of the disposition of an asset or trust fund,

(a) by a person in receipt of an order under subsection (1), if that person is in doubt as to whether the order applies to the asset or trust fund; or

(b) by a person who claims an interest in the asset or trust fund that is subject to the order. 2002, c. 30, Sched. C, s. 25 (6).

Notice

(7) If an order is made under this section, the director may register in the appropriate land registry office a notice that an order under subsection (1) has been issued and that the order may affect land belonging to the person referred to in the notice, and the notice has the same effect as the registration of a certificate of pending litigation, except that the director may in writing revoke or modify the notice. 2002, c. 30, Sched. C, s. 25 (7).

Cancellation or discharge application

(8) A registrant or former registrant in respect of which an order is made under subsection (1) or any person having an interest in land in respect of which a notice is registered under subsection (7) may apply to the Tribunal for cancellation in whole or in part of the order or for discharge in whole or in part of the registration. 2002, c. 30, Sched. C, s. 25 (8).

Disposition by Tribunal

(9) The Tribunal shall dispose of the application after a hearing and may cancel the order or discharge the registration in whole or in part if the Tribunal finds,

(a) that the order or registration is not required in whole or in part for the protection of clients of the applicant, self-represented parties dealing with the applicant or of other persons having an interest in the land; or

(b) that the interests of other persons are unduly prejudiced by the order or registration. 2002, c. 30, Sched. C, s. 25 (9) ; 2006, c. 19, Sched. G, s. 9 (3); 2020, c. 1, s. 16 (4).

Parties

(10) The applicant, the director and such other persons as the Tribunal may specify are parties to the proceedings before the Tribunal. 2002, c. 30, Sched. C, s. 25 (10).

Court application

(11) If the director has made an order under subsection (1) or registered a notice under subsection (7), he or she may apply to the Superior Court of Justice for directions or an order relating to the disposition of assets, trust funds or land affected by the order or notice. 2002, c. 30, Sched. C, s. 25 (11).

Notice not required

(12) An application by the director under this section may be made without notice to any other person. 2002, c. 30, Sched. C, s. 25 (12).

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- and -

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DIRECTOR'S ORDER

Samantha Pinto, Director under the *Trust in Real Estate Services Act, 2002*