

**IN THE MATTER OF
REAL ESTATE COUNCIL OF ONTARIO (“RECO”)**

AND

VICTOR NUNO DOMINGUES [registered as VICTOR DOMINGUES]

ALLEGATION STATEMENT

WHEREAS the Registrar has received a complaint and the matter involves the conduct of Victor Nuno Domingues, registered as Victor Domingues (“Domingues”), who at all relevant times was registered as a broker under the *Real Estate and Business Brokers Act, 2002* (“Act”), and who is currently registered under the *Trust in Real Estate Services Act, 2002*;

AND WHEREAS section 16 of the Discipline Committee regulation, O Reg 367/22, provides that the Act and the Code of Ethics, O Reg 580/05 (“Code of Ethics”) continue to apply to any matter in respect of which the facts giving rise to the matter occurred before the transition date, being December 1, 2023;

AND WHEREAS section 19 of the Act provides that in handling complaints, 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 if a registrant has failed to comply with the Code of Ethics;

THEREFORE, take notice that pursuant to section 19 of the Act, the Registrar hereby refers this matter to the Discipline Committee based on the allegations set out herein.

A. PARTICULARS

It is alleged as follows:

1. At all relevant times, Domingues was employed as the broker of record at Brokerage A (the “**Buyers’ Brokerage**”).

2. At all relevant times, Seller A and Seller B (collectively the “**Sellers**”) were the sellers of the subject property located at Street A in City A, Ontario (the “Property”).
3. At all relevant times, Representative A (“**Sellers’ Representative**”) was a salesperson with Brokerage B (the “**Sellers’ Brokerage**”).
4. On or about May 3, 2023, the Sellers entered into a seller representation agreement with the Sellers’ Brokerage, with Representative A as the sellers’ primary representative.
5. On or about May 5, 2023, the Sellers’ Representative listed the Property onto the local real estate board listing service for \$759,900.
6. On or about May 6, 2023, Domingues submitted an offer on their own behalf for the Property for \$725,000 (the “First Offer”). The First Offer was conditional on obtaining financing.
7. On or about May 6, 2023, the Sellers’ Representative sent out a message via Brokerbay to all interested parties that an offer had been registered on the Property and that offers would be presented to the Sellers on May 8, 2023.
8. On or about May 8, 2023, Domingues submitted an improved offer for the Property for \$760,000 (the “Improved Offer”). The Improved Offer was also conditional on obtaining financing.
9. On or about May 8, 2023, the Sellers accepted Domingues’ Improved Offer. The parties agreed to a completion date of June 8, 2023, and agreed to allow Domingues to visit the Property three (3) further times before the closing date.
10. On or about May 11, 2023, the completion date was amended to June 1, 2023.
11. Domingues requested his first buyer visit for May 13, 2023, at 1:00 PM, which the Sellers approved.
12. Domingues requested a second buyer visit for May 20, 2023, at 1:00 PM, which was also approved by the Sellers.
13. On or about May 25, 2023, the Sellers discovered unauthorized changes at the property, including the addition of furniture, a barbeque setup and various landscaping and planting.

14. On or about May 29, 2023, Domingues requested access to the Property for the third visit. The Sellers' Representative responded to Domingues' request and advised that the Sellers declined to allow a third revisit.
15. Following receipt of the message from the Sellers' Representative, Domingues communicated in an aggressive and unprofessional manner towards the Sellers' Representative.
16. On or about May 30, 2023, Domingues continued communicating in an unprofessional and abusive manner, including contacting the Sellers directly, demanding access to the property and threatening to not close the transaction if the visit was not granted.
17. The Sellers ultimately allowed Domingues to return to the Property for the third visit because of the threatening behaviour of Domingues.
18. On or about June 1, 2023, the sale of the Property was completed.
19. The Sellers allege that Domingues's behaviour caused them significant stress, especially given their elderly status and compromised health conditions.

B. SUMMARY OF ALLEGATIONS

It is alleged that DOMINGUES failed to comply with the Code of Ethics as follows:

- A. Domingues made unauthorized changes to the Property and acted unprofessionally during the course of the trade by misusing buyer visits to conduct gardening and leave personal belongings on the Property, demonstrating a lack of honesty and integrity in their dealings with the Sellers, contrary to Sections 3, 38 and 39 of O. Reg. 365/22 Code of Ethics.
- B. Domingues, during the course of a trade in real estate, communicated with the Sellers and their representative in a manner that was threatening and abusive, contrary to sections 39 and 40 of O. Reg. 365/22 Code of Ethics.

It is alleged that DOMINGUES failed to comply with the following sections of O. Reg. 365/22 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.

Error, misrepresentation, fraud, etc.

38. A registrant shall use the registrant's best efforts to prevent error, misrepresentation, fraud or any unethical practice in respect of a trade in real estate.

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.

Abuse and harassment

40. A registrant shall not abuse or harass any person in the course of trading in real estate.

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 the Tribunal. 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 of ethical conduct 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