



**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 -

LI LI (a.k.a KOBE LI)

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 \$ 5,000.00 payable to RECO on or before December 30, 2022.

Successful completion of the RECO's MCE: Compliance and Ethics in Real Estate, Parts 1 and 2 course and provide RECO with confirmation of successful completion on or before December 30, 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. Li Li also known as Kobe Li (“Li”) who is registered as a salesperson under the *Real Estate and Business Brokers Act, 2002* (“Act”). At all relevant times, Li was employed at the Brokerage A.
2. Representative A is the Complainant in this matter. Representative A was the Listing Representative employed at Brokerage B for a property located at 1 A Street, City A (“Property”).
3. Sellers A (“Sellers”) were the sellers of the Property.
4. On or about November 30, 2020, the Property was listed on the local multiple listing service (“MLS®”) by Brokerage B. An Offer Presentation date was set for December 7, 2020 and posted on MLS®.
5. On or about December 4, 2020, Li contacted Brokerage B to book a showing for his buyers to view the Property. A showing was scheduled for 9:30 a.m. on December 5, 2020 and a lockbox code was provided to Li. Li and his buyers attended the showing.
6. On or about December 6, 2020, between the hours of 4:30 – 5:00 p.m., Li attended the Property with his buyers. Li did not have a scheduled showing for this time slot. Li approached a salesperson that was completing another showing at the Property and advised that he had a lockbox code and would be conducting a showing after they were finished.
7. Li and his buyers entered the Property for approximately 10 minutes. The Sellers were outside in their vehicle and witnessed additional people that are believed to be known to Li’s buyers entering their property – although no showing was scheduled. The Sellers contacted their representative Lodwick regarding their observations.
8. Representative A contacted the salesperson that had the scheduled showing and came to learn that Li had approached her.
9. Li advised Representative A that he entered the Property without an appointment with his buyers as they were interested in making an offer on the Property. Li apologized for not having an appointment. Li stated that he was in the neighbourhood and saw that there were showings taking place and used the previously provided lockbox code that he received from the showing the day before to gain access to the Property.
10. On or about December 7, 2020, Li’s buyers made an offer on the Property. The offer did not succeed to be the accepted offer by the Sellers.

SUMMARY OF AGREEMENTS

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

- A. Li facilitated unauthorized entry to the Property by attending the Property with his buyers without a scheduled showing and used the lockbox code to gain entry to the Property, contrary to sections 3 and 39 of the Code of the Code of Ethics.

It is agreed that Li 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

LI LI (a.k.a. KOBE LI), the Respondent, be ordered to pay a penalty of \$5,000.00 on or before December 30, 2022.

In addition to the above penalty, the Respondent must enrol in the MCE Compliance and Ethics in Real Estate, Parts 1 & 2 course and provide proof of successful completion of the course on or before December 30, 2022.

By initials below, I, LI LI (a.k.a. KOBE LI), 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, LI LI (a.k.a. KOBE LI), 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, LI LI (a.k.a. KOBE LI), 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 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. LI LI (a.k.a. KOBE LI) is Ordered a Fine of \$5,000.00 payable to RECO on or before December 30, 2022.
2. LI LI (a.k.a. KOBE LI) is Ordered to successfully complete RECO's MCE Compliance and Ethics in Real Estate, Parts 1 & 2 course and provide RECO with confirmation of successful completion on or before December 30, 2022.

[Released: March 15, 2022]