

**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 -**

**BO LIU**

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**DISCIPLINE DECISION AND REASONS FOR DECISION**

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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:

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**FINDINGS:** In violation of Sections 3, 38 and 39 of the *REBBA 2002* Code of Ethics.

**ORDER:** Fine of \$ 7,000.00 payable to RECO on or before October 31, 2022.

Successful completion of RECO MCE Compliance and Ethics in Real Estate, Parts 1 and 2, course, and provide RECO with confirmation of successful completion on or before October 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. Bo Liu ("Liu") is registered as a salesperson. At all relevant times, Liu was employed at Brokerage A. Liu is currently employed at Brokerage B.
2. Registrant A, ("Registrant A"), is registered as a broker. At all relevant times, Registrant A was also employed at Brokerage A. Registrant A is currently employed at Brokerage B.
3. At all relevant times, Liu and Registrant A were working together as a team at Brokerage A.
4. In or around June 2020, Liu and Registrant A represented Buyer A and his wife, Buyer B ("Buyers ").
5. On several occasions, Liu and Registrant A provided lockbox codes to the Buyers for the purpose of allowing the Buyers to attend, on their own, at property showings that had been arranged by Liu and Registrant A.
6. The Buyers attended these appointments and viewed the properties by themselves, including entering the homes.
7. Neither Liu nor Registrant A attended the showings with the Buyers, nor were arrangements made for another registrant to attend with the Buyers.

**SUMMARY OF AGREEMENTS**

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

1. Liu did not accompany his buyer clients to visit properties, nor arrange for another registrant to accompany the clients at the visits, contrary to sections 3 and 39 of the Code of Ethics.
2. Liu facilitated unauthorized access to properties by providing confidential lockbox key access to unregistered individuals for the purpose of allowing said individuals to view the properties, contrary to sections 3, 38, and 39 of the Code of Ethics.

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

Fairness, honesty. etc.

3. A registrant shall treat every person the registrant deals with in the course of a trade in real estate fairly, honestly, and with integrity.

Error, misrepresentation, fraud, etc.

38. A registrant shall use the registrant's best efforts to prevent error, misrepresentation, fraud or any unethical practice in respect of a trade in real estate.

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

BO LIU, the Respondent, be ordered to:

1. pay a fine of \$7,000.00 on or before October 31, 2022; and
2. successfully complete the RECO MCE Compliance and Ethics in Real Estate course (Parts 1 and 2), and notify RECO of same, by October 31, 2022.

By initials below, I, BO LIU, 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, BO LIU, 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, BO LIU, 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 3, 38 and 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. BO LIU is Ordered a Fine of \$7,000.00 payable to RECO on or before October 31, 2022.

2. BO LIU is Ordered to successfully complete RECO MCE Compliance and Ethics in Real Estate course (Parts 1 and 2), on or before October 31, 2022.

*[Released: July 29, 2022]*