

**DECISION OF
THE SASKATCHEWAN REAL ESTATE COMMISSION
AND CONSENT ORDER**

Dao (*Re*), 2026 SKREC 7

Date: June 10, 2026
Commission File: 2026-24

**IN THE MATTER OF
THE REAL ESTATE ACT, C. R-1.3 AND
IN THE MATTER OF HAI (BRADLEY) DAO**

Before: A Saskatchewan Real Estate Commission Hearing Committee
comprised of the following:

Christopher Boychuk - Chairperson

Dean Staff

Alberta Mak

CHARGE and ADMISSION OF MISCONDUCT:

[1] The registrant is charged with and is admitting to professional misconduct as follows:

Count 1:

That, contrary to section 39(1)(c) of *The Real Estate Act*, Mr. Dao breached Bylaw 702.1 by engaging in conduct that was disgraceful, unprofessional or unbecoming of a registrant in the course of his practice.

LEGISLATION:

[2] Section 39(1)(c) of *The Real Estate Act* states:

“Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, is professional misconduct within the meaning of this Act, if...it is a breach of this Act, the regulations or the bylaws or any terms or restrictions to which the registration is subject.”

[3] Commission Bylaw 702.1 states:

“A registrant shall not engage in conduct that is disgraceful, unprofessional or unbecoming of a registrant in the course of his or her practice.”

FACTS:

[4] In accordance with subsection 9(4) of The Real Estate Regulations (“the Regulations”), the Hearing Committee accepts Mr. Dao’s Statement of Facts and Admissions, which includes the following relevant points:

[5] Mr. Dao has been continuously registered as a salesperson under the provisions of *The Real Estate Act* in the Province of Saskatchewan with the Saskatchewan Real Estate Commission since April 1, 2025.

[6] Mr. Dao has taken the following real estate courses:

- Phase 1 - Real Estate as a Professional Career;
- Residential Real Estate as a Professional Career.

[7] Mr. Dao has completed the continuing professional development seminars each registration year since 2025-2026.

[8] Mr. Dao is presently registered under the provisions of *The Real Estate Act* as a salesperson with Boyes Group Realty Inc.

[9] On March 1, 2026, Mr. Dao showed a tenanted property (the “**Property**”) to his clients, along with their child.

[10] The Members Only Remarks of the MLS® Listing for the Property stated: “*NOTE: one of the tenants is immunocompromised, everyone entering the home must use the hand sanitizer and masks provided at the front door and minimize contact with surfaces in the home. Tenants have requested that no kids attend the showing and do not open overhead garage door.”

[11] Mr. Dao did not notice the Members Only Remarks prior to showing the Property.

[12] There was a sign at the front door, which stated in large font:
Welcome!
Someone in this home is immunocompromised.
We kindly ask that you use hand sanitizer, wear a mask
at all times and limit touching items.
Thank you for helping us to keep the space healthy.

[13] Masks and hand sanitizer were also provided.

- [14] Mr. Dao saw the sign, but did not pay attention to it, assuming it was a “remove footwear” instruction as it was the middle of winter when such signs are commonly displayed at properties.
- [15] Mr. Dao did not use the hand sanitizer or put on a mask.
- [16] Mr. Dao’s clients and their child did not use the hand sanitizer or put on masks.
- [17] There was also a sign in the kitchen which stated in large font:
Welcome!
For everyone’s comfort and to reduce touching, we’ve left doors, closets, and lighting open/on for viewing.
Please do not touch or handle personal items or furniture and leave everything as you find it.
We appreciate your cooperation!
- [18] Mr. Dao did notice the sign in the kitchen regarding not touching the cupboards, etc. Despite this, he and his clients still did not put masks on.
- [19] This was an unintentional oversight on Mr. Dao’s part, and he takes full responsibility for missing the instructions.

REASONS:

- [20] The Investigation Committee and Mr. Dao considered the following as relevant in agreeing to the within consent order:

Mitigating Factors

- [21] Mr. Dao was co-operative with the investigation.
- [22] Mr. Dao has no previous sanction history.
- [23] Mr. Dao took accountability for his actions.

Aggravating Factors

- [24] There are no aggravating factors.

