



Citation: Mann v. Registrar, Real Estate and Business Brokers Act, 2002, ONLAT REBBA 13019

Date: 2021-04-01
File Number: 13019/REBBA

Appeal from a Notice of Proposal under the *Real Estate and Business Brokers Act 2002*, S.O. 2002, c. 30, Sch. C, to Revoke Registration and Refuse Registration

Between:

Kabul Singh Mann

Appellant

and

Registrar, Real Estate and Business Brokers Act

Respondent

CONSENT ORDER

ADJUDICATOR **Stephen Scharbach, Member**

APPEARANCES:

For the Appellant: J. Ivan Marini, Counsel

For the Respondent: Jay Blair, Counsel,

Held by Teleconference: March 25, 2021

BACKGROUND

1. Kabul Singh Mann (“appellant”) appeals a Notice of Proposal issued by the Registrar under the *Real Estate and Business Brokers Act, 2002*, S.O. 2002, c. 30, Sch. C (the “Act”) dated November 13, 2020.
2. The Registrar proposes to revoke the appellant’s registration as a salesperson under the Act on the grounds that:
 - a. his past conduct provides reason to believe that he would not carry on business in accordance with the law, and with integrity and honesty; and
 - b. he made false statements in an application for renewal of registration.
3. 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 signed by the parties. The parties jointly request that the terms of settlement be incorporated into a consent order disposing of this proceeding.
4. Accordingly, on the consent of the parties and upon having reviewed the Minutes of Settlement 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 the following.

ORDER

5. The Registrar shall carry out the Notice of Proposal to revoke the appellant’s registration.
6. The parties agree that the appellant shall be entitled to apply for reinstatement of registration one year after the date of this Order, subject to the following conditions:
 - a. Upon applying for reinstatement of registration, the appellant will provide the Registrar with an original Criminal Record and Judicial Matters Check in support of the application.
 - b. Before applying for reinstatement of registration, the appellant shall successfully complete the Adult Anger Management Program (CAMP) offered by the John

Howard Society of Hamilton, Burlington & Area or, if the CAMP program is not available, the appellant shall successfully complete an equivalent anger management course consisting of at least twenty (20) hours of counselling and/or group counselling with attendance in person, COVID-19 restrictions permitting.

- c. The appellant shall successfully complete the necessary Mandatory Continuing Education (MCE) courses before applying for reinstatement of registration.
7. The parties acknowledge and agree that non-compliance with any of the conditions above may result in action by the Registrar, including a proposal to refuse registration under the Act,
8. The parties further acknowledge and agree that this settlement does not preclude the Registrar from evaluating the appellant's application for reinstatement of registration on its merits under sections 10 and 13 of the *Real Estate and Business Brokers Act, 2002* or its successor legislation.
9. The proceedings in this matter are concluded and disposed of without a hearing on the basis of the terms set out above and this Tribunal file shall be closed.

LICENCE APPEAL TRIBUNAL



Stephen Scharbach, Member

Released: April 1, 2021