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IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE

Trust in Real Estate Services ACT, 2002, S.O. 2002, c. 30, Sch. C

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND -

HOSSAM SOLIMAN

PENALTY DECISION AND REASONS FOR DECISION

The Panel met on February 11, 2026, to discuss the written submissions by all Parties with respect to Penalty and Costs. The Panel decided as follows:

ORDER: Fine of \$9,000.00 payable to RECO within 180 days of RECO sending this decision.

WRITTEN REASONS:

REASONS FOR DECISION
PENALTY & COST

INTRODUCTION

The Panel met by videoconference on February 11, 2026, to review the written submissions of the parties on the issue of Penalty. Submissions were received from counsel for RECO and the Respondent.

The Submissions from the Parties, along with the Panel's Decision and Reasons for Decision, were reviewed and considered by the Panel to arrive at a decision on Penalty.

Having taken all the evidence and submissions into account, the Panel has concluded that the penalty outlined below is both warranted and appropriate in the circumstances:

Mr. Hossam Soliman shall pay a fine of \$9,000.00 to be payable to RECO within 180 days of the release date of this decision.

Given that the *Real Estate and Business Brokers Act, 2002* (REBBA 2002) and associated regulations are designed to protect the integrity of real estate transactions in Ontario, a premium must be placed on protecting the public, including clients, buyers and sellers and registrants.

In this case, Mr. Soliman admitted to entering the house on the property earlier than his scheduled appointment time, but he nevertheless offered excuses for his own misconduct. He downplayed its seriousness by claiming that no one had been inconvenienced (because the tenants were not at home at the time of his entry), and that no damage, injury, or distress had been caused by his actions.

Even though the Registrant's action had clearly constituted a trespass—because he lacked any authorization to be inside the property at the time that he entered, his defence was based on the assertion that whatever he had done had been done in “good faith” and “without malice”.

By so asserting, it was clear to the Panel that Mr. Soliman did not appreciate the seriousness of the trespass he had committed. Finally, and inconsistent with his claim of good faith and the absence of malice, Mr. Soliman told that Panel that he had “mistakenly” entered the property earlier than he should have.

To add to the confusing if not conflicting explanations, Mr. Soliman testified that his client had had “an emergency” and, as a result, he took a chance to access the house on the property earlier than his allotted time. Of course, these conflicting explanations did not

sit well together, and they did not convince the Panel that Mr. Soliman's actions were simply careless or inadvertent.

The Panel has also reviewed and considered the various factors in the RECO v. Suzette Thompson decision, and it has applied those factors in determining the appropriate penalty in this case.

Based on the issues in this case, it was certainly established that general deterrence is an important factor in this case to ensure that other registrants get the message that they should refrain from the conduct committed by Mr. Soliman. While there are many RECO decisions arising from similar circumstances where realtors have entered properties without proper authorization, or where they have given pass codes to their clients to visit listed properties on their own, the regulatory prohibitions against trespasses to real property warrant deterrence-related monetary penalties so that all registrants get the same clear message.

Deterrence is a particularly important part of the penalty considerations in this case because penalty decisions are published online by RECO and monitored by the profession. Imposing a penalty that reflects general deterrence underscores the severity of the conduct in question and puts all members of the real estate industry on notice. It also meets RECO's obligation to protect the public and ensure that transgressions under the Code of Ethics are taken seriously.

Concerning specific deterrence, the Panel believes that Mr. Soliman's changing explanations as to why he entered the property prematurely, and the indications from him that he did not appreciate the gravity of his conduct, warrant a penalty that embraces the factor of specific deterrence.

Further, the process of selling ones' home involves having trust and confidence in the established rules and procedures to show and market properties in a safe manner for all concerned. Sellers invite prospective buyers into their homes for the purpose of concluding a successful sale.

But, in doing so, sellers or their tenants are nevertheless entitled to protection of their privacy interests, security, and peace of mind. There are established rules and procedures for a reason, and when everyone respects those rules, the system works as intended for the benefit of all concerned.

In short, Mr. Soliman's conduct was outside the acceptable range of conduct and, as such, the Panel has concluded that that penalty outlined above is appropriate.

[Released: March 20, 2026]



Real Estate Council of Ontario

File #2023070023

**IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE
*REAL ESTATE AND BUSINESS BROKERS ACT, 2002, S.O. 2002, c. 30, Sch. C***

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND -

HOSSAM RAMES HABIB SOLIMAN

DISCIPLINE DECISION AND REASONS FOR DECISION

APPEARANCES:

For the Registrant:

Unrepresented

For the Real Estate Council of Ontario:

Maya Sabharwal, counsel

Heard in Toronto on:

September 19, 2024

FINDINGS:

In violation of Sections 3 and 39 of the Code of Ethics.

