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Clerk: Todd Decker

Président : L'honorable Ted Arnott  
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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 25 November 2019

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 25 novembre 2019

*Report continued from volume A.*

TRUST IN REAL ESTATE  
SERVICES ACT, 2019

LOI DE 2019 SUR LA CONFIANCE  
ENVERS LES SERVICES IMMOBILIERS

Mr. Calandra, on behalf of Ms. Thompson, moved second reading of the following bill:

Bill 145, An Act to amend the Real Estate and Business Brokers Act, 2002 / Projet de loi 145, Loi modifiant la Loi de 2002 sur le courtage commercial et immobilier.

**The Acting Speaker (Mrs. Lisa Gretzky):** To the government House leader.

**Hon. Paul Calandra:** I'll be sharing my time with the Minister of Government and Consumer Services.

**The Acting Speaker (Mrs. Lisa Gretzky):** I recognize the Minister of Government and Consumer Services.

**Hon. Lisa M. Thompson:** Speaker, you can see here tonight that we're very much a good team working together to make sure that we bring in important legislation that is making a difference for Ontarians across this province. I'm pleased that I'll be sharing my time as well, this evening, with my parliamentary assistant, the member of provincial Parliament for Sarnia-Lambton.

Let's talk about trust in real estate services. Our government has introduced the Trust in Real Estate Services Act, 2019, a bill that, if passed by this Legislature, would bring a much-needed update to the Real Estate and Business Brokers Act. At the real estate round table in my riding that was hosted a month ago or so in Wingham, it was noted very clearly that it was time for an update. There was even a gentleman there, a real estate professional from Walkerton, Michael McIntee. He had actually worked on the REBBA legislation, and he himself led the discussion as to why legislation that's been around for 20 years needed to be updated. Everyone, not only at that round table but across the province, is actually in tune and agrees that, yes, indeed, it's time for the modernization of real estate services.

The act, if this bill passes, will do a few things. It will increase consumer confidence, it will enhance standards for real estate professionals and brokerages, and it will provide additional flexibility, Speaker, to keep pace with the modern marketplace. These changes will allow consumers to have confidence that the industry is being operated professionally and with accountability. Making sure that real estate agents and professionals and brokerages are trusted and ethical is very much essential to

giving consumers confidence in this fast-paced marketplace.

Given the changes to the real estate industry, technology and regulatory practices over the past two decades, it's essential that the rules for real estate brokerages and professionals reflect contemporary business practices. Mr. Speaker, a large part of this bill, if passed, will ensure that modern tools, such as administrative penalties, will be available to the Real Estate Council of Ontario, known as RECO, to enhance its effectiveness in regulating the profession.

Making sure that real estate professionals and brokerages are trusted and ethical is essential to giving consumers confidence in the marketplace when they're making what could be, perhaps, the largest investment and purchase of their lives.

The proposed amendments of this act reflect on feedback that we heard from 7,000 consumers and real estate professionals. If passed, the government remains committed to continuing to consult. That's so, so important, Speaker. If this particular piece of legislation passes, we're going to keep talking, we're going to keep listening and we're going to make sure that we did it right, because we heard loud and clear that consumers want to have trust and accountability in the real estate profession. I can tell you that the professionals in this industry want it as well. There are good people in this particular industry and sector, and we just want to stand with them and demonstrate loud and clear that we have heard and recognize the threads that tie both consumers and real estate professionals together in this regard.

**1800**

**Mr. Will Bouma:** Well said, Lisa.

**Hon. Lisa M. Thompson:** Thank you very much.

And I might ask for two glasses of water at this time, as well. Thank you.

It's a pleasure to stand and speak in the House and kick off the second reading debate. If this bill passes, we will be amending the Real Estate and Business Brokers Act, 2002. It was known as REBBA, Speaker. REBBA sets out the rules that govern Ontario's real estate professionals, including salespeople and brokers and the brokerages that employ them. These rules are in place to help protect consumers and to ensure real estate brokerages, as well as the professionals that work within them, conduct themselves ethically while they are doing their business, most importantly.

The administration and the enforcement of the act will continue to be delegated to the Real Estate Council of Ontario, a self-funded administrative authority.

Mr. Speaker, I know that real estate is an area that many of us can relate to, and I know we can all agree in this House that having trust when you're buying or selling a house is critically important. I think everyone wants to be confident that the person they are dealing with on something so emotionally and financially important is ethical and knowledgeable and that there are strong and effective government rules and enforcement to backstop them.

Before I get too far into the debate, I want to take a moment to thank my ministry officials, who have worked so tirelessly to put this together. It's a very comprehensive bill, and a lot of effort has gone into this, both in drawing the legislation together as well as working with the industry. I really appreciate seeing some from the industry present here this evening. I thank you for that.

Mr. Speaker, when I first came to the Ministry of Government and Consumer Services, reforming REBBA was one of the most important tasks that we set our minds to. As I'll discuss a bit later, the financial and emotional attachment that we have to real estate and to our homes is intense. We felt it amongst ourselves as we talked about this internally, and it was very clear in our consultation as well.

We often talk about nest eggs and dream homes and fixer-uppers. These are terms of endearment as well as investment. They are our present as well as our future. Whether we have bought or sold a home, bought property for a business or even owned a farm, most of us will be participants in a real estate transaction at some point in our lives. It's somewhat of a rite of passage, I suppose you could say, owning or leasing property, and what a rite of passage it is. It's important, as the Ontario government, that we make sure we build that trust and that accountability, because it's so important to everyone in this province, from one corner to another.

Speaker, clichés stand over time because they ring true through the years. The cliché that buying a home is the biggest investment that most of us will ever make is very fitting right now. Whether you happen to be buying property in a red-hot market like Toronto or you're selling a farm in Huron-Bruce, there aren't too many of us who will make a bigger decision in our lifetime.

Across Ontario, actually, and across much of Canada, real estate has been hot. For example, from 2005 to 2015, Statistics Canada data shows that the total value of all homes, all residential property in Ontario, doubled to more than \$2 trillion. While we've all read about the various ebbs and flows in the market, we know that it's a massive amount of money, especially by comparison, when the Bank of Canada data shows that the rate of inflation over that same period was just 20%.

I mention this not as a short lesson in economics, but to show that there has been a significant increase in property values. Likewise, commercial property, particularly in Toronto, is a hot commodity. Good economic conditions, including low unemployment and strong growth, have led to higher commercial property prices across Canada, especially in Toronto and Vancouver. According to a study released earlier this year by real estate brokerage Avison

Young, Toronto had North America's lowest commercial property vacancy rates. Likewise, an April study by commercial real estate firm Colliers International shows that downtown Toronto vacancy rates are only 1.1%, with a 12% increase in the year-over-year asking rates for rent.

Where there's more money, there's more competition, and that is really the crux of the issue and the source of our need to amend the Real Estate and Business Brokers Act, to update it with the modern realities of the real estate market today. We want to envision, as best we can, ways to adapt to an ever-changing and more competitive market. Sometimes, at the end of a long day at breakneck speed, I'm sure people wonder how much faster and how much more intense life can get. Usually, the answer is only a text message away. More competition, just not for individual properties, but honestly, we are seeing more competition all the time. It's in the headlines in the news, and we see it in our social media feeds. We've seen reports about the spiralling costs of homes with multiple offers. But the amount of competition from the real estate professionals looking to service that market has transformed the industry.

It's interesting, because REBBA passed through this House nearly 20 years ago, and when it did, I can't imagine that the members in this House who were here at that time—I don't think that they, either, could have imagined or anticipated the changes in technology and consumer behaviour we see today. This is something we've heard from multiple sources.

Shortly after becoming the Minister of Government and Consumer Services, I heard from consumers, real estate professionals and other interested parties about an urgent need to update the act. Like I mentioned, Michael McIntee, from Walkerton, at our round table in Wingham was the first one to stand up and say, "This needs to be updated."

I heard about a growing sense of unease in the industry about the huge sums of money being exchanged, and I must say, I also heard about the increasing motivation and effort by some to get around the rules designed to ensure ethical conduct in the industry. What's more, I heard about many of these same issues from consumers who spoke up about the real estate industry in Ontario, and I think that's telling.

We heard about the same issues from both the consumers and the real estate professionals in terms of what wasn't working and how we need to update to reflect the modern market. This is particularly telling, because the honest, ethical, hard-working professionals in the real estate industry want to ensure the reputation of the majority is not tarnished by a few bad actors. We've heard about them in the paper, but one person or a handful of people should not taint an entire industry, people who are very close and who work very well with their consumers. They could be family, they could be friends, they could be neighbours that they work with, and they've done an amazing job over the last 20 years. I applaud them and their efforts to make sure that the legislation that we're working on right now not only reflects the realities of

today, but also takes into consideration how the market is going to evolve as well.

In terms of the consultation, I heard a theme over and over again, not only in the consultations, but also in the letters from Ontarians, from stakeholders both at the provincial and local level. In short, I think we're going to hit the ball out of the park with this particular piece of legislation. We've got this. We've got this because, again, we've consulted from one corner of this province to another. I think the proposals in the Trust in Real Estate Services Act, 2019, will be in the best interest of everyone involved in the industry, as well as the consumers who rely on it.

Our proposals in this bill have five primary goals. First of all, we want to improve consumer protection and choice by enabling regulatory changes to improve the information consumers receive about what a real estate professional and brokerage must do for them. Through regulations, we could, for example, look at requirements for consumers to be given a guide about consumer relationships. This clarity is critically important. Consumers should always know who a professional is representing or serving in a transaction, and what their rights, responsibilities and options are.

#### 1810

We heard during the consultations that consumers are often confused about what it means to be a customer versus a client. I'm going to repeat that: We heard loud and clear during consultations that consumers were often confused about what it meant to be a customer versus a client of a brokerage.

A "client" is someone who has entered into a representation agreement with a brokerage, and the registrant is required to promote and protect the client's best interests, while a "customer" is owed limited obligations, such as to be treated with fairness, honesty and integrity. Because the differences between the two categories are not clear, some customers may be under the mistaken impression that a salesperson or broker of the brokerage they are working with owes them a higher level of obligation. This legislation will address that.

More specifically, to address this confusion, we are proposing to eliminate the current "customer" category and enhance disclosures to clarify the different options available to consumers, and what real estate professionals and brokerages must do for them.

This bill would also enable regulatory changes to give consumers more choice in the purchase and sale process by permitting real estate professionals and brokerages to disclose details of competing offers at the seller's choosing. This is very important. Again, it shows how we're listening and how we're understanding the direction that this market has to go in. I think it's very telling that we want to give more flexibility. If a seller chooses to disclose the details of competing offers, it shall happen. But, again, it's at the seller's discretion.

Secondly, the bill would improve professionalism among real estate professionals and brokerages by enabling regulatory changes to streamline and modernize the

code of ethics that real estate professionals and brokerages must follow. This would enhance ethical requirements for the sector. Currently, the code of ethics regulation can be confusing for real estate professionals and brokerages, as well as consumers, because it combines ethical, principle-based requirements, such as fairness and honesty, with technical and procedural requirements, such as detailed requirements for the content of written agreements.

If amendments to the act are passed, we would consult with the stakeholders to seek their input on proposed regulations, including changes to the code of ethics regulation.

Again, this is very important, because we're hearing in the news from time to time how someone may do something that goes against the ethics of the overall sector. We should be in a position whereby the people that know the industry best can make a call as to whether this individual was a bad actor or not.

Thirdly, as a related point, we propose to update the powers available to the Real Estate Council of Ontario—known as RECO—and its registrar to enhance compliance, so, as I just said and referenced, RECO can address bad conduct and improve regulatory efficiency in four main ways.

First of all, it will allow RECO's registrar to consider a broader range of factors, including past conduct and the public interest, when considering registration eligibility.

Secondly, our proposals will give RECO authority to levy financial penalties, also known as administrative penalties, for failures to comply with requirements, such as filing late documents.

Thirdly, our proposed changes will allow RECO's discipline committee to consider a broader range of issues and provide it with the authority to revoke or suspend a real estate professional's or brokerage's registration or impose conditions on a registration.

Lastly, our proposed changes will give RECO's registrar the authority to require real estate brokerages and professionals to provide data about real estate transactions to support risk-based enforcement.

Speaker, our fourth main goal overall for this TRESA bill, if passed, would be to create a stronger business environment. This would happen by laying the foundation to allow real estate professionals to incorporate. This is an issue that we've heard about for a very long time. Everyone in this House who has served for a long time knows how important it is to this industry. Currently, real estate professionals can incorporate in six other provinces: Alberta, British Columbia, Nova Scotia, Quebec, Saskatchewan and Manitoba. Our proposed changes would allow a real estate professional in Ontario to finally be paid through a corporation, but it would still maintain strong measures to protect consumers.

It's interesting: Through the years, OREA, for example, has done an amazing job to lobby and advocate as to why this matters. So many of us in this House have sat across the table from members of OREA—hello, Mr. Hudak; there he is—where we would listen and be compelled, because what they were saying makes sense. As I mentioned before, this is already happening in six other

provinces in Canada, and so I find it interesting, because the NDP agreed too. I just want to get this on record: It was the NDP themselves who supported many of the changes in this bill that will foster growth within our real estate market. For example, in 2017, both the member from London–Fanshawe and the member from Hamilton East–Stoney Creek stood up and told this House that they supported allowing real estate professionals to incorporate. We appreciate that support. In 2018, the member from London–Fanshawe again supported a bill that would allow real estate professionals to incorporate. This time, she was joined by the member from Timmins. In 2019, very recently, the NDP once again supported this idea. It was the member from Kitchener–Waterloo—Waterloo now—who said that there is no reason why these changes can't be enacted. So, Speaker, I'm very pleased to share with you that there is a lot of support. I have some other examples that I can share as well.

I'm just hoping, as I take a little look around to see everyone in the House, that Mr. Bailey, who may be in committee, knows that the timing has been moved ahead. On that note, I will keep going with my debate.

We recognize that this is an issue. What we're doing tonight is discussing an issue that the real estate association has identified as a high priority for their members. Should this bill pass, we would conduct further consultations on this issue to determine the most appropriate approach.

Our fifth and final main goal of this bill is to bring legislation and regulations up to date and reduce regulatory burden on the real estate industry and the Real Estate Council of Ontario. I appreciate it very much that both TREB—the Toronto Real Estate Board—and RECO, as well as OREA, were here in the House last week when we tabled our legislation for first reading. They were very engaged. They want to make sure that, for the consumer's sake, we keep this moving through the House in a very constructive way. Again, I'd like to thank them for their support over the months and weeks and, quite frankly, the years that we've talked about this. It has been very important to so many across this province.

