

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

BETWEEN

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

Applicant

AND

BAY STREET GROUP INC.

Respondent

AND

WEI HUANG registered as VICKY HUANG

Respondent

ALLEGATION STATEMENT

WHEREAS the respondent Bay Street Group Inc., (“**BSG**”) is registered as a brokerage under the *Trust in Real Estate Services Act, 2002* (“**Act**”) and the respondent Wei Huang, registered as Vicky Huang (“**Huang**”) is registered as a broker under the 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, Huang was employed at the brokerage BSG as the Broker of Record.
2. At all relevant times, Representative A ("**Representative A**") was employed at BSG.
3. On or about March 5, 2024, Representative A entered into a representation agreement on behalf of BSG for the lease of a property located at Street A, City A, Ontario (the "**First Property**").
4. On or about April 2, 2024, Representative A's RECO registration lapsed after failing to complete the required continuing education courses.
5. On or about April 3, 2024, at approximately 4:00am, Representative A was sent an automated email from RECO informing Representative A that Representative A's license was terminated. The email stated:

"YOU MUST NOT TRADE IN REAL ESTATE WHILE UNREGISTERED. Trading in real estate without registration is an offence under TRESA."
6. On or about April 22, 2024, Representative A, who continued to trade in real estate despite termination of registration, received a firm offer to lease on the First Property. The transaction closed on June 1, 2024, and Representative A received a commission payment of \$991.57, paid from BSG to Representative A.
7. On or about August 1, 2024, Representative A entered into a representation agreement on behalf of BSG for the lease of a property located at Street B, City B, Ontario (the "**Second Property**").
8. On or about August 19, 2024, Representative A entered into a representation agreement on behalf of BSG for the lease of a property located at Street C, City C, Ontario (the "**Third Property**").
9. On or about August 29, 2024, Representative A called RECO to inquire about paying for RECO insurance. During the call, Representative A was advised that Representative A's registration was terminated and was not currently registered. Representative A was advised that

Representative A's registration was terminated on April 2, 2024, and as such, Representative A would have to submit a reinstatement application. Representative A was cautioned twice in the call that Representative A should not be trading, and Representative A was advised how to submit for reinstatement.

10. On or about September 26, 2024, RECO became aware that Representative A had listed the Second Property from a phone call received by a RECO client services representative.
11. On or about September 26, 2024, Representative A applied for reinstatement. RECO requested a letter from Huang, as the broker of record for BSG, to inquire whether Representative A had traded since Representative A's registration lapsed.
12. In a letter dated September 30, 2024, Huang stated that Representative A had not traded since April 2, 2024 (the "**No Trade Letter**").
13. On or about October 2, 2024, Representative A received a firm offer on the Second Property. The transaction closed on or about October 11, 2024, and Representative A received a commission payment of \$1,129.59, paid from BSG to Representative A.
14. On or about October 30, 2024, a RECO compliance officer sent Huang an email requesting clarification about the No Trade Letter and why Representative A had been trading despite not being registered.
15. On or about October 30, 2024, Huang provided RECO with a response, stating that the issue arose due to a misunderstanding from a staff member. Huang further explained that a human resource staff member typically verifies that an agent has not conducted any transaction following the expiration of their RECO license, however, in this instance the information provided to Huang regarding whether Representative A was trading was incorrect. This led Huang to sign the No Trade Letter which contained false information.
16. BSG removed Representative A's listing for the Third Property and removed Representative A's ability to further trade in real estate.

B. SUMMARY OF ALLEGATIONS

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

- A. BSG failed to ensure that every salesperson and broker that the brokerage employs is carrying out their duties in compliance with the Act, contrary to section 26.
- B. BSG employed and paid commission to an unregistered person who was performing functions for which registration is required, contrary to section 30(b) and 30(c).

It is alleged that BSG failed to comply with the following sections of the Act:

Duty of brokerage

26. A brokerage shall ensure that every salesperson and broker that the brokerage employs is carrying out their duties in compliance with this Act and the regulations.

Restrictions re: employees

30. No brokerage shall,

- (b) employ an unregistered person to perform a function for which registration is required; or
- (c) pay any remuneration to a person referred to in clause (a) or (b), except if otherwise provided for in the regulations and in accordance with the regulations.

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

- C. Huang failed to ensure that BSG complied with the Act and its regulation with respect to employing and paying remuneration to an unregistered person performing a function for which registration is required, contrary to section 12 of the Act and contrary to sections 2(b) and 16(2) of the Code of Ethics, O.Reg. 365/22.

It is alleged that Huang failed to comply with the following sections of the Act:

Duties

(2) The broker of record shall ensure that the brokerage complies with this Act and the regulations.

It is alleged that Huang failed to comply with the following sections of the Code of Ethics, O. Reg 365/22:

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,

(b) likely to bring the sector into disrepute or to undermine public confidence the regulation of registrants under the Act.

Duty to ensure compliance

16. (2) The broker of record of a brokerage shall ensure that the brokerage complies with this Regulation.

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