



**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 -

SORRAB ALAKOOZAI

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 Sections 3 and 39 of the *REBBA 2002* Code of Ethics.

ORDER: Fine of \$ 6,500.00 payable to RECO on or before April 15, 2024.

Successful completion of the RECO MCE Compliance and Ethics in Real Estate, Part 1 course and provide RECO with confirmation of successful completion on or before April 15, 2024, and to provide proof of completion to RECO within 60 days of completion of the courses.

Successful completion of the RECO MCE Compliance and Ethics in Real Estate, Part 2 course and provide RECO with confirmation of successful completion on or before April 15, 2024, 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 (*REBBA 2002*).

The Agreed Statement of Facts and Penalty read:

AGREED STATEMENT OF FACTS AND PENALTY

It is agreed as follows:

1. Sorrab Alakoozai, (“Alakoozai”) is registered as a salesperson under the Real Estate and Business Brokers Act, 2002 (“Act”).
2. At all relevant times, Alakoozai was employed as a salesperson at Brokerage A (“Brokerage A”).
3. At all relevant times, Representative A, registered as Representative A (“Representative A”) was employed as a broker at Brokerage B. (“Brokerage B”).
4. Seller A (“the Seller”) was the owner of a property known municipally as 1-A Street, City A (the “Property”). The Seller retained the services of Brokerage B to list the Property for sale, with Representative A acting as the listing sales representative.
5. Alakoozai booked an appointment to view the Property, and an appointment was confirmed for December 13, 2021, between 9:00 p.m. and 9:30 p.m., (the “Showing”).
6. Following the Showing, the Sellers reviewed their home security video footage and discovered that Alakoozai's buyer accessed the lockbox, retrieved the key, and proceeded to enter the Property with two other people.
7. The Property was accessed without any face-covering, contrary to the showing protocols, which were in place at that time due to the Covid-19 pandemic.
8. Alakoozai allowed his buyer to attend the showing unsupervised and merely assisted with locking the door when Alakoozai's buyer had difficulty doing so.
9. None of the individuals that accessed the Property were registered with RECO.

SUMMARY OF AGREEMENTS

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

- A. Alakoozai facilitated unauthorized and/or unsupervised access to the Property by providing the lockbox code to a non-registrant and failing to attend the Property during the showing, contrary to sections 3 and 39 of the Code of Ethics.
- B. Alakoozai failed to ensure COVID-19 protocols were followed in accordance with the showing instructions, contrary to sections 3 and 39 of the Code of Ethics.

It is agreed that Alakoozai 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.

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

The Respondent understands and agrees to the following penalty:

To pay a fine of **\$6,500.00** on or before **April 15, 2024**.

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

| Course Title (Provider) | Completion date |
|-------------------------------------|------------------------|
| RECO MCE Compliance & Ethics Part 1 | April 15, 2024 |
| RECO MCE Compliance & Ethics Part 2 | April 15, 2024 |

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 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 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. SORRAB ALAKOOZAI is Ordered a Fine of \$6,500.00 payable to RECO on or before April 15, 2024.
2. SORRAB ALAKOOZAI is Ordered to successfully complete RECO MCE Compliance and Ethics in Real Estate course, Part 1 on or before April 15, 2024.
3. SORRAB ALAKOOZAI is Ordered to successfully complete RECO MCE Compliance and Ethics in Real Estate course, Part 2 on or before April 15, 2024

4. To provide proof of completion to RECO within 60 days of completion of the courses.

[Released: September 21, 2023]