

**IN A MATTER BEFORE THE DISCIPLINE COMMITTEE OF THE REAL ESTATE COUNCIL OF
ONTARIO**

BETWEEN

REAL ESTATE COUNCIL OF ONTARIO (“**RECO**”)

Applicant

AND

JOSEPHINE ANNA LENNON
registered as JOSEPHINE LENNON (“**Lennon**”)

Respondent

ALLEGATION STATEMENT

WHEREAS the respondent, Lennon, is registered as a salesperson under the *Trust in Real Estate Services Act, 2002* (“**Act**”);

AND WHEREAS section 20 of the Act provides that if the Registrar is of the opinion, whether as a result of a complaint or otherwise, that a registrant has contravened any provision of the Act or of a regulation under the Act, the Registrar may refer the matter in whole or in part to the Discipline Committee of RECO (“**Discipline Committee**”);

AND WHEREAS section 21 of the Act provides that the Discipline Committee shall hear and determine whether a registrant has contravened any provision of the Act or of a regulation under the Act;

THEREFORE, take notice that pursuant to section 20 of the Act, the Registrar hereby refers this matter to a hearing before the Discipline Committee based on the allegations set out herein.

A. PARTICULARS

It is alleged as follows:

1. At all relevant times, Lennon was employed at Brokerage A (“Brokerage A”).
2. Seller A (the “Seller”) was the seller of a property located at Property A, City A (the “Property”). Representative A (the “Seller’s Representative”) is the seller’s representative for the Property.
3. On or about January 1, 2025, an Agreement of Purchase and Sale (“APS”) for the Property was accepted by the Seller and Lennon’s buyer-client(s). The APS included, *inter alia*, a completion date of January 31, 2025, and three (3) 1-hour visits to the Property at a mutually agreeable time and 24-hour notice was provided.
4. On January 10, 2025, Lennon scheduled the 1st 1-hour visit to the Property on behalf of their buyer-clients to take place on January 14, 2025. This was confirmed by the Seller’s Representative.
5. On January 14, 2025, Lennon sent contractor(s) to the Property to obtain a quote for a shower renovation – no consent was requested and/or obtained from the Seller and/or the Seller’s Representative prior to arranging to have contractors attend the Property. The contractors were provided access by the Condominium Manager (“CMPM”) at the Property.
6. The Seller advises that they came to learn of the January 14, 2025 unauthorized access at the Property after receiving two (2) separate quotes/invoices from the contractors that attended the Property. Lennon provided the quotes to the Seller and/or the Seller’s Representative to request compensation for their buyer-client(s) regarding water damage that was alleged to have been concealed during showings at the Property.
7. Lennon, in their response to RECO, advises they requested the assistance of the CMPM to attend with their buyer-clients as they knew the CMPM had access to the Property. Lennon confirms they were not in attendance on the January 14, 2025.

B. SUMMARY OF ALLEGATIONS

It is alleged that Lennon failed to comply with the Act and/or Regulations as follows:

- A. Lennon facilitated unauthorized and/or unsupervised access to the Property by requesting the CMPM to provide access and accompany their buyer-clients at the Property without a scheduled appointment and without the consent of the Seller and/or Seller's Representative, contrary to sections 1, 2 and 3 of the Code of Ethics, O. Reg. 365/22 and section 22.5 of the General Regulation, O. Reg. 567/05.

It is alleged that Lennon failed to comply with the following sections of the Code of Ethics:

Integrity, honesty, good faith, etc.

1. In carrying on business, a registrant shall act with courtesy, honesty, good faith and integrity in relation to every person the registrant deals with.

Unprofessional conduct, etc.

2. A registrant shall not engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as,

- (a) being disgraceful, dishonourable, unprofessional or unbecoming a registrant; or
- (b) likely to bring the sector into disrepute or to undermine public confidence the regulation of registrants under the Act.

No counselling contraventions

3. A registrant shall not counsel, advise or knowingly assist a person to contravene the Act, the regulations or any other law that is applicable to a trade in real estate or that is relevant to carrying on a registrant's business.

It is alleged that Lennon failed to comply with the following sections of the General Regulation:

Protection of property

22.5 In carrying on business, a registrant shall not provide any person with access to real estate unless,

- (a) a registrant is present with the person; or
- (b) the owner of the real estate has consented in writing.

C. APPLICATION OF THE STATUTORY POWERS PROCEDURE ACT

The *Statutory Powers Procedure Act*, R.S.O. 1990, Chapter S.22 (“**SPPA**”), as amended, applies to matters before the Discipline Committee. Section 8 of the SPPA provides as follows:

8. Where the good character, propriety of conduct or competence of a party is an issue in a proceeding, the party is entitled to be furnished prior to the hearing with reasonable information of any allegations with respect thereto.

RECO states that propriety of conduct or competence shall be an issue in the hearing and RECO has provided herein information of the allegations with respect thereto.

D. FURTHER PARTICULARS / ALLEGATIONS

RECO may send further or other particulars or allegations relevant to this matter or the allegations set out herein. RECO may rely upon such other matters that arise during a hearing of this complaint and that the Discipline Committee sees fit to consider.

Lisa Key, Registrar (Interim)
Trust in Real Estate Services Act, 2002

Date: January 9, 2026