Prior Decisions & Other Considerations

- [25] In May of 2012, the Appeals Committee of the Real Estate Council of Ontario rendered a decision [*In the Matter of Suzette Thompson*](#) (“Thompson”). The Appeals Committee in Thompson set out a series of factors to be considered when determining the appropriate sanction for a registrant found in breach of the legislation. The factors are as follows:
1. The nature and gravity of the breaches of the Code of Ethics.

2. The role of the offending member in the breaches.
3. Whether the offending member suffered or gained as a result of the breaches.
4. The impact of the breaches on complainants or others.
5. The need for specific deterrence to protect the public.
6. The need for general deterrence to protect the public.
7. The need to maintain the public's confidence in the integrity of the profession.
8. The degree to which the breaches are regarded as being outside the range of acceptable conduct.
9. The range of sanction in similar cases.

[26] These factors are reasonable considerations and can offer guidance to members of a Hearing Committee tasked with crafting an appropriate sanction for a registrant found to have committed professional misconduct. These factors have been consistently applied in Saskatchewan Real Estate Commission consent orders since September 2016.

1. The nature and gravity of the breaches of the Code of Ethics.

[27] Mr. Dao attended a listing, for a property which had an immunocompromised tenant, with a buyer client and failed to comply with written instructions, found both in the listing notes and in signs around the house, to sanitize and mask and not have children present at a viewing.

2. The role of the offending member in the breaches.

[28] Mr. Dao was the only registrant involved in his breach of the legislation.

3. Whether the offending member suffered or gained as a result of the breaches.

[29] There is no evidence to suggest that Mr. Dao enjoyed a benefit or suffered a loss as a result of his breach.

4. The impact of the breaches on complainants or others.

[30] The owner of the property was distressed by Mr. Dao's failure to follow the hygiene instructions, which were in place as someone who resides at the property is immunocompromised.

5. The need for specific deterrence to protect the public.

[31] Specific deterrence is needed to ensure Mr. Dao understands that he must conduct himself professionally and appropriately in the course of his practice. It must be made clear to Mr. Dao that it is not acceptable to miss or disregard specific instructions when entering other people's property.

6. The need for general deterrence to protect the public.

[32] General deterrence is needed to ensure that all registrants understand that they are required to conduct themselves professionally and appropriately in the course of their practice, which includes adhering to showing instructions of the property owner.

7. *The need to maintain the public's confidence in the integrity of the profession.*
[33] Members of the public place trust in the registrants with whom they engage and/or who they allow in their homes. Members of the public must be reassured that this trust is not misplaced. Conduct like that of Mr. Dao risks threatening that trust.

Public confidence in the industry is bolstered by registrants who conduct themselves professionally and appropriately in the course of their practice.

8. *The degree to which the breaches are regarded as being outside the range of acceptable conduct.*
[34] Mr. Dao's conduct falls below the standard expected of registrants, but it was not egregious.

9. *The range of sanction in similar cases.*

A. What is an appropriate sanction for Mr. Dao's breach of Bylaw 702.1?

[35] While there are many decisions pursuant to Bylaw 702.1, the following are the decisions that best relate to Mr. Dao's conduct.

[36] One decision specifically bears much factual similarity to Mr. Dao's case.

[37] In *Butler (Re)*, [2020 SKREC 8](#) ("*Butler*"), Ms. Butler was issued an order of reprimand and a \$1,000 fine.

[38] Ms. Butler arranged to show a property to clients. Though she did not recall seeing it, she acknowledged that the seller had posted a sign on the door advising that people could only enter the property if they were wearing gloves, mask or scarf. Ms. Butler learned that her clients had not brought personal protective equipment with them. She checked the listing and noted that "face coverings" were acceptable. She and her clients agreed that the buyers would use their jackets to cover their faces and that they would not touch anything in the home because they did not have gloves. Ms. Butler believed the showing had been conducted in a safe and responsible manner.

[39] Ms. Butler did not have a previous sanction history and she was cooperative with the investigation. She requested that her clients cover their faces with their jackets and refrain from touching anything. The coronavirus pandemic had a significant and largely negative impact on the real estate market.

[40] There were no aggravating factors.

[41] Mr. Dao's breach is slightly more serious than that of the registrant in *Butler*. Ms. Butler did request her clients to cover their faces with their jackets and refrain from touching anything. Further, this occurred during the coronavirus pandemic

which were unprecedented times and had a significant impact on the real estate market.