So as I talk about our final main goal of this bill, I want to share with you that we're very, very cognizant that we also need to reduce regulatory burden. For example, we're proposing to simplify brokerage procedures by aligning the length of time that brokerages must hold unclaimed trust money under various circumstances.

In addition, we are proposing to update the language in the act to make it more consistent with other laws. This will help businesses save time, effort and costs by making it easier for them to know that they are doing the right thing.

Mr. Speaker, I mentioned earlier the well-worn line that a house is the largest purchase that a person will make in their lifetime, and I called it a cliché. I don't mean to diminish the importance of that by any means. When you're making a purchase that takes 10, 20 or even 30 years sometimes to pay for, there's nothing cliché or trite about it. But sometimes I think that focusing on the cost of

the purchase overshadows what the purchase actually means. When we're talking about houses, Speaker, we're talking about homes. As I mentioned in my statement to this House last week, it's about the kitchen table where you have a Thanksgiving dinner or a Christmas dinner, given that season is right around the corner. We're also talking about a home when we think about the cozy spaces and the cozy corners to look out a window on a winter's day. It's about the living room where dreams are hatched. It's about the bedroom where you can finally catch some well-needed rest.

**1820**

Now, I don't want to dwell entirely on homes and residential properties. This bill is also about commercial, agricultural and other real estate, including leases.

Speaker, I know that we're all talking about evidence-based decision-making. Clearly that's something I'm all in for. We must make decisions that the evidence tells us support our goals. It's not good enough to sit in boardrooms anymore and say, "I think that." In this information age where, at the push of a button, people can access a whole host of data, people expect us to make better use of the information that's available to everyone at their fingertips. That's why my ministry undertook detailed consultations with consumers and real estate industry professionals about issues that needed to be addressed in this bill. For the past few years, in discussions with stakeholders like the Real Estate Council of Ontario and the Ontario Real Estate Association, we knew there were issues that needed to be addressed.

Of course, I heard from members of this House who have spoken with my predecessors, Minister Walker and Minister Smith. They did a great job on this file, and it's my honour to walk in their footsteps. And the great work that has been done by my team at GCS: They just work non-stop because they care about getting it right. I really thank the ministry team as well. As I mentioned at the onset of my remarks tonight, everybody cares.

We have to get it right once and for all. It's been far too long. In fact, it's a travesty that the former Liberal administration turned away from this for 15 years. As I mentioned before, time and time again, year after year, we've had the opportunity to listen and to meet with real estate professionals. I can't stress how important it was to have that networking and that advocacy, because we know how important purchasing a home is to our local economies.

When my ministry set out to look at the issues to be addressed in this bill, we wanted to make sure we heard from everyone. That's why, earlier this year, we held an online consultation to get feedback from consumers and industry about the ways that REBBA could be updated and improved upon. We expected to hear from people, and we did.

As I mentioned earlier, we heard from almost 7,000 people who had strong feelings about the act. Of those 7,000 people, almost 40% were consumers and about 60% were real estate professionals. Of those who responded to the survey, the vast majority reported that they had hired a real estate professional to help them with their purchase or



sale. In fact, 82% of consumers and even 74% of real estate professionals hired a real estate professional. Even the people within the industry hired a person to represent them.

Some 62% of consumers believed that the rules governing real estate professionals needed to be strengthened to improve consumer protection. That is exactly what our Trust in Real Estate Services Act is all about.

Talking about the consultations some more, an overwhelming 71% of consumers felt that everyone involved in an offer process should be able to see the details of competing offers, and we talked about that. We're proposing, if this bill should pass, at the seller's discretion, those bids would become available.

It's interesting, because there were some other NDP members through the years who spoke in favour of the need to modernize our real estate legislation, specifically REBBA, which was tabled 20 years ago. The MPP from Essex referred to a transaction representation model for double-ending, saying, "Under these circumstances, the agent must remain neutral by acting as an impartial facilitator for a transaction." I go on to quote him as saying, "I guess that's one way to address the problem; it's not an outright ban on the double-ending side.

"Real estate agents ... are professionals..." The majority of them "do a great job," and the rules on double-ending just simply clarifies "their roles and responsibilities when that type of situation arises. I would hope that they would do it without the need to impose regulation on them but, lo and behold"—he's referring to the Liberal government—"this is something that I think is an area we can look into and something that we can help provide some clarity around."

As the member from Essex was reflecting on what the Liberals had done, I can tell you that he doesn't have to reflect anymore. He can look specifically to TRESA, the Trust in Real Estate Services Act, to know that we finally got this done.

Another NDP opposition member, from Timiskaming–Cochrane, shared some remarks as well. He shared in this House that in northern Ontario, you're often dealing with one realtor on both sides of the same transaction because of the size of the population. He said, "We do have a lot of real estate transactions, and realtors are, far and away, good people to deal with." I'm sure everybody in the House would agree with that. "You need regulations for their own protection as well, to make sure to keep everybody on the up and up."

It's interesting, because that's the reality in northern and rural Ontario. In some cases, there is just one realtor to perform the deal, representing both sides. For most cases that we've heard about and that we know about, they do it incredibly well, in a respectful, professional way. So this might be one example where, again, I do agree with that member from Timiskaming–Cochrane.

I want to share a comment from the MPP from Timmins. This particular MPP expressed his confidence in all-party support for the bill, and he was hopeful that the bill would be brought back for third reading because he, too, recognized the importance of making sure we modernize

this particular sector and this particular industry to reflect the realities of the day.

The MPP from London–Fanshawe has shared comments through the years as well. This particular MPP remarked on how it had been about a decade since OREA had asked the Ontario government to reform REBBA.

As I mentioned before, the former Liberal administration didn't do anything. Year after year, realtors would come to this House in a very professional way, ask to be heard and advocate for the modernization of an industry that is so important to all of us—because as I mentioned before, and I'm very sincere about it, purchasing a home is one of the biggest investments that a person can make in their life. We need to get it right.

The member from London–Fanshawe had mentioned in this particular instance that the bill she had been speaking to had been tabled four times, and that the NDP had been a champion on the reform since the beginning. So to the members opposite, tonight I say, I hope you continue to be champions of reforming realtor professional legislation that will make a difference in modernizing and bringing this sector up to date when it comes to rules and regulations, because we need to get it right not only for our consumers, but for our professionals as well.

I want to continue on with some of the comments that the member from London–Fanshawe shared. She went on to say, "Persistence is a huge part of making sure we"—MPPs—"push government to do what they need to do when it comes to groups like OREA." This is the member from London–Fanshawe.

*Interjection.*

**Hon. Lisa M. Thompson:** Yes, the wonderful grandma who dotes on her grandchildren—because she cares. She wants to make sure the marketplace is reflective of today's reality so her grandbabies can maybe buy a house someday.

**1830**

That said, we're getting it right. This government, under the leadership of Premier Doug Ford, is the government that finally listened to realtors from across this province; and we are getting it right once and for all with our legislation, the Trust in Real Estate Services Act.

I think it's very interesting to say that we do have some common themes within this House. We do have common interests, and we do have an opportunity to have a common thread with this particular piece of legislation when we all stand together and support it unanimously. That is what I ask the members opposite to do.

This has been something that we've been looking to achieve for a long time. It's something that the industry has been very patient about, but they've never quit advocating. Their message has been consistent. As I said, under the leadership of Premier Doug Ford, they finally have a government that is going to get it done for them.

Just to reflect a little bit more on the opposition and how they, too, feel strongly about bringing the legislation around Ontario's real estate sector up to date and modernized, I want to quote the member of provincial Parliament from Waterloo. On January 25, 2019, in the Standing Committee on Finance and Economic Affairs, this particular member from Waterloo said, and I'll it share with you:

“Bob Bailey ... brought forward the tax fairness for real estate bill. It builds on Todd Smith’s and our private member’s legislation. There’s really no reason right now why this can’t be enacted. We hope to see it in the budget...”

Ladies and gentlemen, this particular piece of legislation is so important and the industry has worked so hard and for so long, and they’ve worked together to get it right. We are going to make sure that they get their due. We have ensured that it was stand-alone legislation, because once and for all, we feel that it is that important.

I’d like to go back for a moment—and first of all, before I move on, I want to thank the members opposite for their support through the years and to reiterate that I think this particular piece of legislation is owed the unanimous support that other bills have had. I look forward to hearing your comments through this debate, because together we can make sure that, once and for all, the real estate sector in Ontario finally catches up to the other six provinces that are leading. Again, democracy is at its best when we debate and when we meet in committee and when we share ideas to make it stronger. This is what this legislation is going to do.

When I met with the real estate professionals at the OREA conference, it was palpable. You could feel it. It was time for us here at the Ontario Legislature to act. I can tell you that it was very easy to stand up and share the fact that, through the years from consumers and real estate professionals alike, we heard loud and clear what was needed to modernize this particular sector. I’m very, very proud of the work that has been done to date.

In terms of the consultation and the work that was done, I’d be remiss if I didn’t talk about the 140 submissions that we received as well. Of those, 28 identified as consumers, in terms of the people who submitted their papers. I’m going to repeat that: Out of the 140 submissions, 28 were identified as consumers. The rest of the respondents identified whether they were real estate professionals or organizations. I have to tell you that there were so many common threads. It didn’t matter whether it was consumers or real estate professionals; there were so many common threads. That really reinforces that we’re landing this legislation, and we’re landing it well.

I think it’s obvious, with the media reports and the attention that we’ve received since first tabling last week, that we’re getting it right. People are happy. People are saying that finally they have a government that listened, and they’ve got it right, and so I am so pleased to be sharing that our government is not going to let our foot off of the gas pedal, Speaker. We’re going to see this through. It’s about time that this industry saw that we took them seriously. We take the modernizing of the real estate sector—it’s so, so important—very seriously because it is a dream come true when people can confidently go forward and purchase the home of their dreams.

When it comes to the submissions, there was so much impressive feedback. It speaks volumes about how important these issues are.

I also want to say a few words about the path that we see going forward. As I wrap up my time, I want to reflect

on the fact that this bill, should it be approved by the House, will see regulations that will have to be adopted before everything can be proclaimed and brought into force. Should this bill be approved by the House, we’re also going to have to look at some regulations, and these regulations will contain important details about how the act would work in the real world. We remain very interested in hearing from people about that.

As we debate second reading, I look forward to seeing it go to committee as well as come back to the House for third reading. My commitment to the people of Ontario is that we’re not going to stop listening. By listening and hearing and asking questions, we will get it absolutely the best that we can. It takes time. Not only is it important to get the legislation right, but we’re going to take time with the regulations as well.

So, we look forward to input and suggestions from our opposition and independent members across the House. We take pride in the fact that our door remains open to both consumers and stakeholders alike.

I look forward to the debate. There’s going to be a lot of good dialogue. I hope people see that in our legislation, we are going to take a look at five important pillars, five important aspects of modernizing this particular industry, and we will get it right.

I want to thank everyone in this House and watching on TV for listening intently. This is a good piece of legislation, as I mentioned before, and it demonstrates that democracy truly can work. I’d just say that I’m sorry because it has taken so long. We’ve advocated for years to get this through the pipeline, but we’re finally getting it done.

To close off my remarks, I want to remind everybody of exactly what TRESA represents. If the Trust in Real Estate Services Act passes this House, we will collectively, as a group of Ontario legislators, increase consumer confidence. We’re going to increase trust and accountability so that consumers can have confidence that when they’re making that largest purchase, perhaps, of their lifetime, they’re working with people who care and who know what matters to them, and they know that they’re working with professionals who are held to a high account and high standards. Quite frankly, this legislation is enhancing standards for our real estate professionals and brokerages.

We’re going to provide additional flexibility to keep pace with the modern marketplace. The only constant in life has been change. Change has really affected the manner in which consumers can access data. Change has seen our access to data absolutely revolutionized in terms of the Internet of everything. At the push of a button, at the ends of our fingers, we can have access to so much information. That is why we need to make sure that moving forward, when it comes to making that big purchase of a consumer’s dream, they know that they can trust that not only they themselves have access to the right information, but real estate professionals do as well.

We’re going to make sure that changes actually are going to reflect what we heard. I think that’s the biggest

thing, Mr. Speaker: The changes that we're going to be bringing into this particular sector in Ontario are reflective of what we've heard from both consumers and stakeholders. No one in this House, no one across this province, should be able to say that this legislation favours one individual or one organization over another, because we've done our homework.

To the 7,000 people who participated in this particular consultation, I say thank you. Thank you for taking the time to be engaged. Thank you for knowing that you have a government, finally, in the province of Ontario that wants to listen, and you have a government in Ontario that understands that your voice matters. It doesn't matter, Speaker, whether that voice comes from northern Ontario, rural Ontario or across the province, that voice holds an equal position when it comes to making sure that we get this legislation right. And so, again, I want to make sure that everybody remains confident that, if this bill should pass, we're going to keep talking.

**1840**

That's how I want to close off, Mr. Speaker. I want to share that our government is going to remain committed to consulting with and listening to stakeholders and consumers alike to develop proposed regulations. So we've got our legislation, but we're not going to stop with that. We're going to keep working with our stakeholders and consumers to make sure we get the regs exactly right as well because, again, our job here under this bill is to make sure that we help consumers make the most informed decision that they can when it comes to purchasing a home. All the while, we are also recognizing the importance of reducing the burden on the real estate sector in this province, but also making sure that our professionals are held to a standard that does nothing less than build 100% confidence in people purchasing homes today.

Thank you very much. I look forward to hearing from my parliamentary assistant at this time.

**The Speaker (Hon. Ted Arnott):** Before I recognize the member for Sarnia-Lambton to continue the debate, I want to recognize, once again, a special guest in the House today who served in the 36th, 37th, 38th, 39th, 40th and 41st provincial Parliaments: Tim Hudak. Welcome back, Tim; it's always good to see you.

I'll now recognize the member for Sarnia-Lambton.

**Mr. Robert Bailey:** Thank you, Speaker. It's a real privilege to be here tonight and to have an opportunity to address this bill. I had a private member's bill—I missed the first part of the minister's remarks, so she probably covered that, so I won't.

I want to apologize to the minister. I think I maybe gave her some stress. I thought I was speaking much later this evening. So I was in the middle of a phone call downstairs when the Minister of Labour, among others, got a hold of me and said—I thought he was kidding—"You're speaking, and you're up before long," and I said, "No; no way. I'm up at about 8 o'clock tonight." Then I got to thinking, "Well, he wouldn't do that to me—not likely." So I thought I'd better come up.

*Interjections.*

**Mr. Robert Bailey:** Yes, he would, if he could get away with it. Anyway, thank you again, Minister, for giving me the opportunity to respond.