ORDER:

After the Panel has heard from the parties, they will be advised as to the hearing date for any oral submissions or, alternatively, the date(s) for the delivery of written submissions on penalty and/or costs.

If written submissions on penalty and/or costs are to be delivered, the following schedule will apply:

Counsel for the Registrar, *REBBA 2002* shall deliver written submissions to the Panel and to the Registrant on the issue of penalty and/or costs within 30 days of the date on which the Panel's decision and reasons are delivered.

The Registrant shall deliver to the Panel and to Counsel for the Registrar, *REBBA 2002* his written responding submissions on penalty and/or costs within 15 days of the date on which the submissions from Counsel for the Registrar, *REBBA 2002* were delivered to the Registrant.

Counsel for the Registrar, *REBBA 2002* shall deliver to the Panel and to the Registrant any reply submissions on penalty and/or costs within 5 days of the date on which the Registrant has delivered his responding submissions on penalty and/or costs.

Any inquiries relating to the delivery of the above-mentioned documents or schedule for written submissions should be directed to the Manager, Discipline and Appeal Hearings.

COSTS AND EXPENSES:

Any requests for costs should be made with submissions on penalty.

WRITTEN REASONS:

REASONS FOR DECISION

INTRODUCTION

This Hearing was originally scheduled for June 19, 2025, but was adjourned to take place on September 19, 2025, in the presence of the Respondent Hossam Soliman (the

“Respondent” and/or “Soliman”). Maya Sabharwal was the Prosecutor for the Real Estate Council of Ontario on behalf of the Registrar. The Panel was comprised of Russell Pearsall, Fawzi Mattar and Angela Gill. Doug Cunningham was present as independent legal counsel to the Discipline Panel.

ALLEGATIONS BY THE REGISTRAR, REBBA 2002

In its Allegation Statement the Registrar, REBBA 2002 alleged that Hossam Soliman had acted unprofessionally when:

A. Soliman facilitated unauthorized access by entering the Property at a time when he did not have a booked and/or confirmed appointment, contrary to sections 3 and 39 of the Code of Ethics.

The Registrar, REBBA 2002 alleged that Hossam Soliman breached the following sections of the Code of Ethics:

Fairness, honesty, etc.

3. A registrant shall treat every person the registrant deals within the course of a trade in real estate fairly, honestly and with integrity.

Unprofessional conduct, etc.

39. A registrant shall not, in the course of trading in real estate, engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming a registrant.

EVIDENCE OF THE PARTIES

1. Allegation Statement dated February 3, 2025
2. Notice of Hearing dated May 1, 2025
3. RECO Book of Documents dated March 28, 2025

WITNESSES FOR THE REGISTRAR, REBBA 2002

1. Listing Representative

WITNESSES FOR THE REGISTRANT

1. Hossam Soliman

OPENING SUBMISSIONS BY THE REGISTRAR, REBBA 2002

Mr. Hossam Soliman (“Registrant”) was employed as salesperson at Brokerage A in City A, and was, at all material times, registered with RECO. He booked a showing for a property at 1-A Street, City B (“Property”). During the relevant period, the house on the Property was occupied by Tenant A and her three children. Tenant A who was the Complainant to RECO from which the discipline hearing resulted.

The Registrant booked an appointment for 1:00 p.m. on June 24, 2023 for 30 minutes to enter and inspect the Property. The tenant had left the house shortly after 12:00 p.m. and when she returned at approximately 12:24 p.m. she found the Registrant inside the house. He had entered the house prior to the time he had booked for the visit and inspection with his client.

The Prosecutor submitted that the Registrant’s actions in attending the Property and going inside the house prior to the scheduled time for his visit constituted a breach of the Code of Ethics which, at the material time, was O. Reg. 580/05 under the *Real Estate and Business Brokers Act, 2002*.

RECO’s Witness – Listing Representative

Representative A was the listing salesperson during the events at issue. She was and remains with Brokerage B. Representative A has been a salesperson for 15 years.

Even though she was not present at the Property on June 24, 2023, Representative A testified that the Registrant arrived early for his scheduled visit and that he and his client inspected the house before his allotted time.

Representative A initially stated that the Property was booked for the Registrant’s showing and inspection at 4:00 pm on June 24th, 2023. [However, the Panel notes that

there was no evidence that the appointment was booked for the Registrant's visit during that time slot]. Subsequently, Representative A added that she could not remember the exact time of the Registrant's scheduled appointment.