- [42] The coronavirus pandemic began exerting significant pressure on the Canadian economy in March of 2020. As a result of large-scale layoffs in some industries and the general economic uncertainty, real estate markets also experienced declines. While sanctions are intended to serve as punishment for a breach of a registrant's professional obligations, it was felt at this time that the Commission should avoid penalties that are overly punitive. As a result, the economic climate at the time of the *Butler* decision was specifically considered when determining an appropriate sanction for the misconduct. These considerations no longer exist today.
- [43] There are no other previous decisions under Bylaw 702.1 that bear much factual similarity to the case at hand. However, there is a line of cases decided under Bylaw 702 that deal with registrants who showed properties to potential buyers without first obtaining permission from the seller or seller's agent.
- [44] In *Ackerman (Re)*, [2018 SKREC 18](#) (file #2015-80) ("*Ackerman*"), Brett Ackerman was issued an order of reprimand and a \$1,000 fine for showing a property without first obtaining permission from the listing agent. When the property was initially listed for sale, it was described as vacant and interested parties were asked to contact the listing agent to making an appointment to view the property. Mr. Ackerman contacted the listing agent who advised that it was an estate sale and he could show it at any time. Sometime thereafter, the listing agent changed brokerages and the property was relisted. The new listing indicated that the property was occupied by a tenant and requested that interested parties contact the listing agent to make an appointment to view the property. Approximately one month after he first showed the property to his client, Mr. Ackerman was approached by another buyer interested in the property. Mr. Ackerman printed off the listing and saw that it was still an estate sale. He assumed the property was vacant and did not contact the listing agent before showing the property to his client.
- [45] Mr. Ackerman had no previous sanction history and was cooperative with the investigation. He signed a consent order acknowledging his error.
- [46] Mr. Ackerman's conduct created the potential for harm to the real estate industry as a whole. The complainant was very upset by Mr. Ackerman's actions, as there was a young female tenant residing alone at the property at the time of the breach.
- [47] Mr. Dao's breach of Bylaw 702.1 is less serious than the registrant's breach of Bylaw 702 in *Ackerman*. Mr. Dao did have permission to view the property and there are no aggravating factors at play.

- [48] In *Blanchette (Re)*, [2017 SKREC 8](#) (file #2016-09) ("*Blanchette*"), Erlinda Blanchette was issued an order of reprimand and a \$1,500 fine for showing a property without obtaining permission from the listing agent. Ms. Blanchette and her husband, also a registrant, were asked to show a property to potential buyers. The MLS® Listing specified that viewing appointments were to be made through the listing agent. One of the buyers told Ms. Blanchette that he had called and the home would be available between 6:30 p.m. and 8:00 p.m. Ms. Blanchette assumed her client had obtained permission to view the property from the listing agent and that the details of the showing had been cleared through her husband. While inside the property, Ms. Blanchette asked the buyers who had authorized the showing and was told that one of the buyers had spoken to the seller's ex-boyfriend. At this point, Ms. Blanchette told her clients they needed to leave immediately. Ms. Blanchette spoke to the listing agent that night and apologized for the miscommunication.
- [49] Ms. Blanchette had no previous sanction history and was cooperative with the investigation. She signed a consent order acknowledged her misconduct and apologized to the listing agent for the miscommunication. Ms. Blanchette's clients implied to her that they had obtained permission from the listing agent to view the property.
- [50] The lockbox system requires sellers to put great faith in registrants to follow the rules and obtain permission from the seller or listing agent before entering the property. Ms. Blanchette's actions had the potential to cause damage to the real estate industry as a whole.
- [51] The fact that another registrant was present with Ms. Blanchette when she showed the property did not relieve her of her obligation to ensure that she had the necessary permission to access the property. Registrants cannot rely on other registrants or their clients to fulfill their professional obligations.
- [52] Mr. Dao's breach of Bylaw 702.1 is slightly less serious than the breach of Bylaw 702 in *Blanchette*. While Mr. Dao did have permission to show the property to his buyer clients, that permission was conditional upon Mr. Dao and his clients adhering to the restrictions the seller had placed on access to the property, namely that people could only enter the property if they adhered to the hygiene requirements and no children were present. The seriousness of Ms. Blanchette's breach of Bylaw 702 was mitigated by the fact that she relied on representations from her clients that they had obtained permission to view the property.
- [53] In *West (Re)*, [2015 SKREC 13](#) (file #2014-18) ("*West*"), George West was issued an order of reprimand and a \$1,000 fine for breaching Bylaw 702 by showing a property without obtaining permission from the listing agent. Mr. West called another registrant to discuss a listing. Mr. West was told the property was conditionally sold and, although the sellers were still permitting showings with an appointment, he decided not to make an appointment with the listing agent to show it to his clients. Later that day, the listing agent received an email

