RECO
Real Estate Council of Ontario

File #2026010394

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

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND-

ABDUL SHAHIR BASHARMAL (registered as ABDUL BASHARMAL)

DISCIPLINE DECISION AND REASONS FOR DECISION

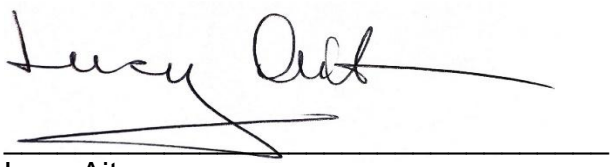
Subject to Rule 4.02 of the Discipline Committee Rules of Practice (*TRESA 2002*), I, the Chair of the Discipline Committee (*TRESA 2002*) have reviewed and considered the Agreed Statement of Facts and Penalty together with the Waiver of Hearing submitted by the Parties to this proceeding and provide the following Order:

FINDINGS: In violation of Sections 2(a)(b), 8(1), 9(1) of the *TRESA 2002* Code of Ethics.

ORDER: Fine of $10,000.00 payable to RECO not later than 180 days after the date of the Decision of the Discipline Committee on this matter: April 19, 2027

Successful completion of the "*RECO 2026 – Professional Practice"* course and provide proof of completion to RECO not later than 60 days after the date of the Decision of the Discipline Committee on this matter, and to provide proof of completion to RECO within 30 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, Basharmal was registered as a salesperson under the *Trust in Real Estate Services Act, 2002* ("Act"), and employed at the brokerage RE/MAX Twin City Realty Inc. ("Twin City").
2. Twin City represented a buyer, Candace Moreau (the "Complainant"), with Basharmal acting as the buyer's representative.
3. A property located at Unit 38, 60 Elmsdale Drive in Kitchener, Ontario (the "Property") was listed for sale by the brokerage Shaw Realty Group Inc. ("Shaw Realty") with Shaw Hasyj ("Hasyj") acting as the seller's representative. The seller was Malcolm Ross Smith (the "Seller").
4. On October 7, 2025, the Complainant and the Seller reached an Agreement of Purchase and Sale (the "APS"), with a purchase price of $395,000, conditional upon satisfactory review of the status certificate.
5. After receiving the status certificate on October 15, 2025, on October 21, 2025, Basharmal informed Hasyj via email that the Complainant wished to reduce the purchase price from $395,000 to $370,000 due to several structural deficiencies noted in the status certificate.
6. In Basharmal's email to Hasyj, Basharmal attached a PDF document containing an Amendment to Agreement of Purchase and Sale (the "Amendment") and a Notice of Fulfillment of Condition(s) (the "NOF").
7. While the Amendment indicated the reduced purchase price being requested by the Complainant, the NOF indicated that the condition pertaining to the status certificate had been fulfilled by the Complainant and that the transaction was now firm and binding.

8. Both the Amendment and the NOF had been signed by the Complainant, enabling Hasyj to acknowledge receipt of the NOF. The Amendment to the price was not accepted by the Seller and remained unsigned by the Seller.

9. The APS had become unconditional at the original purchase price.

10. As a result, the Complainant closed the Property at the original purchase price of $395,000.

SUMMARY OF AGREEMENTS

It is agreed that Basharmal failed to comply with the Code of Ethics (O. Reg. 365/22) as follows:

A. Basharmal failed in his representation of his buyer client when, in submitting the Amendment and the NOF at the same time and failing to make the NOF contingent upon the Amendment, Basharmal permitted the Agreement of Purchase and Sale to become unconditional without the Seller's acceptance of the proposed price reduction, contrary to sections 2, 8(1) and 9(1) of the Code of Ethics.

It is agreed that Basharmal failed to comply with the following sections of the Code of Ethics (O. Reg. 365/22):

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.

Best interests

8. (1) A registrant that represents a client shall promote and protect the best interests of the registrant's clients.

Conscientious and competent service, etc.

9. (1) A registrant shall provide conscientious, courteous and responsive service to clients and demonstrate reasonable knowledge, skill, judgment and competence in providing such service.

AGREED PENALTY

The Respondent understands and agrees to the following penalty:

To pay a fine of **$10,000.00**not later than 180 days after the date of the Decision of the Discipline Committee on this matter.

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

Course Title (Provider)	**Completion date**
RECO 2026 Update – Professional Practice	No later than 60 days after the date of the Decision of the Discipline Committee

To provide proof of completion to RECO within 30 days of completion of the course.

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 2(a)(b), 8(1) and 9(1) of the *TRESA 2002* Code of Ethics;

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. BASHARMAL, Abdul Shahir, registered as BASHARMAL, Abdul, is ordered to pay a fine in the amount of $10,000.00, payable to RECO, not later than 180 days after the date of the Decision of the Discipline Committee on this matter.

2. BASHARMAL, Abdul Shahir, registered as BASHARMAL, Abdul, is ordered to successfully complete the "*RECO 2026 Update – Professional Practice*" course no later than 60 days after the date of the Decision of the Discipline Committee, and to provide proof of completion to RECO within 30 days of completion of the course.

Released: October 20, 2026