

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

**BETWEEN:**

**REAL ESTATE COUNCIL OF ONTARIO**

**- AND -**

**ROZERIN IZOL**

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**DISCIPLINE DECISION AND REASONS FOR DECISION**

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Subject to Rule 4.02 of the Discipline and Appeals 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:

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**FINDINGS:** In violation of Section 2 of the *TRESA 2002* Code of Ethics and Section 22.5 of the General Regulation.

**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.

Successful completion of the RECO CE: Introduction to *TRESA* and provide proof of completion to RECO not later than six (6) months after the date of the Decision of the Discipline Committee.

**WRITTEN REASONS:**

**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. At all relevant times, Rozerin Izol (“Izol”) was registered as a salesperson under the *Trust in Real Estate Services Act, 2002*.
2. Registrant A is a salesperson who is employed at Brokerage A (“Seller’s Brokerage”). Registrant A, on behalf of their seller clients, listed for sale 1-A Street, City A (the “Property”).
3. On or about March 16, 2024, at approximately 2:39 p.m., Izol contacted Registrant A directly via telephone to ask for permission to view the Property since they were already in the neighbourhood with buyer clients viewing other properties.
4. Registrant A claims that they denied this request from Izol as appointment instructions required “overnight” notice for all showings – no same day viewing appointments were permitted to be scheduled.
5. On or about March 16, 2024, at approximately 2:41 p.m., and following the conversation between Izol and Registrant A, Izol scheduled a viewing for the Property on March 17, 2024, with a time between 10:00 a.m. to 10:30 a.m. The Seller’s Brokerage confirmed this appointment request, and a confirmation email was sent to Izol with the code for the lockbox and confirmation of the appointment date and time.
6. On March 16, 2024, at approximately 3:00 p.m., Registrant A – who lives across the street from the Property - witnessed someone approach the Property and access the lockbox. In total Registrant A witnessed three (3) adults entering the Property. No appointments to view the Property were scheduled for March 16, 2024, for 3:00 p.m.
7. Registrant A attended the Property as the three (3) adults were leaving and confronted them. Izol identified themselves to Registrant A as a salesperson who had a scheduled showing for the Property claiming they had contacted the Seller’s Brokerage and had their appointment changed to an earlier time.
8. Registrar A immediately contacted the Seller’s Brokerage and confirmed that there was no record of Izol contacting them and/or attempting to change their scheduled appointment for March 17, 2024.

9. On March 16, 2024, at approximately 3:41 p.m., Izol cancelled the showing for the Property that was scheduled for March 17, 2024, from 10:00 a.m. to 10:30 a.m. and advised Registrant A that their buyer clients were no longer interested in the Property.
10. Registrant A alerted their seller clients what had taken place, and the seller clients were extremely upset that someone had trespassed on the Property and that their privacy had been violated.

### **SUMMARY OF AGREEMENTS**

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

- A. Izol facilitated unauthorized access to the Property by using the lockbox code to enter the Property with their buyer-client(s) outside of the scheduled showing date and/or time and/or without the consent of the Seller's Brokerage and/or Seller(s), contrary to section 2 of the Code of Ethics and section 22.5 of the General Regulation.

**It is agreed that Izol failed to comply with the following sections of the Code of Ethics:**

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

**It is agreed that Izol failed to comply with the following sections of the General Regulation:**

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** 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:

<b>Course Title (Provider)</b>	<b>Completion date</b>
MCE Introduction to TRESA	not later than six (6) months after the date of the Decision of the Discipline Committee

**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 Agreed Statement was duly signed by the Parties.]*

### **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 Section 2 of the *TRESA 2002* Code of Ethics and Section 22.5 of the General Regulation. 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. ROZERIN IZOL is Ordered a Fine of \$6,500.00 payable to RECO not later than six (6) months after the date of the Decision of the Discipline Committee.
2. ROZERIN IZOL is Ordered to successfully complete RECO CE Introduction to TRESA course and provide proof of completion to RECO not later than six (6) months after the date of the Decision of the Discipline Committee.

*[Released: May 29, 2025]*