I'd like to acknowledge our former colleague, the president of the Ontario Real Estate Board, who's here with us tonight. He's a great friend as well. I always call in to his radio show when I'm on the highway coming in: "It's Bob on the 401." He knows who it is.

**Hon. Monte McNaughton:** He has blown his cover.

**Mr. Robert Bailey:** Yes, I've blown my cover now. I'm going to have to change my nom de plume when I call in.

Anyway, I want to thank the Minister of Government and Consumer Services and all the staff at the Ministry of Government and Consumer Services for all the work that they did in preparing this important update to the Real Estate and Business Brokers Act. I had the opportunity to attend the 2019 real estate political affairs conference last week. It was great to hear from all the OREA members who were there. They were very excited about this government initiative, delivering on its promise to update the real estate act.

I should give a shout-out to my president from back home, of the Sarnia Lambton Real Estate Board, Donna Mathewson. She was at the conference with a number of other colleagues of hers from the Sarnia Lambton Real Estate Board. Now I can go to their meetings and they won't—when I went there, they were always lobbying me about the incorporation, among other things, so I'm sure they'll move those other issues up the agenda.

Also back home, a good friend of mine, John McCharles, is also on one of the boards that governs real estate—RECO, I think. Anyway, he's on that. It's great to have local input back home from the Sarnia Lambton Real Estate Board. Sarnia-Lambton is one of the most important ridings in the province. I'm a little biased, but that's all right.

As the minister already mentioned, we're focusing on consumer protection, increased professionalism and effective and efficient regulation, creating a strong business environment, reducing red tape and the regulatory burden on businesses.

Mr. Speaker, what has been put forward in the Trust in Real Estate Services Act reflects the feedback that our government received through open consultations, as the minister said, from over 7,000 different surveys.

I also want to make a special point of mentioning that this bill, if passed, will lay the foundation to allow real estate professionals to incorporate. That was part of my private member's bill. It says that on the paper here, on the next line. Mr. Speaker, back in the fall of 2018, I introduced the Tax Fairness for Real Estate Professionals Act as a private member's bill in this Legislature.

*Interjections.*

**Mr. Robert Bailey:** I would have had time to read this ahead of time if I knew I was speaking earlier. I thought I had half an hour or so. Anyway, I'll have to digress here, and I might cover something twice.

I'm very happy to say that the Trust in Real Estate Services Act has taken good ideas laid out in the Tax

Fairness for Real Estate Professionals Act and woven them into this government bill. This is really good news for real estate professionals all over this province. They've been very big advocates of this measure and they do a great job every day throughout the province, here in the city and, of course, back in my riding.

My staff tell me that since my PMB was first introduced in 2018, not a week goes by that we don't hear from a real estate professional from somewhere in Ontario, not just locally, asking for an update on this bill, so I hope they're all watching tonight. Maybe Mr. Hudak will make sure this goes out in their next newsletter, that we're doing this debate tonight, and hopefully if this bill is passed, we can move on. I know there will be lots of other things we can work on for the real estate industry.

It's great to be able to say that that tax fairness idea and all of the other great ideas in this real estate professionals act will be moving forward together. Again, in addition to allowing realtors the ability to incorporate, the Trust in Real Estate Services Act will amend the Real Estate and Business Brokers Act to:

- enable regulatory changes that would give consumers more choice in the purchase and sale process;

- improve professionalism among real estate professionals and brokerages by allowing for regulatory changes to enhance ethical requirements;

- update the Real Estate Council of Ontario's—RECO—regulatory powers, including allowing it to levy financial penalties for the purpose of promoting compliance with the act, and allowing RECO's registrar to consider a broader range of factors when considering eligibility for registration;

- enable the creation of a specialist certification program that may be developed by government or by RECO to ensure that real estate professionals and brokerages—including those holding themselves out as specialists in a particular type of real estate, for example, commercial real estate—are actually certified as specialists in the relevant area; and

- bring the legislation up to date and reduce the regulatory burden.

These are all great initiatives, and I hope that all members of this Legislature will show their support for the real estate professionals of Ontario. I'm sure every one of the members of this Legislature either has a family member or a friend who is in the real estate business. I know I've got lots of them back home around the city and out in the county.

There were a number of key messages. They said, "Why are you making these changes?" We said that they would increase consumer confidence and enhance standards. Given changes to the real estate industry and technology—there have been a lot of technology changes. Who uses fax machines anymore? I still get razzed a bit by the Minister of Economic Development if I talk about using a fax machine. He says, "Bob, everybody has moved on." I said I still remember when people used a Dictaphone: "Steno, take a letter." But there's probably nobody in here who knows what I'm talking about, right? Quote

Will Bouma: very few people probably know. I know the last person who did steno translation retired a number of years ago.

Things have changed in the industry, changed in all aspects. I could tell you some stories about guys using the Dictaphone to dictate letters, but that's for another day.

This proposed amendment to the act will make many changes that the industry has asked for for a long time. We've consulted with consumers and stakeholders to develop proposed regulations. These regulatory changes would give consumers more choice in the purchase and sales process and improve the information consumers receive about what a real estate professional and brokerage must and can do for them. It will update RECO's regulatory powers, as I touched on earlier, and enable the creation of that specialist.

Why have so many proposed changes been left to regulation? The government is proposing to address many of these proposed changes through amendments to the regulations rather than to the act. This gives them the opportunity to consult with the public, the industry and stakeholders on the implementation. Why are we proposing these amendments? Well, it has been almost two decades since the last time the act was updated by a very important minister at that time—I think his name was the Honourable Tim Hudak. Anyway, when he updated it, this was an oversight. They've been working for 20 years to get this rectified. We've done it tonight. The former minister is here with us, it's great to say.

#### 1850

How would these proposed changes enhance consumer protection, you might ask? Well, they would enhance consumer protection and confidence in the industry through better information and disclosure for consumers, increased choice in the purchase and sale process, and strengthened professionalism of the real estate professionals and brokerages.

How, you might ask, would the proposed changes enhance this professionalism? What the government is proposing will allow it to streamline and clarify the code of ethics regulation that is so important and the industry will depend on going forward. Currently, the code of ethics regulation can be confusing for real estate professionals and brokerages, and especially for consumers, because it combines ethical, principle-based requirements such as fairness and honesty with technical and procedural requirements. This is all from the idea to simplify and make this a lot better.

How would the proposed changes, you might ask, foster a stronger business environment? By increasing transparency, disclosures, and strengthening professionalism, as well as stronger enforcement tools for RECO.

How would the proposed changes reduce the red tape burden? There are several proposed amendments that are intended to update this act to reduce red tape, including the proposed change to align the amount of time brokerages are required to hold unclaimed trust money, independent of the reason the funds remain unclaimed. This would certainly simplify that for the brokerages.

You might ask: Would these amendments help address the issue of housing affordability? Well, the act does not address that. But market conditions all through the province are certainly different. Our government certainly consulted over the Housing Supply Action Plan, with over 2,000 submissions, 85% of which were from the public. We took what we heard from these consultations—More Homes, More Choice—and put those into changes we address at a later date.

The proposed amendments, if passed, would enable regulatory changes to give consumers more choice in the purchase and sale process by permitting real estate professionals and brokerages to disclose details of competing offers. This would enhance consumer choice and allow for further—anyway, I'm going to get back to this speech here. That's enough of that.

This also would bring the legislation up to date and reduce the regulatory burden. These are all great initiatives, and I hope that all members of this Legislature show their support for the real estate professionals of Ontario, who are represented here in the House this evening.

*Applause.*

**Mr. Robert Bailey:** Yes, give them a round of applause. Then I can take a drink of water.

Certainly, anyone who has ever sold or purchased a home can talk about how their agent almost becomes an extended family member. I can testify to that: I've got a family member who has been looking for a house. I thought he was going to become a family member, this real estate agent, we've looked at so many houses for my daughter. My daughter is very indecisive. I hope she's not watching tonight. You wouldn't believe it. I said, "Just buy the darned thing and I'll pay for it."

Many people would say that buying a home is one of the most stressful things in modern life. That's for sure; it is. Through it all, our real estate professionals are there at our side to offer advice, counsel us, and finally get the deal done.

Real estate professionals really do become ambassadors for the communities they live in. During second reading debate of my private member's bill, I might add—the Tax Fairness for Real Estate Professionals Act—we heard a lot about how real estate professionals are so giving of their time in their communities. After all, real estate professionals live in the communities in which they work. In order to be successful, they need to be active and engaged members of their community. They're involved with minor hockey, the Lions Club, the Rotary Club, plus many fraternal organizations. From coaching and sponsoring youth sports teams to serving on local community boards to fundraising for many local charities—I know that many of the members back in my community are involved with the local hospital board and the foundation—real estate professionals really do come to embody the positive spirit of the communities they live in. I've certainly come to notice that with the professionals in my community, and I'm sure that I speak for all the other members of the Legislature as well in their communities. In my riding of Sarnia-Lambton—I'm running out of

time, so I'd better get this one in—I have some really great members of the Sarnia Lambton Real Estate Board whom I meet with on a regular basis. They keep me updated on the market and how the industry is doing locally.

In Sarnia-Lambton, there has been very positive growth in our real estate market for the last few years. The latest stats from September 2019 show that total sales are up 10% year over year, and the average sale price is up 8% year over year. This is very positive news. With the changes that we are making in the housing market, I'm excited about the possibilities for real estate in Sarnia-Lambton as well as the province.

Bill 145 is really going to mean more confidence for the first-time homebuyer, more opportunity for energetic and creative real estate professionals, and more trust in the entire process of buying or selling a home.

It has been almost two decades since the last time this business brokers act was updated in a meaningful way. The government heard from many stakeholders in the industry and the regulator, the Real Estate Council of Ontario—RECO—that the act needed to be updated. In addition, the results of the consultations earlier this year indicated that many real estate salespersons, brokers and brokerages, as well as RECO's powers, needed to be updated to enhance consumer protection.

Mr. Speaker, as I said earlier, Ontario's government is delivering on that promise to update the real estate brokers act, given the changes to the real estate industry and technology. If this bill moves forward, our government remains committed to continue consulting with consumers and stakeholders alike, to develop proposed regulations that will continue to help consumers make informed decisions and reduce the burden on the real estate sector.

Mr. Speaker, thank you for the opportunity to add my comments on the bill today. I look forward to the further debate.

**The Speaker (Hon. Ted Arnott):** Questions and comments?

**Mr. Terence Kernaghan:** I'd like to thank the Minister of Government and Consumer Services, as well as the MPP for Sarnia-Lambton, for their comments.

I meet regularly with the London St. Thomas Association of Realtors and they're an excellent and engaged group of individuals. Recently, during one of our meetings, they talked about a couple of their asks for REBBA reform. Number one on their list was to protect consumers and to protect consumers' choice. Number two was about specialty designations.

With this legislation, when we take a look at it, the details of this system are going to depend on the regulations, which have yet to be designed. It's kind of like promises, promises, the cheque is in the mail: We need to see those things.

Also, a very concerning element of this bill is that it has a double standard baked into it, in that it exempts real estate transactions by new home builders and vendors, and doesn't treat real estate professionals in the same way. That should not be the case. This is an absolute double standard.

Why is there no definition of “salesperson”? Why has that not been replaced with “agent”? We know real estate professionals are trained; they’re educated. They have to go through rigorous study in order to become that way. Yet home builders are able to engage in the same activities without the same sort of scrutiny. That’s a concern.

Realtors do fantastic things in my community of London. They have a community engagement program where they’ve given thousands of dollars to residents in Old East Village, for instance. They’ve also given \$76,000 to nine different local organizations.

We also had an event in our city where Nik Nanos came in, and Tim Hudak was there as well. They delivered a London state-of-the-city report and showed just how engaged realtors are with the issues that are happening in London. They talked about how London was a great place to live and raise a family. It’s a safe place, with world-class health care. It’s not so good a place to take public transit, and it’s really not so good where one can afford a home. We need to work on affordable housing as well as real estate designations.

**The Speaker (Hon. Ted Arnott):** Questions and comments?

**Mrs. Gila Martow:** We’re debating today Bill 145, the Trust in Real Estate Services Act. This is a long time coming for those of us who have served multiple terms in the Legislature.

As the member from Sarnia–Lambton just told us, he had a private member’s bill which was called the Tax Fairness for Real Estate Professionals Act a few years ago, which I was very happy to speak on. I think that that private member’s bill focused mostly on allowing real estate agents and brokerages to incorporate. As I pointed out then, they need that ability because the market can change and their ability to earn an income can change. This way, they can put the money in the corporation and draw it out as they need it. It’s a lot easier for them for their tax planning, for their retirement planning and for just their general life planning.

We know that a lot of people now consider their home, of course, as always, their largest investment. But I think that what hasn’t been mentioned here so far is that many more people work from home. So, when they’re purchasing a house or a condo, they are also going to be spending some time there doing a lot of work. Some people work part-time. They go to an office and part-time they’re at home.

**1900**

We know this is long overdue. It’s over a decade that we’ve been hearing from not just the real estate associations but from real estate agents and brokerages in our ridings. I know that one of my neighbours, David Atanel—his dog Buddy is actually good friends with my puppy Chelsea, and he often complains to me when we’re out with the dogs. He complains to me about the real estate climate and some of the rules and regulations that make it hard for him to cope with being a real estate agent, which is really his passion.

I look forward to hearing lots more debate. I’m very happy to add my support if this bill gets passed, which I’m hoping it will.

**The Speaker (Hon. Ted Arnott):** Questions and comments?

**Ms. Teresa J. Armstrong:** Thank you to the member from Sarnia–Lambton for entertaining us this evening, because we’re on a night show—

**Ms. Sandy Shaw:** Night shift.

**Ms. Teresa J. Armstrong:** Night shifts. It could be the night show. We’ve been here all day.

This is a good thing, though. We are debating very important legislation and actually a very important topic. Today in the Legislature I presented a petition and asked for the government to invest in a provincial housing strategy with both affordable and supportive housing for those people who are searching for housing.

In London, the member from London North Centre talked about how housing is a real need in our area—and everywhere, I’m sure. Real estate agents are very important when we’re buying new homes, but we also have to remember that we need to create stock; that people who aren’t as lucrative in income as us also have that opportunity to live in and purchase a home. That’s what I want to say about that.

With regard to the bill, I think it’s very important that we do professionalize the real estate agent market. They’ve been asking for it for a long time. I know in my riding there are signs on lawns that say, “Johnny wants to buy houses.” I don’t know if anyone else also has that in their riding. A person leaves their phone number, and you’re supposed to call and they act as somewhat of a makeshift real estate person. That is very concerning.