Representative A advised that the tenant, Tenant A, phoned her on June 24, 2023, and was very distraught because a man had entered her home without her permission or knowledge prior to 1:00 p.m. on that date.

After speaking with Tenant A, Representative A contacted the Registrant by phone and told him to leave the house immediately and that he was trespassing. She further testified that, in her view, the Registrant had acted improperly and potentially jeopardized the sale of the Property.

Representative A told the Panel that, during her call with the Registrant, he was apologetic at the time; nevertheless, Representative A opined that the Registrant was most likely apologetic simply because he had been caught inspecting the Property at a time when he should not have been doing so.

The Panel was told that the Registrant subsequently sent a text message to Representative A (at 12:49 p.m. the same day) apologizing for his transgression.

The text message was read into the record (as it appears at p. 18 in RECO's Book of Documents) and Representative A confirmed that she had received the message from the Registrant.

Representative A also claimed at the hearing that the apology from the Registrant was a "lame excuse" – one being offered after he had entered the Property without permission.

Representative A indicated that the Registrant had permission to enter the Property at a fixed time and for an assigned period, but he chose to enter the Property early without permission. She added (at the prompting of the Prosecutor) that, in her view, ringing the doorbell before entering a house is not sufficient and it does not grant a visitor permission to inspect a property prematurely. Documentation at p. 20 of the Book of Documents confirmed that the Appointment was booked for 1:00 to 1:30 pm. However,

Representative A confirmed that the Registrant never called her or the listing brokerage's office to ask whether he could view the Property prior to the scheduled appointment.

Cross examination of Sarah Representative A by the Registrant

The Allegation Statement alleged that the tenant had her three children with her when she left the Property around noon on June 24, 2023 and when she returned. During her examination-in-chief, Representative A had claimed that there were two children in the house when the Registrant had entered it.

However, on cross-examination, Representative A, who was not present at the Property on June 24, 2023 advised that she "understood" there was at least one child in the house at the time of the Registrant's visit. Immediately after making that statement, however, Representative A conceded to the Panel that she had no direct knowledge as to how many children, if any, were in the house when the Registrant entered and inspected it.

The tenant's own account in RECO's Book of Documents stated that she had her three children with her when she left the house and when she returned. Barrett was not called as a witness at the hearing.

Evidence of the Registrant, Hossam Soliman

The Registrant agreed that he made a mistake by entering the house early, but he nevertheless claimed that he had not breached the Code of Ethics. He emphasized that his early entry into the house had not resulted in any damage, injury, or distress because there was no one in the house when he entered it. Further, the Registrant testified that he had already left the house by the time the tenant returned with her children.

The Registrant added that he was not "trying to cover his tracks" as alleged, nor had he committed any similar transgression at other properties. He stated that no additional complaints to RECO had been lodged against him since the incident of this case.

The Registrant claimed that he had not received clear instructions or any warning from the listing brokerage that he could not enter the Property before 1:00 p.m. on June 24, 2023. He asserted that he should have been warned not to enter the Property before his allotted time, even though the house was vacant when he arrived. He maintained that he had acted in good faith and that there had been no malice on his part.

Finally, the Registrant maintained that he had mistakenly entered the Property 36 minutes early.

Cross examination of the Registrant by RECO's Prosecutor

No cross examination of the Registrant was conducted by RECO.

However, the Chair of the Panel asked the Registrant whether he was aware that entering the Property outside the allotted time could constitute trespass because it would be accessing the house without authorization.

In response, the Registrant stated that "he took a chance" in entering the house at the time, and that he (correctly) believed it was unoccupied. He stated that, in retrospect, he had made a mistake and that he should not have entered the house at the time that he did.

SUBMISSIONS BY THE PROSECUTOR

The Prosecutor submitted that the Registrant had admitted entering the house outside the established appointment time. The Prosecutor recalled the text message the Registrant had sent to Representative A at 12:49 p.m., apologizing for inspecting the Property prematurely. It was submitted that being present at the Property outside the allotted time would have constituted a trespass. Further, it did not matter whether the house was vacant during the time of the Registrant's visit and inspection. If the Registrant was inside the house at any time other than his allotted time, he had violated the Code of Ethics, as alleged by RECO.

SUBMISSIONS BY THE REGISTRANT

The Registrant claimed that he had entered the house with (general) permission from the listing brokerage. Although he admitted entering the house before his scheduled time (i.e. 1:00 p.m. to 1:30 p.m.), he emphasized that no one was occupying the house at the time of his early inspection.

CODE OF ETHICS

The Registrant is governed by the Real Estate and Business Brokers Act, 2002, S.O. 2002, c.30, Schedule C (“REBBA 2002”).

