
**IN THE MATTER OF A DISCIPLINE PROCEEDING 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 -

KHURRAM AZIZ

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 4 and 21(1) of the *REBBA 2002* Code of Ethics.

ORDER: Fine of \$9,000.00 payable to RECO not later than July 13, 2026 (not later than 180 days after the date of the Decision of the Discipline Committee in this matter).

Successful completion of "Introduction to TRESA" course and provide RECO with confirmation of successful completion not later than 180 days after the date of the Decision of the Discipline Committee in this matter, and to provide proof of completion to RECO within 60 days of completion of the course.

WRITTEN REASONS: *attached*



Lucy Aita
Chair, Discipline Committee (*REBBA 2002*)

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. At all relevant times, Aziz was employed at the brokerage Homelife Miracle Realty Ltd. ("Miracle").
2. At all relevant times, Aziz was the designated buyer representative for Sophiya D'Souza (the "Buyer").
3. At all relevant times, Zana Jalal ("Jalal"), was employed as a salesperson with Re/Max Twin City Realty Inc. and represented the seller. Jalal listed 308A Bluevale Street North, Waterloo, Ontario (the "Property") for sale on a local real estate board listing service. The property is a unit in a condominium.
4. On or about August 23, 2023, Jalal obtained a status certificate on behalf of the seller. The listing for the Property indicated that the status certificate was available upon request.
5. On or about August 29, 2023, the seller, represented by Jalal entered an Agreement of Purchase and Sale (the "APS") to sell the property to the Buyer, represented by Aziz, for the price of \$565,000.00 with a deposit of \$30,000.00 and a closing date of October 10, 2023. The APS did not include a clause making the agreement conditional on the seller providing a status certificate satisfactory to the Buyer's legal counsel.
6. On or about September 25, 2023, at about 4:30 p.m., Aziz sent Jalal an email asking for the status certificate at the earliest opportunity, for the buyer's lawyer to review.
7. On or about September 25, 2023, at 11:27 p.m., Aziz sent the Buyer's lawyer an email with a copy of the status certificate. The status certificate indicated the following:

"Due to the legal application launched against the Corporation, the Board of Directors will be levying a special assessment. The legal

fees, costs of agreement and disbursements for the application total \$105,657.91 to date. The Condominium's new management company, Wilson Blanchard, will notify owners when the special assessment is levied and payment options as outlined in the attached budget. It is expected that this will be happening in the early fall of 2023."

8. On or about May 31, 2024, the condominium corporation notified the Buyer of the special assessment for the Property. The Buyer learned that she had to pay an additional \$31,285.46 for the special assessment.

SUMMARY OF AGREEMENTS

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

- A. Aziz failed to protect the best interest of their buyer client by failing to recommend to their buyer client to include a clause making the APS conditional on the seller providing a status certificate and by failing to seek a status certificate for review by the buyer client's lawyer before making an unconditional offer, contrary to sections 4 and 21(1) of the Code of Ethics.
- B. It is agreed that Aziz failed to comply with the following sections of the Code of Ethics:

Best interests

4. A registrant shall promote and protect the best interests of the registrant's client.

Material facts

21. (1) A broker or salesperson who has a client in respect of the acquisition or disposition of a particular interest in real estate shall take reasonable steps to determine the material facts relating to the acquisition or disposition and, at the earliest practicable opportunity, shall disclose the material facts to the client.

AGREED PENALTY

The Respondent, Aziz, understands and agrees to the following penalty:

To pay a fine of **\$9,000.00 (nine thousand dollars)** to RECO not later than 180 days after the date of the Decision of the Discipline Committee in this matter i

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

Course Title (Provider)	Completion date
Introduction to <i>TRESA</i> – RECO Course	Not later than 180 days after the date of the Decision of the Discipline Committee in this matter.

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

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 4 and 21(1) 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. AZIZ, Khurram is ordered to pay a fine in the amount of \$9,000.00 (nine thousand dollars), payable to RECO, not later than 180 days after the date of the Decision of the Discipline Committee in this matter.
2. AZIZ, Khurram is ordered to successfully complete the “Introduction to TRESA – RECO Course”, not later than 180 days after the date of the Decision of the Discipline Committee in this matter, and to provide proof of completion to RECO within 60 days of completion of the course.

Released: January 12, 2026