I’m hoping some of the definition that’s in here actually addresses people who just put a sign out and say, “Call me if you want to sell your house.” That happened to a constituent of mine. They were approached, signed on the dotted line. They were kind of intimidated and bullied into saying that now you have to go through with this. It was very scary for them. We were able to backpedal and the person hasn’t called back, but there is that going on out there, and I hope that this bill goes further and deeper into that issue.

**The Speaker (Hon. Ted Arnott):** Questions and comments?

**Mr. Will Bouma:** It’s an honour to rise today and talk about something as important as reform to the Real Estate and Business Brokers Act. I’m very pleased to be able to speak to it. I really appreciate the Minister of Government and Consumer Services for bringing forward this legislation and I really appreciate the support that’s coming from the opposition benches on this also. It’s a true testament to what happens in this House when good ideas can come forward and when good things can get done.

I would say, let’s see how fast we can get this through here, and then also make sure that if it needs to travel we can do those things too. I don’t think we need time allocation. Let’s have our government House leader talk to your House leader and talk about these things so we can

do best by the real estate market, because the real estate agents provide such a valuable service to the people of Ontario, Mr. Speaker. In fact, when they do their jobs correctly, they make people's dreams come true. It's wonderful to be able to rise and to talk in support of what real estate agents need in the province of Ontario, and I am pleased to do so.

Like the member from Sarnia–Lambton has said, who has a longer history here in the House, this is something that has been coming forward for a very long time. I believe it's one of the first messages I heard when I sat down with OREA, that this is reform that needed to happen.

I would like to see if I can offer any criticism baked into this bill, that it does get that five-year review on a regular basis. I didn't hear anything about that. But waiting almost 20 years—and the world changes so quickly—before we review legislation is so, so important.

Just to close off, I'm so pleased to hear that we as a House together can give some respect to the real estate agents who do so much good for the people of Ontario. It's an honour to rise and speak in support of this bill today. Thank you, Minister, for bringing it forward.

**The Speaker (Hon. Ted Arnott):** That concludes our questions and comments.

I'll ask the member for Sarnia–Lambton to respond.

**Mr. Robert Bailey:** It's a privilege to rise and respond. I'd like to thank the members from London North Centre, Thornhill, London–Fanshawe, Brantford–Brant, of course the minister again and her staff for all the work they did in getting us to this point.

Also, to what the member from London–Fanshawe said, I'm concerned that if there are issues like that out there, that's what we need to address with this bill.

I agree with the member for Brantford–Brant: We probably need to travel this bill. Let's hear from other people. If there are ways we can improve it and make it even better than it is already—this is the bones of it—let's do that. Let's get out there and see what the general public has to say. We've got lots of time for debate here and we can get to our ideas. I'm sure the minister would be amenable to that. I should have asked her first before I said that. Anyway, I'm sure she will be.

It is an honour to rise and speak here today; it's always a privilege. And like you said, good ideas come out of this Legislature from across the province. We all come here from 124 different constituencies with different ideas. A number of private member's bills I had all came—most of them came from my backyard. People came over and talked to me in my constituent office. We put those ideas together and later on we had a bill that was passed to legislation, like the way this bill here came from a member, the head of OREA. It was originally one of their ideas and was germinated up through there. Like I said, I heard about it a lot as a backbencher in opposition. So when we had the opportunity to move a government bill, I thought, well, there's an idea that has been on the agenda for a while. Let's move it forward. I'm looking forward to the rest of the debate. Thank you again, Speaker, and the House as well, for your indulgence.

**The Speaker (Hon. Ted Arnott):** Further debate.

**Mr. Tom Rakocevic:** Today is a first on two fronts for me. This is my first one hour of speaking and, as a result, the first time I have actually ordered water. So we'll see how long I can go without drinking it.

It's not the first time I'm coming home late and not tucking into bed my one-and-a-half-year-old son. Aleksandar, I love you. It's not the first time I'm coming home late, that's for sure. But I do love getting up at all times of day and evening to speak on behalf of the residents of Humber River–Black Creek. It is always an honour.

I also want to mention that I heard from the broadcast people upstairs that viewership has skyrocketed. There's probably millions of people watching now that Game of Thrones has finished. So, millions of people watching.

But on a more serious note, I would like to talk about the fact that I have a purple scarf on today. For those of you who watched in question period and throughout the day, today is purple scarf day and it is called Wrapped in Courage. It reminds us that abuse against women is not solely a woman's issue: It is a human rights issue that affects everyone. By wearing purple we stand in support of women, their children and community-based services supporting victims and those affected by violence against women.

The reason myself and my colleagues are wearing purple is to call attention to the need to end violence against women. Domestic violence is the number two reason for calls to the police. If women do not feel safe, the very fabric of our society is torn apart. In support of Woman Abuse Prevention Month we must raise our collective voice in generating awareness about this issue. We must continue to encourage efforts that educate not only our youth but also one another that violence has no place in any relationship. The purple scarf is a symbol of the courage it takes women to leave their abuser. However, courage must be reinforced by the support of an entire community to truly end violence against women, drawing on methods such as training, education, public awareness and advocacy, as well as shelter and emergency assistance support. We have the duty to build healthier communities and a healthier Ontario one relationship at a time. Speaker, I thank you for the indulgence to allow me to speak to that.

As part of my one-hour submission, there will be a number of things I touch on. I will be thanking some of the stakeholders. I'll be getting into—in fact, reading—some of what they've talked about and what they've suggested to us here in the opposition, as well as reading a little bit of the bill itself. I'm actually going to talk a little bit on a personal level as a member of the opposition and what it is to find out the same day that legislation is being tabled and what that means when you're trying to figure out what that means, too and a lot of other things as well.

So today I will be discussing Bill 145, the Trust in Real Estate Services Act. The bill updates the Real Estate and Business Brokers Act, 2002, which sets out rules that govern Ontario's real estate salespersons, brokers and brokerages. These rules are in place to protect consumers and ensure real estate professionals and the brokerages

that employ them conduct themselves ethically when doing business.

**1910**

There are five primary goals in the proposed legislation. They enable regulatory changes that would improve consumer protection and choice, improve professionalism among real estate professionals and brokerages through enhanced ethical requirements, update the powers available to RECO to address poor conduct and improve efficiency, and create a stronger business environment, bring legislation and regulations up to date and reduce the regulatory burden.

If passed, RECO would be able to levy financial penalties for failure to comply with a legal requirement specified in regulation. They would also be able to revoke or suspend a real estate professional's or brokerage's registration or impose conditions on a registration based upon the public interest. In addition to providing the Real Estate Council of Ontario, RECO, oversight to suspend licences for malpractice, they will be able to investigate realtors and consider the public interest when determining registration eligibility. The bill will also allow RECO's registrar the authority to require that real estate brokerages and professionals provide data about real estate transactions to support risk-based enforcement.

Realtors will also have the ability to incorporate and be paid through the corporation, which provides tax benefits. This incorporation is similar to six other provinces that already allow lawyers and other professions, such as doctors, to incorporate, and will help realtors invest in their business.

In a statement, Ontario Real Estate Association CEO Tim Hudak, who is here—and I welcome him back to the Legislature—says, “For years, Ontario realtors have advocated for higher professional standards, stronger consumer protections and better enforcement of the rules governing real estate practices.” He says, “This bill will modernize the rules governing real estate practices and ensure that the realtor at your side during the biggest transaction of your life has the highest professional standards, training and modern tools in North America.” Overall, the bill aims to restore faith in your real estate professional.

There are also several significant changes that would impact the profession of buying and selling real estate in the country's most populated province. One of those would be a system that would permit real estate professionals and brokerages to disclose details of competing offers at the seller's choosing if both buyers and sellers agree to do so, which helps combat double-ending and multiple representation. Another would be setting education and experience requirements for niche categories of real estate, such as waterfront properties, thereby creating a specialist certification program so that those who claim to have a specialty in commercial or waterfront property, or many others, actually have to go through training to back up those claims with credentials.

It is good to see the modernization of legislation. I actually want to thank the minister because, in part of her submission and what she said, she did comment on a

number of New Democrats that are still sitting here, and prior New Democrats, who have talked about the need for reform. We appreciate your quotes of them from the Hansard. Thank you for that.

I do want to say, though, my experiences in opposition. There are a number of priorities that this ministry, in particular—and it is my first lead, because we haven't heard a lot from this ministry in terms of legislation that's moving forward, or as much as compared to many other ministries. Last week in the middle of the week, when we found out that we've got this new bill on establishing trust in real estate, I thought, “Okay, guys, what's going on? Is this another omnibus? We don't know.” Of course, there was a statement from the minister, and we're happy to hear that we are moving forward with legislation that will modernize what real estate agents have been asking for for a long time.

I must say though, Minister, that I did ask for a technical briefing. A lot of what I'm speaking about will be what's coming from the regulator as well as from the real estate association, and I'm not going to be weighing in on a lot of the technical details because, to be fair, I would have liked to have had the chance to talk to the ministry itself and get some clarification. I'm hoping, as we move forward—I think we can all do better. I often hear during question period government members and ministers get up and say to us, “We want to get support from the other side and we want to talk about collaboration,” but sometimes it feels like there's an opposition to the opposition when we see this sort of stuff happening. For the members that have sat through the previous government, I think they know what I'm talking about.

I want to spend a little bit of time talking about my own personal experiences with real estate. I'm not a real estate agent. I have bought a single property in my life. But a realtor made my dream come true. I want to thank the realtors that are here today and the people that are interested in the field because you have made many people's dreams come true, and that is something definitely worth mentioning.

I grew up as a tenant. I know this is weird: I always wanted a place with stairs inside it. It was something that I wanted. I spent about 30 years of my life as a tenant. My family always aspired to home ownership. It was a bit of an insurance for your future, if you have a property yourself. Having grown up in a building throughout my entire life—in fact, I was born at a time, in my building, where this was a building where you couldn't have babies. We were actually forced to move to another building because I was born. So, in many ways things have changed for the better. That was one of them.

But it was something that we wanted for most of our life: to be able to own our own property, whether it had been a condo or a home. Because my father was sick growing up, I did not grow up with a lot of money or certainly any affluence in that sense. Though I consider myself to be very lucky having the love of my family and certainly I was very rich in that way, we weren't able to purchase a home because we couldn't scrounge the money together to ever have that down payment.



Years and years of saving and trying to be prudent was basically what led us to be able to purchase our first home about 10 years ago. At that time, this was when the recession was coming. This was actually at a time, when I negotiated, when interest rates were quite low. In fact, it wasn't unheard of to go and get prime minus one on an open mortgage. This is stuff that you're not really getting today. But it was a different time, even about 10 years ago, and I was able to purchase a home in Toronto.

I do want to relay some of my experiences, personally, when we did that. I reached out—this is something that OREA has talked about, and I will talk about OREA a little bit more a little later on. But the ability to choose someone you're comfortable with in the real estate profession—sure enough, that's what I did. I chose someone that I knew, someone that I trusted, someone that I believed to be honest and who would act within my best interests, but who was a fair person.

I was able, after some looking—actually, we went through two rounds of trying to find a home. In the first round that we did, we looked at a number of properties. I stipulated that it would be within my riding of Humber River–Black Creek. We looked and we looked, and of course because my family—at that time, my father had passed and it was just my mother and me. We thought, “Do we really have the kind of money to be able to go into such a major investment?” I had been working at the time in municipal politics for a city councillor, and all of you know that politics isn't the most—how can I say?—trusty job. Can you really build a future around that? Not really. There were a lot of questions around finances, to be able to take on such a major liability on an asset.

We went through one round of it and we came back to it. I want to say that my real estate agent really understood what my family was looking for. She really took the time. She was available day and night. She was there when my family needed her. She came with us to many openings. Finally, when we settled on the home that we did, she was very honest about what we thought we could offer and what we thought we could get.

I was able to purchase, after a couple of times back and forth, a home that had been on the market for a little while. Because we were going into the recession, it wasn't the same hot market that we are dealing with these days. I was able to get my first home. It's a home that I was able to have my first child in, and he's there right now as we speak. It really was a dream come true. So to the realtors who are here today, I really want to thank you for what you do because a realtor made my dream come true. Thank you, realtors.

Also, I would be remiss—my colleague from Oshawa did mention to the realtors from Oshawa that she does welcome you, and I am extending that welcome on her behalf as well.

Also, if you can indulge me because I essentially have a dissertation about the size of the Lord of the Rings trilogy here in a binder—I'm probably going to be rifling through papers at some point. I guarantee you that I will miss something. That's okay, but it's certainly here.

What I'd like to talk about, actually, is: Let's get to a little bit about the stakeholders that I spoke to. Before I get into the big stakeholders, I would like to offer the opportunity for some of the smaller realtors that I reached out to—to get their comments. I do want to mention that I have been critic for government and consumer services since the critic roles were assigned. It was something that I really cared about.

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I do say that this past government, the Liberal government—I don't know how seriously they took that portfolio, because they did switch ministers quite often throughout, and I don't think we saw a lot of substantive legislation at the time. I know that the realtors had been asking for change during the past Liberal government, and we didn't see that come.

So I'm happy that it eventually made it here to the floor of government, and that we're able to debate it. I think it has been a long time coming. I recognize the last legislation that was put forth was in 2002, actually, by Tim, who's sitting in the gallery here. A lot of things change over time, and certainly this was something that required modernization.

As a member of provincial Parliament, I've always viewed this role as being a conduit for positive change. When I've had the opportunity to stand and speak, I've always tried to offer my voice to be able to share the words of other people who are very interested in this.

So, before I get into a little bit of what OREA had asked for in their submissions, as well as RECO, I'd like to offer some words from a number of local realtors that I reached out to and who were very honoured to be able to speak to this.

I'd like to talk first about Massimo Cannella. He's a local realtor, and he provided this statement on changes to real estate regulations. First off, he says, “Thank you for this opportunity.”

And this is a little bit about him: “I'm a born and raised proud Torontonian to hard-working, family-first immigrant parents who sacrificed tremendously to offer myself and my siblings the opportunities this country can offer. I love this city and what it represents.

“My educational background is international business, Canadian securities and financial planning. My work experience spans a large-scale generic pharmaceutical manufacturer, major banks, and entrepreneurial endeavours.

“I've been a realtor since 2006, serving the GTA and beyond, assisting buyers and sellers with their real estate needs in both residential and commercial capacities through all aspects of their life phases and business cycles. My work experience and education has helped me procure a diverse client base. I offer a no-pressure approach and do all I can to over-deliver.

“I think Bill 145 ... steps in the right direction, increasing the disciplinary powers of RECO to implement stronger disciplinary actions to hold poor behaviours accountable in an expeditious format. This will help reduce negligent practitioners. The increase in professional standards will elevate the industry to the consumer's benefit.

