



**Citation: Haque v. Registrar, *Trust in Real Estate Services Act, 2002*, 2024 ONLAT
TRESA 15129**

Licence Appeal Tribunal File Number: 15129/TRESA

Appeal from a Notice of Proposal to Revoke Registration issued by the Registrar under
the *Trust in Real Estate Services Act, 2002*, S.O. 2002, c. 30, Sched. C

Between:

Farida Haque

Appellant

and

Registrar, *Trust in Real Estate Services Act, 2002*

Respondent

CONSENT ORDER

ADJUDICATOR:Rupinder Hans

Date of Order:July 18, 2024

BACKGROUND

- [1] Farida Haque (the “appellant”) appeals the Notice of Proposal to Revoke Registration (“NOP”) as a salesperson issued by the Registrar, *Trust in Real Estate Services Act, 2002*, (the “Registrar”) pursuant to the provisions of the *Trust in Real Estate Services Act, 2002*, S.O. 2002, c. 30, Sched. C and the Regulations, as amended (the “Act”).
- [2] The Registrar issued the NOP on the basis that the appellant’s past conduct affords reasonable grounds for belief that they will not carry on business in accordance with law and with integrity and honesty, and that they made a false statement or provided a false statement in an application for registration.
- [3] The Notice of Proposal to Revoke the registration has been appealed to the Tribunal.
- [4] The parties advised the Tribunal that they were able to agree upon a settlement of all outstanding issues in this matter, and have requested that the terms of settlement be incorporated into a Consent Order disposing of this proceeding.
- [5] Further, both parties confirmed that pursuant to section 4.1 of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S 2 (the “SPPA”), both parties waive the requirements of a hearing and consent to an Order of the Tribunal to confirm the settlement as set forth in the Minutes of Settlement. A copy is attached as Schedule “A” to this Order.

ON CONSENT OF BOTH PARTIES, I ORDER:

- [6] Pursuant to s. 4.1 of the SPPA and on the consent of the parties, I dispose of this proceeding without a hearing on the terms set out in the agreement signed by the appellant on July 14, 2024 and Registrar on July 15, 2024, a copy of which is attached to this Order as Schedule A, which Schedule A is incorporated and made part of this Order.
- [7] The appellant shall be bound by the terms of the settlement.

Released: July 18, 2024



**Rupinder Hans
Adjudicator**

Schedule "A"

Tribunal File No. 15129/TRESA

In a Matter Before the Licence Appeal Tribunal

BETWEEN

Farida Haque

Appellant

- and -

Registrar, *Trust in Real Estate Services Act, 2002*

Respondent

MINUTES OF SETTLEMENT

WHEREAS the Respondent issued a Notice of Proposal (the "Proposal"), dated July 19, 2023, to revoke the registration of the Appellant as a salesperson under the *Trust in Real Estate Services Act, 2002* ("TRESA");

AND WHEREAS the Appellant filed a Notice of Appeal, dated August 8, 2023, to request a hearing before the Licence Appeal Tribunal ("Tribunal");

AND WHEREAS the Home Construction Regulatory Authority is currently investigating the conduct of the Appellant for breaches of the *New Home Construction Licensing Act, 2017* wherein the Ontario Court of Justice issued a search warrant on February 20, 2024 (the "HCRA Investigation");

AND WHEREAS the parties have engaged in discussions aimed at attempting to resolve the matter without a hearing;

NOW THEREFORE the parties have agreed that this matter be resolved as set out below:

1. The Appellant withdraws their appeal of the Proposal, and the Respondent withdraws the Proposal.
2. The Appellant agrees that the Respondent shall terminate the Appellant's registration under the Act fourteen (14) days from the order of the Tribunal to provide the Appellant the opportunity to wind up any pre-existing real estate trading obligations with respect to the Appellant's brokerage and/or clients. Further, the Appellant agrees that during the fourteen (14) day period they will not engage in any new trading in real estate including

but not limited to entering into representation agreements and submitting and receiving offers for the purchase and sale of real estate.

3. The Appellant may submit an application for registration after the conclusion of the HCRA investigation and any related matters against the Appellant including any prosecutions under the *Provincial Offences Act, 1990*.
4. The Appellant agrees that non-compliance with any of the terms of these Minutes of Settlement may result in a proposal to refuse future registration under TRESA and that this settlement does not preclude the Registrar from evaluating the Appellant's future application for registration on its merits under sections 10 and 13 of TRESA.
5. The Appellant agrees that nothing in these Minutes of Settlement or the Order of the Tribunal arising out of these Minutes of Settlement restricts in any manner the ability of the Registrar to commence or take any further action pursuant to the *Real Estate and Business Brokers Act, 2002*, TRESA or any successor legislation based on any information that is presently available to the Registrar or may come to the Registrar's attention after an Order of the Tribunal.
6. The Appellant confirms that they have read and understood the terms of these Minutes of Settlement and confirms that they had the opportunity to obtain independent legal advice with respect to the content of these Minutes of Settlement.

Reviewed, acknowledged and accepted by the parties.



Farida Haque

14th July 2024
Date



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

July 15, 2024

Date