



**IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE
*REAL ESTATE AND BUSINESS BROKERS ACT, 2002, S.O. 2002, c. 30, Sch. C***

BETWEEN:

REAL ESTATE COUNCIL OF ONTARIO

- AND -

PETER ANTHOS

DISCIPLINE DECISION AND REASONS FOR DECISION

Subject to Rule 4.02 of the Discipline and Appeals Committee Rules of Practice (*REBBA 2002*), I, the Chair of the Discipline Committee (*REBBA 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 39 of the *REBBA 2002* Code of Ethics.

ORDER: Fine of \$ 5,000.00 payable to RECO on or before August 31, 2022.

Successful completion of the RECO's MCE: Compliance and Ethics in Real Estate, Part 1 course and provide RECO with confirmation of successful completion on or before August 31, 2022.

Successful completion of the RECO's MCE: Compliance and Ethics in Real Estate, Part 2 course and provide RECO with confirmation of successful completion on or before August 31, 2022.

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 (*REBBA 2002*).

The Agreed Statement of Facts and Penalty read:

AGREED STATEMENT OF FACTS AND PENALTY

It is agreed as follows:

1. Peter Anthos (“Anthos”) is registered as a salesperson under the Real Estate and Business Brokers Act, 2002 (“Act”).
2. At all relevant times, Anthos was employed at Brokerage A.
3. On December 5, 2020, Brokerage A entered into a listing agreement to sell a property located at 1-A Street, City A (“the Property”). Anthos was the listing representative. The listing commenced on December 7, 2020.
4. At the subject time, the City A Region, where the Property was located, was placed under restrictions by the provincial government to curb the spread of COVID-19.
5. Real estate open houses were not permitted in this region.
6. On December 13, 2020, Anthos held an open house at the Property.

SUMMARY OF AGREEMENTS

It is agreed that Anthos failed to comply with the Code of Ethics as follows:

- A. Anthos hosted an open house at a time when open houses were prohibited due to COVID-19, contrary to section 39 of the Code of Ethics.

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

Unprofessional conduct, etc.

39. A registrant shall not, in the course of trading in real estate, engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming a registrant.

AGREED PENALTY

PETER ANTHOS, the Respondent, be ordered to pay a penalty of \$5,000.00 on or before August 31, 2022.

In addition to the above penalty, the Respondent must enrol in the course MCE Compliance and Ethics in Real Estate, Part 1 and provide proof of successful completion of the course on or before August 31, 2022.

In addition to the above penalty, the Respondent must enrol in the course MCE Compliance and Ethics in Real Estate, Part 2 and provide proof of successful completion of the course on or before August 31, 2022.

By initials below, I, PETER ANTHOS, acknowledge that I have read and understand the penalty outlined herein and agree to the said terms and/or conditions.

[Respondent's Initials]

By initials below, I, PETER ANTHOS, agree, understand, acknowledge and consent to waive the requirement for a hearing and to request an Order from the Chair of the Discipline Committee that includes this Agreed Statement of Facts and Penalty as a final settlement of this matter.

[Respondent's Initials]

By initials below, I, PETER ANTHOS, acknowledge that I was aware of my right to be represented by Counsel or agent in this matter.

[Respondent's Initials]

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 (*REBBA 2002*) concluded that the Respondent breached Sections 39 of the *REBBA 2002* Code of Ethics. The Chair of the Discipline Committee (*REBBA 2002*) is also in agreement with the joint submission of the Parties as to penalty and accordingly makes the following order:

1. PETER ANTHOS is Ordered a Fine of \$5,000.00 payable to RECO on or before August 31, 2022.
2. PETER ANTHOS is Ordered to successfully complete RECO's MCE Compliance and Ethics in Real Estate, Part 1 course and provide RECO with confirmation of successful completion on or before August 31, 2022.
3. PETER ANTHOS is Ordered to successfully complete RECO's MCE Compliance and Ethics in Real Estate, Part 2 course and provide RECO with confirmation of successful completion on or before August 31, 2022.

[Released: November 9, 2021]