“When consumers enlist the services of a realtor, it’s more about trust than it is property. The underlying goal is a purchase or sale and often both, but I have found what they truly want is a trust relationship with a professional, one who will hold the consumer’s interest above and before everything else. Real estate is about trust, honesty and integrity.

“It’s about families, it’s about livelihoods—at the core, very emotional forces. Anything to fortify and solidify this is good, good for the consumer, good for the industry, good for all involved.

“Specialist certifications based on predetermined educational criteria will allow for greater clarity in the marketplace. This will allow consumers better direction when enlisting realtors for their required real estate needs. Specialization certifications will give a standard consumers can rely on.

“The eligibility of incorporation will allow realtors a more efficient and professional platform to better manage their business. Like many other professionals who operate personal corporations, i.e. mortgage brokers etc., money management and reinvestment in their business is key to consistency and growth.

“I feel overall, Bill 145 will enhance the profile and professionalism in our industry and give consumers greater protection and security knowing the bar is being raised. More work will be needed in the areas regarding multiple representation, in particular when it applies to multiple offer scenarios. Through consultations with the public and the industry, a relevant and fair solution can be found.”

These were the words of Massimo Cannella. Massimo, thank you for your contribution.

Next, I’d like to raise what a local realtor, Michael Verrelli, had to say. Michael Verrelli is a local realtor who lives and works in my riding, and he had this to say about the proposed changes:

“As a realtor for over four years with Royal LePage Real Estate Professionals, it is exciting to see the governing bodies have reviewed and implemented changes to the REBBA act.

“The real estate industry is always changing, and it is crucial that our legislation is up to date with consumers’ wants and needs.

“Further, as realtors, our professionalism and ethics is an intricate part of what makes the realtor-client relationship a success.

“Reviewing legislation, ethics, standards and continued education keeps any industry accountable and as a result will provide the consumer with a valued professional.

“I am excited the governing bodies have implemented change to the current act after 17 years, and looking forward to further improvements in the future.

“Buying and selling real estate is one of the biggest decisions in any individual’s life and I believe we should all work together to improve the industry’s credibility.”

I’d like to bring to this House the words of Elana Hearse, a local realtor who reached out and was someone who was asking for change as well: “I’ve been working in

real estate for 15 years but have been a licensed agent for eight years.

“For my own business, I work mainly in Toronto and York region doing residential and commercial, but I’m also a managing broker for my company, which specializes in new homes and resale, both and residential and commercial.

“I personally handle all of the RECO and court cases for my brokerage. We’ve been in business for 27 years and have approximately 170 agents.

“I’m pretty happy with the changes they’re intending to implement ... and feel it’s been a long time coming.” I do agree that change for realtors has been a long time coming.

Tina Carbonara, a friend of mine and someone who is a great real estate agent, had a very short mention. She just talked about a lack of mention on the practice of pre-emptive offers and would have liked to have seen a little action on that issue.

I would like to mention, finally, a response from Norma Manfrini: “I am a broker registered under the Real Estate and Business Brokers Act, 2002.... I have been in real estate for over 30 years. The introduction of Bill 145 on November 19, 2019, with its numerous proposed revisions, is welcomed by me and the majority of my colleagues. The proposed changes of the outdated REBBA, 2002, will affect around 86,000 registered salespersons and brokers, and many brokerages in Ontario. These proposed changes will also impact the consumers we deal with as well. In brief, Bill 145 will provide a stronger, more ethical business environment in real estate and will further protect consumers when buying or selling real estate.

“Bill 145 proposes a number of revisions to REBBA.” She summarizes them as follows:

“Bill 145 introduces the Trust in Real Estate Services Act” which replaces the “Real Estate and Business Brokers Act, 2002. The change reflects what is provided by the real estate industry.

“Bill 145 allows real estate professionals to operate more efficiently by incorporating their businesses.” This, again, is something that New Democrats in the past have been united with other members on, to talk about that need, and we’re glad to see it here.

But back to her: “The desire to incorporate has been voiced by real estate professionals since 2005 and is a result of years of effort by the Toronto Real Estate Board ... and the Ontario Real Estate Association.... The creation of personal real estate corporations ... will improve tax fairness for realtors following in line with many other provinces that already provide this.

“Bill 145 continues to allow multiple representation in the real estate transactions, thus giving Ontario consumers the right to work with the real estate professional of their choice. By implementing the proper disclosures in the multiple representation process, the consumer can be well protected. It takes time for a real estate professional to build” trust “with a consumer, and I personally do not condone eliminating dual representation and limiting the desire of the consumer to be represented by the same

professional that is representing the seller.” That’s from Norma.

“Bill 145 updates and expands the powers of the real estate governing body, RECO. It allows RECO to levy ‘administrative monetary penalties’ ... on realtors and brokers, and gives RECO the power to suspend or revoke registrations when the law is broken. Higher penalties and more severe fines will help weed out the few in the industry that are not conducting themselves properly.

“Bill 145 proposes ‘specialist certification’ which will enable registrants to hold such a designation after meeting specific criteria to be set out by RECO. I am in favour of more training and education for registrants, particularly in the commercial field. A registrant who claims to be a specialist in a field should have the proper certification to back that up.

“Bill 145 proposes changes that will allow more transparency by disclosing details of competing offers thus having an open offer process. I do not agree with this proposal as it interferes with our fiduciary duty towards to our client.

“Bill 145 proposes updates to the REBBA code of ethics. Changes will be an improvement provided they cover technology changes that are sweeping our industry nowadays and changing the way that we do business in real estate in Ontario.

“Bill 145 protects the consumers further by eliminating the ambiguity surrounding the term ‘customer’ as in customer vs. client. The term ‘customer’ will be replaced by ‘self represented.’ RECO will be expected to specify what information the real estate professional can disclose to a ‘self represented’ consumer.

Finally, “Bill 145 proposes regulatory changes that will simplify procedures at the ‘branch offices.’ More consultation is needed before such a step is taken to ensure compliance with the law.”

Norma says that “Bill 145 is a positive step towards updating and modernizing our real estate industry. It encompasses many details that have to still be worked on, but it definitely brings our industry into the 21 century. My thanks to those who worked to bring” the “bill to the Legislature.

“Norma Manfrini, broker

“Century 21 Leading Edge Realty Inc.”

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Michael Beard, CEO of RECO, the Real Estate Council of Ontario, is “pleased to have worked closely with the ministry.” He said, “The updated legislation will provide enhanced protection for consumers and provide additional clarity for registrants around their role and responsibilities to both the buyer and seller. These changes reflect the rapidly changing and modern marketplace and will help to ensure that consumers are protected when they make the biggest purchase of their life.”

I would like to talk a little bit at this point and move on to OREA. I really actually want to take the time to thank OREA, and Tim in particular. After I took the critic portfolio, there were a number of stakeholders who reached out to us and said that these are changes that they

thought would be necessary and that were important. OREA reached out quite a bit, actually. They were there, they provided great supplements, information and research to myself, they answered a lot of questions and they had a lot of interesting conversation and debate. It’s something that I really, really appreciated.

One of the things that they mentioned that I really liked. Their submission, in March of this year—and I’m going to talk about it in their own words: “OREA’s REBBA Review Consultation.” I want to commend them on their own work with their own realtors. What they said was, “This submission is informed by two years of research, consultation, and work by” their review task force. So they struck a review task force, they put them together and they went there and they solicited the opinions of their own membership.

The task force had “4,000 pieces of member feedback, hosted six town halls, executed two member surveys, and has made over 40 recommendations to the province on modernizing REBBA.

“It is the most comprehensive study of REBBA since its passage in 2002.”

They “challenged the status quo and it wasn’t always popular.

“But” the “leaders at OREA knew something had to change.

“They knew that the greatest threat to the business of real estate”—and this is really important; this is something that, as a New Democrat, I really agree with. They said here, “They knew that the greatest threat to the business of real estate is not technology disruption, but the potential for loss of trust in realtors due to outdated practices, low professional standards, and weak enforcement.”

What they said is that they “set out with a bold goal in mind—to achieve the highest professional standards in real estate,” not just in the country but in all of North America. That’s something that when they met with me, it was obvious that that was something that they wanted to see in any sort of legislation. As a New Democrat, consumer protection is very, very, very important—to all of us. I’m going to give them the opportunity through me and through my voice to share some of their comments about consumer protection in response to some of the positive changes. These were their words. I’m going to get into actually what they say here:

“Prohibit the use of escalation clauses: Escalation clauses should be explicitly prohibited in REBBA.” I think—correct me if I’m wrong—that RECO, the regulator, has a different view a little bit when it comes to this. I guess I’ll get into that a little bit, or not, depending on time, with them. But they mentioned that.

They said, “Eliminate the two-tier system of consumer protection: The government should eliminate the existing exemption for builders in REBBA. Similar exemptions for auctioneers should also be eliminated.” That is missing in this legislation—the builder exemption for new homes. That’s really important. I will be touching on that a little bit later, about priorities for the ministry. That is, I think, a big omission that really should be here.

“Protect consumers against unlicensed operators: The definition of ‘trade’ in REBBA should be expanded/clarified to eliminate grey areas and to provide the highest possible levels of protection for consumers.

“Implement a ‘cooling off’ period for licence revocations: Considering revocations only occur in extremely serious cases, there should be a mandatory ‘cooling off’ period of at least two years before the offending individual can reapply for registration following a major violation of REBBA.

“Remove barriers to RECO using investigative powers: RECO should have clear legislative powers and greater authority to proactively investigate those who break the rules.

“Give RECO discipline committee suspension/revocation powers: The RECO discipline and appeals committee should be given authority under REBBA to consider proposals to revoke and suspend licences.

“Kick violent or fraudulent offenders out of the business: All applicants with any violent criminal convictions or fraudulent convictions defined under section 380 of the Canadian Criminal Code within the last 10 years should be denied the privilege of working in real estate, with no right of appeal.

“Eliminate the financial incentive for bad behaviour: Grant RECO the ability to order disgorgement thereby forcing a registrant to repay either all, or a portion of, the profits resulting from a breach of REBBA and its code of ethics.

“Allow administrative monetary penalties to be used for minor infractions: RECO should be granted authority to establish administrative monetary penalties..., or fines under \$2,000, for a range of regulatory violations as an intermediary disciplinary tool to better protect consumers.”

Before I move on to some other stuff, I would like to get into enhanced professionalism. This is something they did talk a lot about in our meetings over time. I think that’s great; I really think that’s great. When I reflect on my interest—I was a tenant for many years. I studied biochemistry, I have a diverse educational background myself, but I had never bought a property for the first time. And even learning about this since taking this position and understanding—because when you become an MPP you are kind of expected to become an expert on a whole bunch of things in a really short time. I do like to spend a lot of my time as a conduit to the real experts, and that’s what I’m doing today.

But I was at the mercy of my real estate agent, I was at the mercy of the lawyer, I was at the mercy of everybody that I brought into the process. I didn’t realize at the time that there weren’t specializations that are being asked for. I didn’t realize that the penalties weren’t there in the way that I believed that they would be. We are actually, I guess, in this legislation certainly strengthening and adding to the amounts of what fines could be. I think if the minister—it was \$50,000 to \$100,000, to this effect. But in large, large deals, though, you have to consider—if I’m making a purchase of a commercial property, I’m a realtor and I’m

getting 5% commission on a \$10-million property, I’m looking at about \$500,000. If I act inappropriately, is that fine enough? Would that be the cost of doing business in the case of a realtor who doesn’t want to play by the rules? I guess the question remains to be seen.

But certainly the concept of bringing in stronger punitive action is something that is so important. Because I know that realtors will attest to this. As in all fields, whether you’re a doctor, whether you’re a lawyer, whether you are in absolutely any field—and certainly in the case of us politicians—when someone does something that is wrong or inappropriate or that people have criticisms about, it goes back to absolutely everybody. And so the Ontario Real Estate Association very correctly pushed for stronger rules, and to be able to come in and say, “Look, let’s actually reward people. When they want to declare themselves specialists, let’s figure out what that means and let’s set up a system where you truly have specialists, and when people break rules, let’s ensure that they’re not able to practise in the same way. Let’s make sure they face real penalties.” If I have time, I will get into some of those things that we did hear about in the news that have happened as a result of that.

I guess one of the others things I do want to mention here—I’m going to move on and talk a little bit about RECO as well. I apologize; as I said, I have quite a scattering of papers around. I want to thank the member from Toronto Centre for allowing me to use her desk and chair, as well as Ottawa Centre, who is—

*Interjection.*

**Mr. Tom Rakocevic:** That’s right; I’ve got myself spread out everywhere.

I’d like to talk a little bit about what RECO had to say about consumer protection, again, because as New Democrats, consumer protection is very important to us. They did talk quite a bit about it.

Transparency in the offer process: I know that this legislation is bringing in the options I know as a seller. If you’re a seller, if I understand correctly now under this new legislation, what is proposed, you will have the ability to have the disclosure of details on competing offers. RECO talked about this as part of their submission. And what they said is:

“It’s been suggested by different stakeholder groups that the disclosure of details of offers in multi-offer situations might enhance consumer protection. This proposed approach to increasing transparency in real estate transactions appears simple; however, these changes may have complex and broader implications, beyond the transaction itself. There are practical implications that will impact the discussion, depending on how such a change might be made. Different levels of disclosure and their respective impact are discussed below.”

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I have to say, in the time since this legislation was declared about a month ago—sorry, a week ago—that we would be coming forward with these changes, I did find it really fascinating to review the submissions in greater detail by OREA, RECO and other associations that were advocating for the change.

I actually found that when we are giving the option to the seller—and I asked myself, “When would a seller agree to that?” I think it’s only that the seller, based on my understanding—again, I didn’t get the technical briefing—so if the seller asks for it, then it becomes part of the process within that specific deal. I don’t know if the buyers have to agree to be part of that. That’s an important question to understand.

When I reflected on it, I didn’t know whether or not this would drive up or down the prices as well. I know that it’s always in the best interests of the seller to try to get as much money as they can for their property, but we are increasingly moving into a time, especially in the GTA, when my dream of home ownership, which was about 10 years ago—I don’t know if I would have been able to purchase a home, and certainly not in the GTA, based on today’s environment, and I don’t know what effect it has.

If the government—which they haven’t done—went so far as to actually mandate that the offers were to be looked at, and for those who are contemplating that or may actually question why they didn’t move, these were some of the things that were offered by RECO that I found really fascinating and I want to share today.

They said that there would be the option of a limited-offer disclosure: “One approach might be to permit the registrant representing the seller to disclose the details of offers when the seller directs that the sale be an open bid process. This approach would impact subsection 26(1) of the code of ethics, which places restrictions on the disclosure of the details of offers.” So I guess that would be changed now as a result, when a buyer requests, to now make that something that’s open. And I guess that is a big deal when you consider that. But, again, it’s not being mandated. “Accompanying regulations could deal with the disclosures required if a seller elects to engage in an open bid process in order to ensure prospective buyers are aware it is an open bid process before an offer is submitted.

