
**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 -

DEVIN TODD KELLER

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 Section 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 \$6,000.00 payable to RECO, not later than six (6) months after the date of the Decision of the Discipline Committee, being August 3, 2026.

Successful completion of the “*Compliance and Ethics in Real Estate Part 1*” and “*Compliance and Ethics in Real Estate Part 2*” courses or programs, not later than six (6) 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 courses.

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, Devin Todd Keller registered as Devin Keller (“Keller”) was registered as a broker under the *Trust in Real Estate Services Act, 2002*.
2. At all relevant times, Devin Keller (“Keller”) was employed at Brokerage A.
3. Seller A and Seller B (the “**Complainants**”) are the Sellers of a property located at 1-A Street, City A (the “**Property**”).
4. On or about May 14, 2024, the Complainants listed the Property for sale using the services of Brokerage B (“**Seller’s Brokerage**”). Representative A and Representative B were assigned as the (“**Designated Representative(s)**”).
5. On or about June 11, 2024, Keller scheduled a showing for the Property with the Seller’s Brokerage. The showing for the Property was confirmed for Wednesday, June 19, 2024 between 11:00 a.m. – 12:00 p. m. Details of this confirmation were provided to Keller via text message.
6. On June 19, 2024, at approximately 11:00 a.m., the Complainants advise that via their doorbell camera, they witnessed four (4) individuals using the lockbox code to enter the Property. The Complainants advise that Keller was not present at this scheduled showing at the Property. The Complainants contacted their Designated Representatives to express their concerns regarding Keller releasing the lockbox code to individuals while not in attendance at the showing.
7. Keller confirms that they were not in attendance at the showing and released the lockbox code to their buyer clients to allow access to the Property on June 19, 2024.

SUMMARY OF AGREEMENTS

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

- A. Keller facilitated unauthorized and/or unsupervised access to the Property by releasing the lockbox code to their buyer clients to allow access to the Property during a scheduled showing without being present and without the consent of the Designated Representatives and/or Complainants, contrary to section 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 Singh 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 confidence the regulation of registrants under the Act.

It is agreed that Keller 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 **\$6,000.00** 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:

Course Title (Provider)	Completion date
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Compliance and Ethics in Real Estate Parts 1 & 2	No later than six (6) months after the date of the Decision of the Discipline Committee
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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 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 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. KELLER, Devin Todd, is ordered to pay a fine in the amount of \$6,000.00, payable to RECO, not later than six (6) months after the date of the Decision of the Discipline Committee.

2. KELLER, Devin Todd, is ordered to successfully complete the “Compliance and Ethics in Real Estate Part 1” and “Compliance and Ethics in Real Estate Part 2” courses or programs not later than six (6) 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 courses.

Released: February 3, 2026