This Discipline Committee is established to hear and determine these issues, in accordance with the prescribed Regulations. The Discipline Committee must determine if the Registrant has failed to comply with the Code of Ethics established by the Minister in accordance with Section 21 of the REBBA 2002.

Section 50 of the REBBA 2002 provides that the Minister may make Regulations establishing a Code of Ethics for the purposes of subsection 21(1).

Ontario Regulation 580/05 is the Code of Ethics pursuant to the REBBA 2002 and is the Code of Ethics that governs these proceedings.

FINDINGS BY THE PANEL

Having carefully considered the testimony of the witnesses at the hearing and the documentary evidence, the Panel has arrived at the following conclusions:

Given the admissions by the Registrant himself-- that he took a chance in entering the house before his scheduled appointment because he believed that it was empty, and his admission that he made a “mistake” and that he should not have inspected the house at the time that he did – there was simply no excuse for his conduct. To be clear, if the Registrant had entered the house before his allotted inspection time while it was still occupied by its residents, that would have exacerbated the impact of his conduct.

But correctly believing that the house was empty when he entered it thirty-six (36) minutes before he had authorization to do so does not excuse his conduct or absolve

him from having breached the Code of Ethics. Entering the house over a half-hour before his scheduled inspection time constituted trespass. The Registrant's presence in the house was, quite simply, unauthorized and he had no more right to be there than a stranger to the Property and its residents.

The Panel also finds that, during his testimony, it was clear that the Registrant simply did not appreciate the gravity of his conduct in entering a private residence when he knew or ought to have known as a realtor that it was outside the scheduled appointment time he had made with the listing brokerage.

In retrospect, the Registrant was fortunate that no one was in the house at the time of his unauthorized inspection. It could have created complicated, if not unsafe, circumstances for him, his own client, and the residents.

The Registrant was the only person in control of his actions. He knew, or ought to have known, that accessing a property outside a scheduled appointment period, is and would be considered trespassing. Further, the excuse that was presented during the hearing that the Registrant's client had an emergency that had led the Registrant to "take a chance" and access the house early is neither convincing nor reasonable. If there had indeed been an emergency affecting his client, the cancellation of the appointment (and its re-booking) would have been the most appropriate action in the circumstances.

Given that the Registrant was in complete control of deciding whether to enter the house before his scheduled time, his conduct cannot be blamed on others. For instance, no one, including the listing brokerage, had an obligation to "warn" the Registrant not to access the Property outside his scheduled inspection time. As a result, what he did was improper and/or unauthorized. To put it simply, full responsibility for the Registrant's actions started and stopped with him and no one else.

Given the uncontested evidence, and the Registrant's own admissions at the hearing, the Panel has found that he breached Section 3 of the Code of Ethics in that "his conduct was not fair to others involved in all the circumstances. The Registrant's conduct was also a breach of Section 39 because he acted "unprofessionally" in doing what he did.

PENALTY AND/OR COSTS

Further contact with the parties will take place on behalf of the Panel to canvass whether the parties wish to make oral submission or, alternatively, deliver written submissions on the issue of penalty and/or costs arising from the hearing.

After the Panel has heard from the parties, they will be advised as to the date for the hearing of any oral submissions or, alternatively, the date(s) for the delivery of written submissions using the schedule identified below.

In that regard, the parties will soon be contacted by the Manager, Discipline and Appeals Hearings and they should liaise with the Manager for such scheduling.

The Panel notes that, in the majority of cases, the parties deliver written submissions on the issue of penalty and/or costs instead of booking additional hearing time to make oral submissions.

SCHEDULE FOR WRITTEN SUBMISSIONS ON PENALTY AND/OR COSTS

If a decision is made that written submissions will be delivered, Counsel for the Registrar, REBBA 2002, shall deliver written submissions to the Panel and to the Registrant on the issue of penalty and costs within 30 days of the date on which the Panel's decision and reasons are delivered.

The Registrant shall deliver to the Panel and to Counsel for the Registrar, REBBA 2002 written responding submissions on penalty and costs within 15 days of the date on which the submissions of Counsel for the Registrar, REBBA 2002 have been received.

Further, Counsel for the Registrar, REBBA 2002 shall deliver to the Panel and to the Registrant any reply submissions to the written responding submissions of the Registrant within five (5) days of the date on which the Registrant's responding submissions were received.

Any submissions on costs are to be made with submissions on penalty.

Any inquiries relating to the delivery of the above-mentioned documents should be directed to the Manager, Discipline and Appeals Hearings.

[Released: November 10, 2025]