“The disclosure of offer details to others who are submitting offers might be described as a sort of ‘slow auction’ or ‘silent auction’ type of trade. There are practical issues associated with the disclosure of details of offers to a large number of parties in a multi-offer situation, a situation that is typically quite fluid, particularly if the disclosure must be relayed to each party through each party’s representative, and done each time a new offer is submitted....”

They also talk about a public auction approach that apparently exists in Australia: “Another approach that is more public is an open bid process that is more closely aligned with the public auction process. The processes, rules and regulations and experiences in jurisdictions where this type of trade is more common than in Ontario would be helpful to consider.

“In Australia, for example, when a property is sold by auction, buyers are responsible for completing property inspections, surveys, financing and other matters in advance. The contract the buyer will be required to sign is available for review prior to the auction. The contract includes details such as the deposit amount (typically 10%

of the purchase price) and closing date, which is normally between 30 and 90 days following the auction. Prospective buyers register in advance.” These are a couple of the examples that they talk about that were interesting.

Here’s where they talk about escalation clauses. To my understanding, it seems to be in contradiction to OREA. “In terms of the use of escalation clauses, that is, a clause where an offer is for a certain amount more than the next highest offer, restricting their use through amendments to REBBA may engage beyond regulating the conduct of registrants. The use of an escalation clause, if a potential buyer accepts the risk associated with it, is not a registrant conduct issue. Such a restriction would regulate the conduct of buyers and terms of contracts. To prevent a buyer from including an escalation clause in an offer could be viewed”—in the opinion of RECO—“as an inappropriate interference in the market. It might also encourage workarounds that could create other issues.” I guess this is one of the things when you’re in government and you have to contemplate different viewpoints. I know that that’s not easy.

Pre-emptive offers: I know that one of the realtors that made a submission talked about that. What RECO said here was, “A separate practice is that of communicating to potential buyers that offers will not be accepted before a specified date. The seller may elect to do this in order to create a situation that generates multiple offers or to create an environment that promotes pre-emptive offers (often referred to as ‘bully offers’) from very motivated buyers. The seller’s representative is required to obtain clear written direction from the seller about delaying offers to a specific date and time, including how the seller’s representative is expected to handle pre-emptive offers if they are received before that date. The seller retains the right to provide new direction at any point in time. To prevent a seller from accepting offers submitted before the expiry of the ‘no-offer period’ could be viewed as inappropriately interfering in the market. It might also encourage workarounds that could create other issues.”

One of the things that I would like to get back to is that when I reached out to the stakeholders, I also offered them an opportunity to speak to me directly and to write a message to me directly about their feelings around the legislation. It was important to me that I wanted to hear it in their own words, and not necessarily as relayed through the government—with all due respect.

So, as I go through this massive dissertation, here is a letter that was prepared by OREA to me. I’m going to paraphrase some of it.

I appreciate the kind words they said: “We are very thankful for NDP support on issues important to Ontario’s 80,000 realtors. Most notably, we are very thankful for NDP leader Andrea Horwath’s presentation to our 2019 Ontario Realtor Party Conference where she affirmed her commitment to support personal real estate corporations, something MPP Catherine Fife has championed for over four years. This support follows a number of highly productive meetings with NDP members we have had around raising the bar when it comes to real estate professionalism.

“Buying a home is the largest investment most Ontarians will ever make, and housing is one of the most important sectors to our economy. Ontario’s real estate rules are outdated. The Real Estate and Business Brokers Act, 2002 ... is over 18 years old and passed at a time when fax machines were the way most real estate deals were made.”

True.

**Ms. Sandy Shaw:** And telephone.

**Mr. Tom Rakocevic:** And telephone.

“Ontario’s 80,000 realtors led the charge for a modern REBBA because we believe that our province should be a leader in North America when it comes to education, professional standards, and protection for real estate consumers.

“TRESA will modernize Ontario’s real estate rules, ensuring that the realtor at your side during the largest financial transaction of your life has the highest professional standards, training and modern business tools. TRESA will also strengthen consumer protection and fix the broken real estate discipline system. In short, Bill 145 will make Ontario,” in their opinion, a leader.

They went on, to get into a little more detail. They said: “Fix the broken real estate disciplinary system

“Bill 145 updates the powers available to RECO and its registrar to increase professional standards and enhance compliance across the real estate sector by proposing the following changes....”

But before I mention that, I have reflected on the fact that this bill will put a lot more responsibility in the hands of RECO. I will talk a little bit about another area of reform that I think needs to happen. But we’re hoping that the regulator will actually act. So, when given these enhanced powers, will they actually use them when they need to?

Going back to what OREA had to say:

“—providing RECO with the authority to levy financial penalties, also known as ‘administrative monetary penalties’ (AMPs) for failure to comply with a legal requirement specified in regulation;

“—reaffirming the ability of the regulator to impose a maximum fine of \$50,000 for a registrant or \$100,000 for a brokerage for non-compliance with the act;

“—expanding the scope of RECO’s discipline committee to provide it with the authority to suspend or revoke a real estate professional’s or brokerage’s registration or impose conditions on a registration.

“Together, these changes will better protect consumers and raise professional standards by ensuring offences are punished and the most egregious offences result in licence suspension or revocation—something that rarely happens today.

“Raise the education bar with real estate professionals”—he talked about this before:

“Ontario consumers deserve to work with the best-educated real estate professionals in North America. TRESA will raise the bar for real estate professionals in Ontario by permitting real estate professionals to hold a

specialist certification, provided certain criteria have been met. These criteria will be set out in regulation.

“Specialist certification will give consumers the ability to discern whether or not a real estate professional has the requisite experience and expertise to help them with a transaction.

“The most obvious area that would benefit from specialist certification is commercial real estate. Commercial real estate is markedly different than residential real estate in a number of ways. An average consumer who owns a commercial real estate property may not know what to look for when selecting a commercial real estate professional.

“Modern business tools (personal real estate corporations)

“After years of work, TRESA finally treats real estate professionals fairly by permitting personal real estate corporations (PREC).

“Realtors are some of the most civically engaged and charitable professionals out there. They deserve to be treated fairly when it comes to taxes.”

They do talk about multiple representation reform, and that is an issue. I know that in BC, they banned the practice. Based on my own personal experiences, I have heard from realtors as well as purchasers on both sides of this. OREA has made it very clear that they don’t support multiple representation, and they always speak about consumer choice and who they choose. That’s something they mentioned. But it is worth mentioning that it is an issue that I have heard a lot on both sides as well.

## 1950

NDP leader and leader of the official opposition Andrea Horwath actually spoke to that. In her speech, she said that she’d had the pleasure of working with the leadership of OREA and their almost 80,000 members. She said that they are hard-working, dedicated professionals who help so many Ontarians every year to make the biggest and most important financial decisions of their lives, and also mentioned that they help tens of thousands of Ontarians to achieve their dreams of home ownership and to build a more secure life here in Ontario. So she did recognize their work as well.

I would like to mention a little bit about the Toronto Real Estate Board. They have a statement on Bill 145. I would like to thank them, because they met with me as well a number of times to talk about the need for change.

“The Toronto Real Estate Board is applauding ... action”—they were looking for action on this as well—to “enhance professional standards, create a more fair and efficient business environment, and better protect consumers. The changes are being introduced through the Trust in Real Estate Services bill, and have been called for by TREB for many years after extensive consultations with the current and former provincial governments.” Again, this is something that the former Liberal government had 15 years to change and modernize. We did not see change under them. “We always made sure that preserving consumer choice and consent, along with enhanced industry professionalism, remained central when proposing and

discussing legislative improvements with the government.” Furthermore, they were “pleased to see business fairness being addressed by allowing all realtors to run their businesses more efficiently by forming personal real estate corporations, if they so choose—a tool that’s available to realtors in six other provinces and many industries in Ontario. TREB’s board of directors started to formally tackle the ability to form personal corporations as a business fairness issue dating back to 2005.” They are pleased to see their efforts come to fruition with the help of OREA. So TREB also recognized OREA as well.

Depending on the amount of time I have left, I would like to move to my second point, and it does talk about builder exemption. I would like to talk about the priorities of the ministry in particular, the Ministry of Government and Consumer Services. There are a number of issues within this portfolio: some of the things that have been discussed, some of the things that people are waiting for in changes. It just so happens that one of the things that was asked for by the Ontario Real Estate Association, which was to take away the builder exemption, is not seen in this legislation.

If you purchase, like I did, a home that was previously owned by someone else—I took on that home. It’s not a new home. It’s a new home for me, but it’s not a new home; it was a pre-owned home. I’m covered. There is a real estate agent and we’re now going to see a tightening of legislation to even bring an enhanced level of professionalism, something that everyone wants. But what happens in the instance when I go out and I purchase a home that is newly built—a new condo, a new home—somewhere? Is that covered? It’s not. It’s not covered. I’m happy to see changes. I think it’s unfortunate that under the former Liberal government of 15 years, we could have seen changes that were being demanded by real estate agents and the association speaking for them. We didn’t see that.

What I have heard is the need for change when it comes to Tarion. If I could find it in my large amount of stuff here, what I wanted to talk about was Tarion reform. This is something that this ministry talked about earlier, that it’s coming, it’s coming, but we have not seen it. If we’re going to talk about real estate and if we’re going to talk about purchasing properties, we cannot ignore those people who have bought new properties. So I’m going to take some of the words from some of the important consumer rights advocates that have shared with me.

Barbara Captijn: “The real crisis in consumer protection, which this government seems to be avoiding, is Tarion, not the rules governing real estate transactions.

“While the government continues to spend its time on” this, “many Ontarians continue to experience serious hardships dealing with the 42-year-old broken legislation covering new home warranties and builder regulation, Tarion.

“Updating the rules for the real estate transactions seems to be putting the cart before the horse. Too many Ontario families continue to struggle with major deficiencies in their new homes. Defective heating, leaking

foundations, homes filled with mould—all these problems should never be happening in Ontario in newly built homes. These problems have been created and enabled by ... Tarion.

“These are newly built homes we are talking about. We’re talking about families losing their life savings on newly built homes full of construction defects, and many have lost years of their lives in complex legal battles fighting the Goliath, Tarion, and its licensed builders.

“This crisis is beyond its boiling point. The government must get serious about Tarion....

“The government seems to be approaching consumer protection backwards,” she says.

“Approximately 60,000 new homes are sold in Ontario each year, with this government pushing to build more homes, build faster, with less regulation. But you haven’t fixed the underlying problem that too many homes are sold with serious construction defects. The government agency licensing builders and protecting consumers is failing in both its mandates. So the nightmare for consumers continues.

“Struggling with broken Tarion and fixing defective homes should not fall on the shoulders of the most vulnerable party, the consumer. That’s not what consumer protection legislation is for. But it’s sadly what this government and its predecessors have left for consumers to contend with.

“If anyone still doubts that the Tarion crisis has reached its boiling point, please read the hard-hitting report released by the Auditor General a few weeks ago. It paints a shameful picture of lack of government oversight and senior Tarion executives rewarding themselves for denying claims. It points to Tarion continuing to license builders with poor records, and the building industry’s dominance of policy-making. The report shows [that] Tarion has not disclosed true builder records to the public, kept secret some alleged to be dishonest, and 65% of the time builders have not fixed defects under warranty in a four-year period.

This can’t go on. She says more, but I’d like to now move on to what was stated by Karen Somerville for Canadians for Properly Built Homes—again, just like Barbara Captijn, another group and another individual who has been fighting for reform in this important area.

“Bill 145, Trust in Real Estate Services Act, which updates the rules governing Ontario’s real estate professionals, appears to be a good initiative. The ... government should pursue it when it has dealt with the clear and present crisis affecting thousands of Ontario families right now and each year.”

Just like Barbara, she is saying that this is good, but what is most pressing for this ministry to be devoting time to—Bill 145, or what’s most urgent right now? She says:

“Bill 145 does nothing to help the thousands of homeowners still faced with serious problems resulting from Tarion Warranty Corp. CPBH remains very concerned that the Ford government continues to drag its feet on addressing Ontario’s new home warranty organization while so many Ontario families suffer.

“Since the Ford government came into power, approximately 100,000 families have been forced—by law—to purchase Tarion’s seriously flawed warranty. It is critical to note that many of the families who are fighting Tarion are stuck with Ontario building code ... violations. OBC violations typically involve health and safety concerns for the occupants of the homes. Many serious consequences have resulted for homeowners due to Tarion’s improper handling of homeowners’ claims. These range from freezing in houses with faulty HVAC systems, physical illness such as asthma from mould, financial hardship, mental illness from stress, anxiety and trauma, marital breakdown, bankruptcy and suicide.

“Tarion’s own performance has clearly demonstrated to thousands of Ontario’s new homebuyers each and every year and to Justice Douglas Cunningham that it is beyond repair. Indeed, its performance shows that it went rogue a long time ago. The findings in the Auditor General of Ontario’s recent audit of Tarion articulated the unacceptable and shameful practices of an arm’s-length organization that serves itself. It serves industry. It does not serve its clients. And its clients are hard-working families, the taxpayers of Ontario, the people who Ontario’s Legislature exists to serve.

“This can and must be repaired. It is urgent....

“Many are working hard and tirelessly to see this change take place. They are dedicated, determined and relentless because the cause is just. CPBH looks forward to seeing a regime put into place, with all due haste, that works for all involved: consumers, industry and government. Especially consumers. Because that’s who has suffered the most in this mess since 1976.”

The last submission that I want to share with you is one of those “meanwhile, at,” when you really think about it.

I’ve gotten to know the Bellefeuille family from the Cardinal Creek Village homes that were built in the riding of Orléans under the previous Liberal government. These are new homes. Marcel and his wife, Julie, shared this with me. It’s a state of where they’re at, and it reflects—and I’d like to share his words here: “Modernizing laws and protecting existing home sales is a step forward for Ontario consumers.”

#### 2000

He was appreciative of the legislation moving forward in real estate, but I think if we could have captured new home purchasers, there would have been a lot more people who could be saved. Let’s talk about his own experiences.

“Government and Consumer Services Minister Lisa Thompson said that the bill is a needed update to rules put in place in 2002.

“‘It’s been nearly 20 years since the Real Estate and Business Brokers Act has been passed, and it’s absolutely overdue for review,’ she said while introducing what’s to be known as the Trust in Real Estate Services Act.

“What is conspicuously missing from this bill is any mention or protection for new home purchasers in Ontario. Since 1976, Ontario new home purchasers have been trapped in a mandatory-enrolment Tarion warranty program.

