
**IN THE MATTER OF A DISCIPLINE PROCEEDING HELD PURSUANT TO THE
*TRUST IN REAL ESTATE SERVICES ACT, 2022***

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND -

WAYNE HUU NGUYEN (registered as WAYNE NGUYEN)

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 and 2(a)(b) of the *TRESA 2002* Code of Ethics.

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

ORDER: Fine of \$6,500.00 payable to RECO no later than nine (9) months after the date of the Decision of the Discipline Committee: April 23, 2027

Successful completion of the “*MCE – Introduction to TRESA*” course and provide proof of completion to RECO no later than nine (9) months after the date of the Decision of the Discipline Committee on this matter, and 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, Wayne Huu Nguyen (“Nguyen”) was registered as a salesperson under the *Trust in Real Estate Services Act, 2002*.
2. At all relevant times, Nguyen was employed at the brokerage Tony K Real Estate. (“TKRE”).
3. Nicola Mastrandrea (the “Landlord”) is the owner of a property located at 17 Forest Path Court, Toronto, Ontario (the “Property”).
4. Massimo Pacienza (the “Lease Representative”) is a salesperson employed at Re/Max West Realty Inc. (the “Leasing Brokerage”).
1. The Property was listed for Lease on a local real estate listing service by the Lease Representative on behalf of the Landlord.
2. On June 13, 2025, Nguyen requested a showing at the Property via BrokerBay. A confirmation was sent with a showing time from 4:00 p.m. to 4:30 p.m.
3. Following the showing appointment, the Landlord contacted their Lease Representative upset as they came to learn from a neighbour that multiple people were accessing the Property and that no real estate agent was present.
4. The Lease Representative contacted Nguyen with their Landlord’s concerns and was advised by Nguyen that they were outside in their car during the scheduled showing. Nguyen later admitted to RECO they were not in attendance at the showing.
5. The Landlord’s video surveillance at the Property confirms that Nguyen was not in attendance at the scheduled showing.

SUMMARY OF AGREEMENTS

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

- A. Nguyen facilitated unauthorized and/or unsupervised access to the Property by releasing the lockbox code to their buyer-clients and failing to be in attendance at the showing with their buyer-client(s) at the Property, without the consent of the Landlord and/or Landlord's Representative, contrary to sections 1 and 2 of the Code of Ethics, O. Reg. 365/22 and section 22.5 of the General Regulation, O. Reg. 567/05.

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

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 Nguyen 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 **\$6,500.00** no later than **nine (9) months** after the date of the Decision of the Discipline Committee.

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

Course Title (Provider)	Completion date
MCE - Introduction to TRESA	no later than nine (9) months after the date of the Decision of the Discipline Committee

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.

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 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 and 2(a)(b) of the *TRESA 2002* Code of Ethics, and 22.5(a)(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. NGUYEN, Wayne Huu (registered as NGUYEN, Wayne) is ordered to pay a fine in the amount of \$6,500.00, payable to RECO, no later than nine (9) months after the date of the Decision of the Discipline Committee.

2. NGUYEN, Wayne Huu (registered as NGUYEN, Wayne) is ordered to successfully complete the “MCE – Introduction to TRESA” course no later than nine (9) months after the date of the Decision of the Discipline Committee, and to provide proof of completion to RECO within 60 days of completion of the course.

Released: July 23, 2026