notification that Mr. West had accessed the lockbox for the property. The sellers returned to the property and found two vehicles in the driveway and two men coming out the front door. Mr. West apologized to the sellers and the listing agent.

- [54] Mr. West admitted his wrongdoing immediately when contacted by the listing agent. The sellers' agent sent out an email to a number of registrants detailing his frustration with the situation, so a significant number of registrants were made aware of Mr. West's error. Mr. West stepped down from his position as a Commission member. He had no previous sanction history and signed a Statement of Facts and Admissions acknowledging his error.
- [55] Mr. West was a long-term registrant who knew what was expected of him when showing properties to clients. This represented a serious lapse in judgment. The sellers returned home to find two unknown men leaving their house. They contacted the listing agent to express concern about break-ins, theft and the fact that Mr. West had not left a business card. Mr. West's actions could have caused damage to the real estate industry as a whole. Mr. West's actions violated the seller's right to grant or refuse access to their property to any person as the seller sees fit. Registrants are not permitted to substitute their judgment for the legal authorization of the seller.
- [56] Mr. Dao's breach of Bylaw 702.1 is less serious than the breach of Bylaw 702 in *West*. Mr. Dao had permission to show the Property to his buyer clients while Mr. West had consciously decided not to make an appointment to show a property to his buyer client.
- [57] Despite the line of cases decided under Bylaw 702 that deal with issues regarding the showing of properties, the case at hand is best characterized as unprofessional conduct or conduct unbecoming of a registrant in violation of Bylaw 702.1. Mr. Dao had authorization to show the property to his buyer clients, but the seller had placed restrictions on this authorization. Mr. Dao failed to abide by these restrictions and, in doing so, acted unprofessionally and in a manner unbecoming of a registrant.
- [58] It must be noted that the decision in *Butler* and the decisions rendered under Bylaw 702 were issued prior to May 2020. In May of 2020, the provincial legislature amended section 38 of *The Real Estate Act* to increase the maximum fines that can be ordered against registrants found guilty of professional misconduct or professional incompetence. The previous iteration of the legislation capped fines at \$5,000 for each finding up to a maximum of \$15,000 in the aggregate for all findings. The new maximum fine for each finding of professional misconduct or professional incompetence was increased to \$25,000 up to \$100,000 in the aggregate for all findings. While this legislative change does not invalidate the precedents to be found in previous hearing decisions, it must be taken as a strong signal from lawmakers that the fines ordered against registrants should be increased so as to ensure the protection of the public.

[59] An order of reprimand and a \$3,000.00 fine are appropriate sanctions for Mr. Dao's breach of Bylaw 702.1.

[60] As Mr. Dao has agreed to sign this consent order, there will be no order as to costs.

CONSENT ORDER:

[61] In accordance with The Real Estate Act, its Regulations, and the Commission Bylaws, and with the consent of Mr. Dao, and the Investigation Committee of the Saskatchewan Real Estate Commission, the Hearing Committee hereby orders:

[62] With respect to Count 1, the charge of professional misconduct contrary to section 39(1)(c) of *The Real Estate Act* for breach of Bylaw 702.1:

- a. Mr. Dao shall receive an order of reprimand for the violation of Bylaw 702.1;
- b. Mr. Dao shall, within 3 months of the date of this order, pay to the Saskatchewan Real Estate Commission a \$3,000.00 fine for the said violation of the *Act*; and
- c. Mr. Dao's registration shall be terminated if he fails to make payment as set out above.

[63] There shall be no order as to costs.

Dated at Saskatoon, Saskatchewan, this 10th day of June, 2026.

Christopher Boychuk
Hearing Committee Chairperson