

Tribunals Ontario

Tribunaux décisionnels Ontario

Licence Appeal Tribunal

Tribunal d'appel en matière de permis



**Citation: Brach v. Registrar, *Real Estate and Business Brokers Act, 2002*, 2021  
ONLAT REBBA 13121**

**Date: 2021-08-12**

**File Number: 13121 REBBA**

Appeal from a Proposal of the Registrar under the *Real Estate and Business Brokers Act, 2002*, to Revoke the Registration of the Salesperson under the Act.

Between:

**Baldeep Brach**

**Appellant**

and

**Registrar, *Real Estate and Business Brokers Act, 2002***

**Respondent**

**CONSENT ORDER**

**Order Made By:** Marisa Victor, Member

**Date of Order:** August 12, 2021

## BACKGROUND

- [1] The Registrar, *Real Estate and Business Brokers Act, 2002* ("Registrar") proposed to Revoke the registration of Baldeep Brach (the "Appellant") as a salesperson, on the grounds that his past conduct afforded reasonable grounds for belief that he would not carry on business in accordance with the law, and with integrity and honesty. The Appellant appealed the Notice of Proposal issued by the Registrar, dated January 13, 2021.
- [2] The parties have advised the Tribunal that they were able to agree upon a settlement of all outstanding issues in this matter and prepared minutes of settlement. The parties have requested that the terms of settlement be incorporated into a consent order disposing of this proceeding.
- [3] Executed minutes of settlement shall be provided to the Tribunal on or before August 9, 2021.

## ORDER AND DIRECTION

- [4] Accordingly, on the consent of the parties and upon having reviewed the agreement signed by the Appellant and the Registrar, the Tribunal, pursuant to subsection 14(5) of the *Real Estate and Business Brokers Act, 2002* directs and orders:
  - a. The Registrar shall carry out the Notice of Proposal with a suspension of the Appellant's registration for six months commencing 10 business days from the date of this Order.
  - b. The Appellant shall successfully complete the REGO Mandatory Continuing Education elective courses "Compliance and Ethics in Real Estate, Parts 1 and 2," within three months of this Order.
- [5] The proceedings in this matter are concluded and disposed of without a hearing on the basis of the terms set out above.

**LICENCE APPEAL TRIBUNAL**



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**Marisa Victor, Member**

**Released: August 12, 2021**

**In a Matter Before the Licence Appeal Tribunal**

BETWEEN

**Baldeep Brach**

Appellant

- and -

**Registrar, *Real Estate and Business Brokers Act, 2002***

Respondent

**MINUTES OF SETTLEMENT**

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**WHEREAS** the Respondent issued a Notice of Proposal to Revoke the registration of the Appellant as a salesperson dated January 13, 2021;

**AND WHEREAS** the Appellant filed a Notice of Appeal dated January 27, 2021, (received by the Licence Appeal Tribunal ("Tribunal") on January 28, 2021), to request a hearing before the Tribunal to contest the Notice of Proposal;

**AND WHEREAS** the parties have engaged in discussions aimed at attempting to resolve the dispute without a hearing;

**NOW THEREFORE** the parties have agreed that this matter be resolved as set out below:

1. The Appellant's registration with the Real Estate Council of Ontario (RECO) shall be suspended for six (6) months by Order of the Tribunal, with such suspension to begin on the date 10 (ten) business days after the Tribunal issues its Order;
2. The Appellant shall not engage in any trade (as defined in subsection 1(1) of the Act), or any action in furtherance of a trade during the suspension period for which remuneration would be paid at the conclusion of the suspension period. In addition, the Appellant agrees not to engage in any new trades during the 10 business day period after the date of the Order and before the suspension commencement date.
3. Within three (3) months of the issuance of the Tribunal's Order, the Appellant shall successfully complete the RECO Mandatory Continuing Education elective courses "Compliance and Ethics in Real Estate, Parts 1 and 2", offered online.
4. Subject to the agreement of the Tribunal, the Order of the Tribunal will be in the form attached hereto as Appendix A.
5. Nothing in this agreement or the Order of the Tribunal arising out of this agreement restricts in any manner the ability of the Registrar to commence or take any further action pursuant to the *Real Estate and Business Brokers Act, 2002* based on any information, deficiency or event that may come to the Registrar's attention for the first time after the execution of

these Minutes of Settlement. The Registrar shall not commence or take any further action pursuant to the *Real Estate and Business Brokers Act, 2002* based solely on any information, deficiency or event that is within the Registrar's knowledge and/or attention up to and including the date of the execution of these Minutes of Settlement.

6. The Appellant acknowledges that he has read and understood the terms of these Minutes of Settlement and confirms that he has obtained or had the opportunity to obtain independent legal advice with respect to the content of these Minutes of Settlement.
7. These Minutes of Settlement may be executed in counterparts and a faxed or scanned copy shall be considered valid and binding.

EXECUTED BY:

**BILL BRACH**

Aug-06-2021 | 4:18 PM EDT

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**Baldeep Brach**  
Reg. No. 4718127

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**Date**



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**Joseph Richer**  
Registrar  
Real Estate and Business Brokers Act, 2002



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**Date**

## Appendix A - Form of Order

### BACKGROUND

1. The Registrar, *Real Estate and Business Brokers Act, 2002* ("Registrar") proposed to Revoke the registration of Baldeep Brach (the "Appellant") as a salesperson, on the grounds that his past conduct afforded reasonable grounds for belief that he would not carry on business in accordance with the law, and with integrity and honesty. The Appellant appealed the Notice of Proposal issued by the Registrar, dated January 13, 2021.
2. The parties have advised the Tribunal that they were able to agree upon a settlement of all outstanding issues in this matter and prepared minutes of settlement. The parties have requested that the terms of settlement be incorporated into a consent order disposing of this proceeding.
3. Executed minutes of settlement shall be provided to the Tribunal on or before August 9, 2021.

### ORDER AND DIRECTION

4. Accordingly, on the consent of the parties and upon having reviewed the agreement signed by the Appellant and the Registrar, the Tribunal, pursuant to subsection 14(5) of the *Real Estate and Business Brokers Act, 2002* directs and orders:
  - a. The Registrar shall carry out the Notice of Proposal with a suspension of the Appellant's registration for six months commencing 10 business days from the date of this Order.
  - b. The Appellant shall successfully complete the REGO Mandatory Continuing Education elective courses "Compliance and Ethics in Real Estate, Parts 1 and 2, within three months of this Order.
5. The proceedings in this matter are concluded and disposed of without a hearing on the basis of the terms set out above.