
**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 -

FAWAD HYDER

DISCIPLINE DECISION AND REASONS FOR DECISION

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

FINDINGS: In violation of Sections 1, 2(a) and 2(b) of the *TRESA 2002* Code of Ethics.

In violation of Sections 22.5(a) and 22.5(b) of the General Regulation.

ORDER: Fine of \$ 7,000.00 payable to RECO on or before September 5, 2025.

Successful completion of "RECO MCE Introduction to *TRESA*" course and provide RECO with confirmation of successful completion on or before September 5, 2025. 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. At all relevant times, Fawad Hyder (“Hyder”) was registered as a Salesperson under the *Trust in Real Estate Services Act, 2002* (“Act”).
2. At all relevant times, Hyder was employed at the brokerage Homelife Galaxy Real Estate Ltd. (“Galaxy”).
3. Hyder, while acting for clients looking to at properties, booked a viewing appointment for the property known municipally as 53 Bergen Road, Toronto, Ontario (the “Property”) for March 13, 2024, from 12:00 p.m. to 1:00 p.m.
4. The Property was listed by Century 21 Atria Realty Inc. (“Atria”), with Jun Du acting as the sales representative. Jun Du was also the owner of the Property.
5. Jun Du and their spouse (the “Complainants”) arrived at the Property on March 13, 2024, at 12:57 p.m., and found the door physically open, all the lights on but no vehicle in the driveway.
6. The Complainants made a telephone call to Hyder, who stated that door was closed and the lights were turned off and ended the call.
7. The Complainants proceeded to enter the Property and found Pooja Patel (“Patel”), a client of Hyder, inside the Property.
8. Patel informed the Complainants that Hyder provided them with the lockbox code, allowing entry to the Property without being accompanied by Hyder.
9. The Complainants informed Patel that their entry into the Property was unauthorized and unacceptable.
10. The homeowners filed a complaint with RECO.
11. RECO notified Hyder of the complaint made by the Complainants, and in response, Hyder confirmed that he did not attend at the Property and provided the client unsupervised access to the property by providing the code to enter the property.

SUMMARY OF AGREEMENTS

It is agreed that Hyder failed to comply with the Code of Ethics (O. Reg. 580/05) as follows:

- A. Hyder provided a lockbox code to a client, facilitating unauthorized entry to the Property without the supervision of a registrant or consent from the owner of the Property, contrary to sections 1 and 2 of the Code of Ethics and section 22.5 of the General Regulation.

It is agreed that Hyder failed to comply with the following sections of the Code of Ethics (O. Reg. 580/05):

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 Hyder 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 **\$7,000.00** on or before **September 5, 2025**.

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

Course Title (Provider)	Completion date
RECO MCE Introduction to TRESA	September 5, 2025

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.

[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, 2(a) and 2(b) of the *TRESA* Code of Ethics and 22.5(a) and 22.5(b) 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. HYDER, FAWAD is ordered to pay a fine in the amount of \$7,000.00, payable to RECO, on or before September 5, 2025.
2. HYDER, FAWAD is ordered to successfully complete the “RECO MCE Introduction to TRESA” course or program on or before September 5, 2025 and provide proof of completion to RECO within 60 days of completion of the courses.

[Released: June 6, 2025]