“For last year and a half, this government has stated that the current system is broken, and consumers are left with a flawed warranty protection plan. Further bolstered by the current Auditor General report.

“Yet this has not been a priority for our current government.

“When we purchased our new home in ... 2016, we unfortunately realized that there were many health and safety issues and Ontario building code violations in our home. At that time, the dream of a new home and retirement investment quickly became a nightmare.”

So for me, it was a dream, but for the Bellefeuilles, it became a nightmare.

“As we moved forward with trying to mitigate the damage and health concerns, it became increasingly difficult. Health concerns such as radon, mould, carpenter ant and deer mice infestations as a result of building defects became the norm. We were often forced from our home for extended periods of time for remediation. Our family was put on medication to counteract the effects of the mould.

“Structural defects such as 29 basement slab cracks, 14 foundation cracks, water infiltration, lack of insulation, framing deficiencies and much more only made things worse. The uncertainty of living in a dangerous home was always evident.

“We hoped that the Tarion warranty program would be able to assist us and release some of the stress and uncertainty from our lives. Unfortunately, it only created more stress and demands on us. We found ourselves in a long drawn-out process that required us to meet the burden of proof for what we felt were obvious builder defects. After hiring engineers, contractors and building specialists, we found ourselves continuing to fight to get what we paid for. A safe home free of defects. The lack of transparent processes at the time delayed coverage and maximum administrative delays forced us to spend time travelling back and forth from Ottawa to Queen’s Park to meet with government, Tarion and ministry officials to get answers. It took many months to get coverage for our 30-day warranty list which included serious health and safety concerns and Ontario building code violations. We have been in our home for over three years and are still battling through the system for items that include major structural concerns.

“The major structural defects and health and safety issues surrounding our home required us to have our basement slab removed and irrigation system redone. These repairs forced us to move into our garage for months on end. As reported by CBC.

“After all this, our worse nightmares became a reality. We were not alone. Many of our neighbours realized they had some of the same issues. These families were now at risk of both the health and safety issues and daunting Tarion process.

“On August 13, 2019, 85 Cardinal Creek Village homeowners met with between 10-12 Tarion representatives in our neighbourhood. This meeting led to significant media coverage from CBC. Resulting in homeowners leaving the meeting unclear of Tarion’s intentions.



“Unfortunately, that meeting, press coverage and the subsequent Auditor General’s report have not really moved the needle.

“Meanwhile, we and many neighbours in Cardinal Creek Village were left with homes that had mould, major foundation cracks, Ontario building code violations and now face the winter with no basement insulation.

“There are many families like us that have gone through this in the past and present. Without real legislation, there will be many more in the future.

“The time to act for all Ontarians is now!

“Marcel and Julie Bellefeuille.”

While those of us are going to be going home to a warm home, many people in Cardinal Creek Village are going home to a home that doesn’t even have insulation in their basements, places that still have unfixed structural defects and other major defects.

While I stand here and I’m happy to be able to debate and discuss reform in real estate, something that the minister noted, something that the leader of the official opposition talked about, the need for change in real estate—and a lot of these things we can all agree upon—this ministry needs to be more active in this Legislature.

I think that arguably one of the most pressing concerns is the need for Tarion reform. We’ve heard hints of it. New Democrats have pushed for it, stakeholders have pushed for it and, certainly, thousands and thousands and thousands of Ontario homeowners and condo owners are currently under a system of warranties that is incomplete. I think there was, even within this legislation, an opportunity to be able to address that builder exemption. I think this would have been a great first step in bringing relief to those people who have purchased new homes.

When I reflect on this, I want to say that I really appreciate OREA, TREB, the submissions made by RECO and, certainly, those real estate agents and realtors who sent me submissions as well, to be able to share in their own words the need to modernize.

Certainly, we’re now in 2019. Twenty years have passed, and it’s really good to be able to see legislation finally coming where we see the modernization. I look forward to more debate back and forth.

I would like to say that I am disappointed, though, that this ministry was not able to provide a briefing to myself, as the critic, or to my members or our researchers, to get into a lot of the technical details. I think that it would have been a lot more useful.

When this government talks about healthy debate, when this government talks about reaching across the aisle and asking for our support, I think they shouldn’t play as opposition to the opposition. When things are good, when things are going to move people forward, you’ll find the New Democrats will be willing to be here in support, because we want what’s best for Ontarians. If modernization is required in a field, we’ll come and we’ll step up to the plate.

Certainly, consumer protection is at the core of what New Democrats stand for. It’s why I asked for this critic portfolio.

I’m really glad to have had a chance to read a little bit—there is actually an exhaustive amount of information that OREA has conducted internally, as well as RECO, the regulator. TREB and a lot of these stakeholders have put in an inordinate amount of work for their own membership, and I think their membership should be proud of them, because I know that they’re working really hard in their best interests. I, for one, really appreciated the amount of time that they were willing to talk to me about consumer protection. It lies most with what’s within my heart as a New Democrat.

Certainly, I look forward to more fulsome debate on the modernization of the rules governing real estate purchases here in Ontario.

Thank you very much, Speaker. And, last, I’d like to say that I was able to do it without a sip of water.

Actually, the final, final thing is, I do have to say that this is the first time I’ve ever spoken this much in length. I know that my family, my wife, my mom and my friends will disagree, but it is true: I don’t think I’ve ever spoken for an hour straight like this.

**The Acting Speaker (Mrs. Lisa Gretzky):** Questions and comments?

**Mr. Michael Parsa:** I want to thank my honourable colleague. He did such a great job without even lifting his glass. I don’t even think he looked at it, Madam Speaker. He did a great job articulating the importance of customer protection, and that’s what this bill is all about.

I’m proud of the minister and her awesome parliamentary assistant for putting forward this bill.

When it comes to purchasing a home—or selling a home, perhaps—there isn’t a larger investment that an Ontario resident would make. It is probably the largest investment one would make. So it’s important to make sure that those investments—I think we, as MPPs here, do our best to make sure we put the right protections in, so that every industry does their part to protect consumers

One of the areas that I really like here is that it will double fines to \$50,000 and \$100,000. The \$50,000 would be to any agent, and the \$100,000 to any brokerage, if they violate the rules that are set out in the REBBA, 2002, code of ethics. That’s amazing, because it protects the consumer at the end.

Another thing is that if this bill passes, it increases consumer confidence, enhances standards for real estate professionals and brokerages, and provides additional flexibility to keep pace with a modern marketplace.

Madam Speaker, I can’t tell you how important it is when you’re purchasing a home—I remember when I was purchasing our house. It was so difficult. There were a lot of things that we didn’t know. Our realtor sat us down and said, “You can’t buy this house.” We were in love with it, and we were going to purchase it, and the realtor said, “You cannot purchase this house, because it’s located on a T. It’s going to be hard to resell it.”

It’s the little things that we don’t know of, as the general public, that this profession helps with. They’re great, they’re very helpful, but we need to make sure that we

have laws and rules and regulations to protect the general public.

**The Acting Speaker (Mrs. Lisa Gretzky):** Questions and comments?

**Mr. Wayne Gates:** I know my good friend Tim Hudak has been listening to this debate intently for the last couple of hours.

But I'm a little concerned with the name of the bill. Maybe later, Madam Speaker, he can explain it to me. Bill 145, Trust in Real Estate Services Act: I already trust my real estate agent; I don't need it in law, to highlight the fact that you've got to trust them. So I think you should maybe change the name of the bill. I don't think it's fair to your profession at all, quite frankly. I don't like it, and I don't think you need to have that as part of the bill—just a comment from me.

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I want to comment on the young man behind me who did an hour. It's not easy to stand up in this House and talk for an hour. I mean, I can do it—

*Interjections.*

**Mr. Wayne Gates:** Just saying. But it's not easy, and as you get older, it gets even harder because you've got to go to the washroom every half-hour. But that's another story.

I do want to talk about something that's very, very serious, something that has to be addressed not only by the agents but by this government and by us, being the opposition, to highlight it. Tarion is a mess. There are homes out there that people save their entire lives for, relying on a brand new home. And when they move into that home, there are cracks in the foundation; the insulation is not there; the beams aren't lined up right. Then they fight to try to save their home, and they end up losing their home and, in some cases, they end up in bankruptcy.

I'm saying that Tarion has to be fixed. It's a huge issue in the province of Ontario. Quite frankly, it's a huge issue in my riding, and I know it's a huge issue in Grimsby, with all the new homes. Let's fix Tarion. Because the biggest decision you make, the biggest purchase in your life, is going to be your home, and once you purchase it, you shouldn't have to fight Tarion to get it fixed.

**The Acting Speaker (Mrs. Lisa Gretzky):** Questions and comments?

**Mrs. Gila Martow:** I want to congratulate the member opposite for his one-hour speech. He is the member for Humber River–Black Creek, and he's been quite impressive since he was elected. He speaks French fairly well. I'm looking forward to lots more good debate from him.

I just want to thank all the members—three members from our caucus, and a previous member, including Tim Hudak, who's here with OREA—who put forward private members' bills to modernize how we deal with real estate agents. To allow them to incorporate is one of the key parts of this piece of legislation that they're asking for, to help them with their tax planning.

One of the things that hasn't been raised so far is technology—or maybe I missed it. We all know that real estate agents and brokerages are now able to use electronic

signatures, they're able to use digital photography. People can do virtual tours of condos, homes and commercial real estate. So we all know that the future is changing so quickly. We've seen just in the last few years vast, vast changes.

I think this bill will allow more protection for consumers, but more protection for real estate agents as well going forward, with all the new technology that we're going to be seeing in the future. They need to be specialized. They need to be trained in how to use that new technology.

It's not like the old days. My aunt Irene, who's in her nineties—she worked until she was about 90 as a real estate agent. It was easy: You got in your car with a few pieces of paper. She was very good at math and she could manage. Today, with all the technology and all the changes, she wouldn't be able to do things without much more vigorous training.

I look forward to much more debate, and I'm hoping that this bill gets passed sooner rather than later.

**The Acting Speaker (Mrs. Lisa Gretzky):** Question or comments?

**Ms. Rima Berns-McGown:** I also want to congratulate my colleague the member for Humber River–Black Creek on his first one-hour speech. It was a delight to listen to. Thank you so much.

I want to pick up on some of the things that my colleague said. It's absolutely crucial, the role that real estate agents play. So legislation that makes the profession more professional, that helps them know what the parameters are for them to do their jobs, is really important.

My partner and I have purchased three houses now. Each experience was more stressful than the last. I don't know how we would have done it had we not felt that we could trust our real estate agents. We remain extremely grateful to each one of those people because they made an extraordinarily stressful situation just bearable, and I think that it's even true when housing is increasingly unaffordable and people are putting even more of their hopes and dreams and life savings into it that the profession work well.

I do have fears. My kids, who live in Toronto, are afraid they'll never be able to afford to buy a house in Toronto. They have good jobs and great educations, and they're the privileged ones. With income disparity, there are huge swaths of the population who can't even begin to have a home with all the attributes that the minister so rightly laid out are the joys of owning a home and knowing that it's yours and not going to be taken away. So I hope that the government will put energy into being able to ensure that people living in poverty, or even not living in poverty, can at some point own their homes, as well.

**The Acting Speaker (Mrs. Lisa Gretzky):** Back to the member for Humber River–Black Creek.

**Mr. Tom Rakocevic:** I really want to thank the members from Aurora–Oak Ridges–Richmond Hill, Niagara Falls, Thornhill and Beaches–East York for their comments and their insightful additions to this.

I also want to say to the member from Niagara Falls that it's true; I've often sat in wonder when some of the more distinguished, more experienced colleagues get up and

they get an hour. Well, 20 minutes to them is like, I guess, two minutes for me; right? They just get up and it's a breeze for them. And one hour? I have to say that after speaking for an hour, I did have *The Lord of the Rings* stowed in here. In case I didn't have enough content, I could whip it out and really relay what happened at the very end and ruin it for everybody. But I didn't have to go to that. I was surprised that I found, towards the end, I'm like, "Oh, man, I'm going to have to cut off some of the words and shorten some of the stuff." So that was interesting.

I want to, again, thank Elana Hearse, Massimo Cannella, Tina Carbonara, Norma Manfrini and Michael Verrelli. These are just regular realtors out there who contributed to this and sent me some of their words. They took that opportunity to share and to have their words shared in this House. We are all conduits for experts and people who are living just regular, daily lives in Ontario who all want what we want: to make lives better for everybody.

I want to thank all of these associations that have been working hard: the Toronto Real Estate Board, the Ontario Real Estate Association—sorry, OREA—and RECO. You've got all these acronyms; right? It's late in the night. But, yes, I really want to thank you for all of your work and your professionalism in advancing the cause. I want to thank Barbara Captijn, Karen Somerville, the Bellefeuille family and CPBH for all of their important work.

I want to say something and it's this: It's important to reform real estate. This is something that has been long overdue. It was an opportunity for the Liberals; they forgot. But there are a lot of pressing issues. I want more leads, and what more leads means is more work from this ministry. We need Tarion reform. I want to see this ministry move forward on a lot of pressing issues, and

certainly I look forward to the time we can debate Tarion. This was an opportunity to do it by adding—

**The Acting Speaker (Mrs. Lisa Gretzky):** Thank you.

**Mr. Tom Rakocevic:** Anyway, thank you.

**The Acting Speaker (Mrs. Lisa Gretzky):** Further debate? Further debate? Last call: Further debate?

Mr. Calandra has moved second reading of Bill 145, An Act to amend the Real Estate and Business Brokers Act, 2002. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

The motion is carried.

*Second reading agreed to.*

**The Acting Speaker (Mrs. Lisa Gretzky):** Which committee should the bill be referred to? Minister of Government and Consumer Services, which committee should the bill be referred to?

**Hon. Lisa M. Thompson:** General government.

**The Acting Speaker (Mrs. Lisa Gretzky):** So ordered.

Orders of the day? The Minister of Labour.

**Hon. Monte McNaughton:** I move adjournment of the House.

**The Acting Speaker (Mrs. Lisa Gretzky):** The minister has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

*Interjections.*

**The Acting Speaker (Mrs. Lisa Gretzky):** I thought there would be more enthusiasm than that.

The motion is carried.

There being no further business, this House stands adjourned until tomorrow morning at 9 a.m.

*The House adjourned at 2020.*

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Anand, Deepak (PC)	Mississauga—Malton	
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Baber, Roman (PC)	York Centre / York-Centre	
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Bailey, Robert (PC)	Sarnia—Lambton	
Barrett, Toby (PC)	Haldimand—Norfolk	
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Bell, Jessica (NDP)	University—Rosedale	
Berns-McGown, Rima (NDP)	Beaches—East York / Beaches—East York	
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Bisson, Gilles (NDP)	Timmins	Opposition House Leader / Leader parlementaire de l'opposition officielle
Bouma, Will (PC)	Brantford—Brant	
Bourgouin, Guy (NDP)	Mushkegowuk—James Bay / Mushkegowuk—Baie James	
Burch, Jeff (NDP)	Niagara Centre / Niagara-Centre	
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<b>Cho, Hon. / L'hon. Raymond Sung Joon (PC)</b>	Scarborough North / Scarborough-Nord	Minister for Seniors and Accessibility / Ministre des Services aux aînés et de l'Accessibilité
Cho, Stan (PC)	Willowdale	
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Coteau, Michael (LIB)	Don Valley East / Don Valley-Est	
Crawford, Stephen (PC)	Oakville	
Cuzzetto, Rudy (PC)	Mississauga—Lakeshore	
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<b>Dunlop, Hon. / L'hon. Jill (PC)</b>	Simcoe North / Simcoe-Nord	Associate Minister of Children and Women's Issues / Ministre associée déléguée au dossier de l'Enfance et à la Condition féminine Minister Without Portfolio / Ministre sans portefeuille
<b>Elliott, Hon. / L'hon. Christine (PC)</b>	Newmarket—Aurora	Deputy Premier / Vice-première ministre Minister of Health / Ministre de la Santé
<b>Fedeli, Hon. / L'hon. Victor (PC)</b>	Nipissing	Chair of Cabinet / Président du Conseil des ministres Minister of Economic Development, Job Creation and Trade / Ministre du Développement économique, de la Création d'emplois et du Commerce
Fee, Amy (PC)	Kitchener South—Hespeler / Kitchener-Sud—Hespeler	Deputy Government House Leader / Leader parlementaire adjointe du gouvernement
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Fraser, John (LIB)	Ottawa South / Ottawa-Sud	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>French, Jennifer K. (NDP)</b>	Oshawa	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du comité plénier de l'Assemblée législative
<b>Fullerton, Hon. / L'hon. Merrilee (PC)</b>	Kanata—Carleton	Minister of Long-Term Care / Ministre des Soins de longue durée
Gates, Wayne (NDP)	Niagara Falls	
Gélinas, France (NDP)	Nickel Belt	
Ghamari, Goldie (PC)	Carleton	
Gill, Parm (PC)	Milton	
Glover, Chris (NDP)	Spadina—Fort York	
Gravelle, Michael (LIB)	Thunder Bay—Superior North / Thunder Bay—Supérieur-Nord	
<b>Gretzky, Lisa (NDP)</b>	Windsor West / Windsor-Ouest	First Deputy Chair of the Committee of the Whole House / Première vice-présidente du comité plénier de l'Assemblée
<b>Hardeman, Hon. / L'hon. Ernie (PC)</b>	Oxford	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Harden, Joel (NDP)	Ottawa Centre / Ottawa-Centre	
Harris, Mike (PC)	Kitchener—Conestoga	
Hassan, Faisal (NDP)	York South—Weston / York-Sud- Weston	
<b>Hatfield, Percy (NDP)</b>	Windsor—Tecumseh	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
Hillier, Randy (IND)	Lanark—Frontenac—Kingston	
Hogarth, Christine (PC)	Etobicoke—Lakeshore	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Official Opposition / Chef de l'opposition officielle
Hunter, Mitzie (LIB)	Scarborough—Guildwood	
<b>Jones, Hon. / L'hon. Sylvia (PC)</b>	Dufferin—Caledon	Solicitor General / Solliciteure générale
Kanapathi, Logan (PC)	Markham—Thornhill	
Karahalios, Belinda C. (PC)	Cambridge	
Karpoche, Bhutla (NDP)	Parkdale—High Park	
Ke, Vincent (PC)	Don Valley North / Don Valley-Nord	
Kernaghan, Terence (NDP)	London North Centre / London- Centre-Nord	
Khanjin, Andrea (PC)	Barrie—Innisfil	
Kramp, Daryl (PC)	Hastings—Lennox and Addington	
Kusendova, Natalia (PC)	Mississauga Centre / Mississauga- Centre	
<b>Lecce, Hon. / L'hon. Stephen (PC)</b>	King—Vaughan	Minister of Education / Ministre de l'Éducation
Lindo, Laura Mae (NDP)	Kitchener Centre / Kitchener-Centre	
<b>MacLeod, Hon. / L'hon. Lisa (PC)</b>	Nepean	Minister of Heritage, Sport, Tourism and Culture Industries / ministre des Industries du patrimoine, du sport, du tourisme et de la culture
Mamakwa, Sol (NDP)	Kiiwetinoong	
Mantha, Michael (NDP)	Algoma—Manitoulin	
Martin, Robin (PC)	Eglinton—Lawrence	
Martow, Gila (PC)	Thornhill	
McDonell, Jim (PC)	Stormont—Dundas—South Glengarry	
McKenna, Jane (PC)	Burlington	
<b>McNaughton, Hon. / L'hon. Monte (PC)</b>	Lambton—Kent—Middlesex	Minister of Labour, Training and Skills Development / Ministre du Travail, de la Formation et du Développement des compétences
Miller, Norman (PC)	Parry Sound—Muskoka	
Miller, Paul (NDP)	Hamilton East—Stoney Creek / Hamilton-Est—Stoney Creek	
Mitas, Christina Maria (PC)	Scarborough Centre / Scarborough- Centre	
Monteith-Farrell, Judith (NDP)	Thunder Bay—Atikokan	
Morrison, Suze (NDP)	Toronto Centre / Toronto-Centre	
<b>Mulroney, Hon. / L'hon. Caroline (PC)</b>	York—Simcoe	Minister of Francophone Affairs / Ministre des Affaires francophones Minister of Transportation / Ministre des Transports
Natyshak, Taras (NDP)	Essex	
<b>Nicholls, Rick (PC)</b>	Chatham-Kent—Leamington	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
Oosterhoff, Sam (PC)	Niagara West / Niagara-Ouest	Deputy Speaker / Vice-président

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Pang, Billy (PC)	Markham—Unionville	
Park, Lindsey (PC)	Durham	
Parsa, Michael (PC)	Aurora—Oak Ridges—Richmond Hill	
Pettapiece, Randy (PC)	Perth—Wellington	
<b>Phillips, Hon. / L'hon. Rod (PC)</b>	Ajax	Minister of Finance / Ministre des Finances
Piccini, David (PC)	Northumberland—Peterborough South / Northumberland—Peterborough-Sud	
Rakocevic, Tom (NDP)	Humber River—Black Creek	
Rasheed, Kaleed (PC)	Mississauga East—Cooksville / Mississauga-Est—Cooksville	
<b>Rickford, Hon. / L'hon. Greg (PC)</b>	Kenora—Rainy River	Minister of Energy, Northern Development and Mines / Ministre de l'Énergie, du Développement du Nord et des Mines Minister of Indigenous Affairs / Ministre des Affaires autochtones
Roberts, Jeremy (PC)	Ottawa West—Nepean / Ottawa- Ouest—Nepean	
<b>Romano, Hon. / L'hon. Ross (PC)</b>	Sault Ste. Marie	Minister of Colleges and Universities / Ministre des Collèges et Universités
Sabawy, Sheref (PC)	Mississauga—Erin Mills	
Sandhu, Amarjot (PC)	Brampton West / Brampton-Ouest	
<b>Sarkaria, Hon. / L'hon. Prabmeet Singh (PC)</b>	Brampton South / Brampton-Sud	Associate Minister of Small Business and Red Tape Reduction / Ministre associé délégué au dossier des Petites Entreprises et de la Réduction des formalités administratives Minister Without Portfolio / Ministre sans portefeuille
Sattler, Peggy (NDP)	London West / London-Ouest	Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
Schreiner, Mike (GRN)	Guelph	
<b>Scott, Hon. / L'hon. Laurie (PC)</b>	Haliburton—Kawartha Lakes—Brock	Minister of Infrastructure
Shaw, Sandy (NDP)	Hamilton West—Ancaster—Dundas / Hamilton-Ouest—Ancaster—Dundas	
Simard, Amanda (IND)	Glengarry—Prescott—Russell	
Singh, Gurratan (NDP)	Brampton East / Brampton-Est	
Singh, Sara (NDP)	Brampton Centre / Brampton-Centre	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Skelly, Donna (PC)	Flamborough—Glanbrook	
Smith, Dave (PC)	Peterborough—Kawartha	
<b>Smith, Hon. / L'hon. Todd (PC)</b>	Bay of Quinte / Baie de Quinte	Minister of Children, Community and Social Services / Ministre des Services à l'enfance et des Services sociaux et communautaires
Stevens, Jennifer (Jennie) (NDP)	St. Catharines	
Stiles, Marit (NDP)	Davenport	
<b>Surma, Hon. / L'hon. Kinga (PC)</b>	Etobicoke Centre / Etobicoke-Centre	Associate Minister of Transportation (GTA) / Ministre associée des Transports (RGT) Minister Without Portfolio / Ministre sans portefeuille
Tabuns, Peter (NDP)	Toronto—Danforth	
Tangri, Nina (PC)	Mississauga—Streetsville	
Taylor, Monique (NDP)	Hamilton Mountain	
Thanigasalam, Vijay (PC)	Scarborough—Rouge Park	
<b>Thompson, Hon. / L'hon. Lisa M. (PC)</b>	Huron—Bruce	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
<b>Tibollo, Hon. / L'hon. Michael A. (PC)</b>	Vaughan—Woodbridge	Associate Minister of Mental Health and Addictions / Ministre associé délégué au dossier de la Santé mentale et de la Lutte contre les dépendances Minister Without Portfolio / Ministre sans portefeuille
Triantafilopoulos, Effie J. (PC)	Oakville North—Burlington / Oakville-Nord—Burlington	
Vanthof, John (NDP)	Timiskaming—Cochrane	Deputy Leader, Official Opposition / Chef adjoint de l'opposition officielle
Wai, Daisy (PC)	Richmond Hill	
<b>Walker, Hon. / L'hon. Bill (PC)</b>	Bruce—Grey—Owen Sound	Associate Minister of Energy / Ministre associé de l'Énergie Minister Without Portfolio / Ministre sans portefeuille
West, Jamie (NDP)	Sudbury	
Wilson, Jim (IND)	Simcoe—Grey	
Wynne, Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Yakabuski, Hon. / L'hon. John (PC)</b>	Renfrew—Nipissing—Pembroke	Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
Yarde, Kevin (NDP)	Brampton North / Brampton-Nord	
<b>Yurek, Hon. / L'hon. Jeff (PC)</b>	Elgin—Middlesex—London	Minister of the Environment, Conservation and Parks / Ministre de l'Environnement, de la Protection de la nature et des Parcs
Vacant	Orléans	
Vacant	Ottawa—Vanier	

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Standing Committee on Estimates / Comité permanent des budgets des dépenses**

Chair / Président: Peter Tabuns  
Vice-Chair / Vice-président: Wayne Gates  
Stan Cho, Wayne Gates  
Randy Hillier, Andrea Khanjin  
Jane McKenna, Judith Monteith-Farrell  
Lindsey Park, Michael Parsa  
Randy Pettapiece, Peter Tabuns  
Effie J. Triantafilopoulos  
Committee Clerk / Greffier: Julia Douglas

**Standing Committee on Finance and Economic Affairs / Comité permanent des finances et des affaires économiques**

Chair / Président: Amarjot Sandhu  
Vice-Chair / Vice-président: Jeremy Roberts  
Ian Arthur, Sol Mamakwa  
David Piccini, Kaleed Rasheed  
Jeremy Roberts, Amarjot Sandhu  
Sandy Shaw, Donna Skelly  
Dave Smith  
Committee Clerk / Greffière: Julia Douglas

**Standing Committee on General Government / Comité permanent des affaires gouvernementales**

Chair / Présidente: Goldie Ghamari  
Vice-Chair / Vice-président: Daryl Kramp  
Robert Bailey, Jessica Bell  
Goldie Ghamari, Chris Glover  
Mike Harris, Daryl Kramp  
Sheref Sabawy, Amarjot Sandhu  
Mike Schreiner, Jennifer (Jennie) Stevens  
Daisy Wai  
Committee Clerk / Greffière: Jocelyn McCauley

**Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux**

Chair / Président: John Vanthof  
Vice-Chair / Vice-président: Taras Natyshak  
Will Bouma, Lorne Coe  
Rudy Cuzzetto, Parm Gill  
Taras Natyshak, Rick Nicholls  
Marit Stiles, Vijay Thanigasalam  
John Vanthof  
Committee Clerk / Greffière: Jocelyn McCauley

**Standing Committee on Justice Policy / Comité permanent de la justice**

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Vice-Chair / Vice-présidente: Effie J. Triantafilopoulos  
Roman Baber, Will Bouma  
Lorne Coe, Parm Gill  
Natalia Kusendova, Suze Morrison  
Gurratan Singh, Effie J. Triantafilopoulos  
Kevin Yarde  
Committee Clerk / Greffier: Christopher Tyrell

**Standing Committee on the Legislative Assembly / Comité permanent de l'Assemblée législative**

Chair / Président: Kaleed Rasheed  
Vice-Chair / Vice-président: Vijay Thanigasalam  
Rima Berns-McGown, Michael Coteau  
Faisal Hassan, Logan Kanapathi  
Jim McDonell, Christina Maria Mitas  
Sam Oosterhoff, Kaleed Rasheed  
Sara Singh, Donna Skelly  
Vijay Thanigasalam  
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Public Accounts / Comité permanent des comptes publics**

Chair / Présidente: Catherine Fife  
Vice-Chair / Vice-présidente: France Gélinas  
Jill Andrew, Toby Barrett  
Stan Cho, Stephen Crawford  
Catherine Fife, John Fraser  
Goldie Ghamari, France Gélinas  
Norman Miller, Michael Parsa  
Nina Tangri  
Committee Clerk / Greffier: Christopher Tyrell

**Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Will Bouma  
Deepak Anand, Toby Barrett  
Will Bouma, Stephen Crawford  
Mitzie Hunter, Laura Mae Lindo  
Gila Martow, Paul Miller  
Billy Pang, Dave Smith  
Jamie West  
Committee Clerk / Greffier: Eric Rennie

**Standing Committee on Social Policy / Comité permanent de la politique sociale**

Chair / Présidente: Natalia Kusendova  
Vice-Chair / Vice-président: Aris Babikian  
Aris Babikian, Jeff Burch  
Amy Fee, Michael Gravelle  
Joel Harden, Mike Harris  
Christine Hogarth, Belinda C. Karahalios  
Terence Kernaghan, Natalia Kusendova  
Robin Martin  
Committee Clerk / Greffier: Eric Rennie