



Home Construction Regulatory Authority
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November 10, 2023

Delivered by email to: ramen@pacedev.ca

To: **MAPLEVIEW DEVELOPMENTS LTD.**
30 WERTHEIM COURT, BLDG. A, UNIT #3
RICHMOND HILL, ON L4B 1B9

Attention: Ramen Nizamuddin

Re: **REFERRAL TO THE DISCIPLINE COMMITTEE**

The Registrar, Home Construction Regulatory Authority (“HCRA”) is referring this matter to the Discipline Committee under the *New Home Construction Licensing Act, 2017* (“NHCLA”). The reasons for the referral are set out below:

A. REASONS

Overview

1. Mapleview Developments Ltd. (“Mapleview”) unlawfully terminated dozens of agreements of purchase and sale (“APS”) and misled 33 purchasers to unethically extract over \$3 million from them.
2. When the HCRA looked into the purchasers’ concerns, Mapleview altered most of the APSs and provided those fake versions to the HCRA.

Parties

3. The HCRA regulates new home vendors and builders in accordance with the NHCLA and with the principle of promoting the protection of the public interest.
4. Mapleview has been a licensed vendor and builder since October 2, 2017. It is a member of the EBC Group of related companies.

Particulars

Section 12 -- Misrepresentation

5. Between 2017 and 2020, Mapleview entered into APSs for the purchase of condominium townhouse units in Barrie, Ontario.

6. On November 9, 2021, Mapleview sent a letter to all purchasers advising them that the company had experienced hardship due to COVID-19. Mapleview advised purchasers that:
 - a. it was cancelling their APSs;
 - b. it was prepared to offer a “Buy Back” option for purchasers who still wanted to receive their home.

Although not contained in the letter, this “Buy Back” option involved a price increase of \$65,000 to \$100,000 per unit.

7. In so doing, Mapleview stated it was relying on the terms of the mandatory Addendum to Agreement of Purchase and Sale (“Addendum”) that is required to be included in every new home sale in Ontario. Among other things, the problem with this position was that:
 - a. at least 18 purchasers did not have any early termination conditions included in their Addendum; and
 - b. while some of purchasers did have early termination conditions in their Addendum, for at least 15 purchasers, the timeline for Mapleview to rely on this early termination condition had already passed.
8. Mapleview knew or ought to have known that it did not have a legal basis to cancel these APSs.
9. Purchasers who had retained lawyers knew this too. They refused to accept Mapleview’s cancellation of the APSs and proposed price increase, and Mapleview backed down in its demands from those purchasers.
10. For the 33 purchasers who did not retain counsel, Mapleview forged ahead with seeking (and obtaining) an additional \$65,000 to \$100,000 from each of them.

Section 13 – Providing False, Misleading, or Deceptive Information or Documents

11. As part of its inspection into the purchasers’ concerns, the HCRA required Mapleview to produce all APSs for any purchasers who had agreed to the price increase.
12. Mapleview produced 35 of the APSs. Before submitting them, however, Mapleview altered 20 of them to suggest that the cancellation and price increase was lawful and contemplated by the agreement.
13. When the HCRA confronted Mapleview about the adulterated agreements, it admitted that it had done so.

Specific Code of Ethics Violations

14. For a complete list of particularized Code of Ethics violations please see the attached Schedule "A".

Relevant Sections of the Code of Ethics

Misrepresentation

12. In carrying on business, a licensee shall not engage or be a party to misrepresentation.

Information provided to regulatory authority

13. A licensee shall not provide false, misleading or deceptive information or documents to the regulatory authority.

Amended or Additional Reasons

15. The Registrar may serve Maplevue with additional reasons or particulars.

B. INFORMATION ABOUT THE HEARING PROCESS

This commences a Hearing process before the Discipline Committee. You will receive further information from the Discipline Committee about scheduling a pre-hearing case conference and a Hearing. The HCRA cannot provide legal advice to you about this process. If you choose, you have the right to consult legal representation in this process.

For more information about the Discipline Committee and this process, you may refer to the following:

- New Home Construction Licensing Act, 2017, sections 56, 57:
<https://www.ontario.ca/laws/statute/17n33#BK6>
- Code of Ethics and Discipline Committee information:
<https://www.ontario.ca/laws/regulation/210245>.
- Rules of Practice of the Discipline and Appeals Committees:
<https://hcraontario.ca/Rules%20of%20Practice%20Discipline%20and%20Appeals%20Committees.pdf>

Contact Information

If you have any questions about the reasons set out below or wish to discuss this matter with the HCRA, please contact Legal@hcraontario.ca.

If you have any questions about the discipline process, please contact the case coordinator by emailing info@hcraontario.ca Attention: Case Coordinator.

DATED at Toronto this 10th day of November, 2023.

Marc Spector

Marc Spector (Nov 10, 2023 08:55 EST)

Marc Spector
Deputy Registrar, HCRA

Schedule "A"

1. Between November 9, 2021 and December 2, 2022, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 131 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
2. Between November 9, 2021 and December 9, 2022, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 121 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
3. Between November 9, 2021 and November 10, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 119 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$97,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$97,000 from this transaction.
4. Between November 9, 2021 and January 13, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 111 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
5. Between November 9, 2021 and June 20, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 107 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
6. Between November 9, 2021 and June 26, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 99 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
7. Between November 9, 2021 and June 30, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 91 Appletree Lane, Barrie, Ontario to cancel

the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.

8. Between November 9, 2021 and July 24, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 80 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$65,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$65,000 from this transaction.
9. Between November 9, 2021 and June 15, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 78 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$65,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$65,000 from this transaction.
10. Between November 9, 2021 and May 8, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 54 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
11. Between November 9, 2021 and August 29, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 47 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
12. Between November 9, 2021 and October 15, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 45 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
13. Between November 9, 2021 and September 5, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 43 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.

14. Between November 9, 2021 and September 8, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 35 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
15. Between November 9, 2021 and September 7, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 33 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
16. Between November 9, 2021 and September 8, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 31 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
17. Between November 9, 2021 and November 10, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 17 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
18. Between November 9, 2021 and November 10, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 11 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
19. Between November 9, 2021 and November 10, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 9 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
20. Between November 9, 2021 and November 10, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 5 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As

a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.

21. Between November 9, 2021 and November 10, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 1 Appletree Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
22. Between November 9, 2021 and January 31, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 44 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
23. Between November 9, 2021 and January 27, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 40 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
24. Between November 9, 2021 and March 31, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 39 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
25. Between November 9, 2021 and January 26, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 38 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
26. Between November 9, 2021 and January 24, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 34 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
27. Between November 9, 2021 and April 3, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the

agreement of purchase and sale for 29 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.

28. Between November 9, 2021 and January 17, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 24 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
29. Between November 9, 2021 and April 11, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 21 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
30. Between November 9, 2021 and October 24, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 14 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
31. Between November 9, 2021 and April 13, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 13 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
32. Between November 9, 2021 and October 23, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 12 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.
33. Between November 9, 2021 and October 16, 2023, Mapleview Developments Ltd. did violate section 12 of the Code of Ethics when it misrepresented the terms of the agreement of purchase and sale for 2 Magnolia Lane, Barrie, Ontario to cancel the agreement and seek a \$100,000 price increase from the purchaser. As a result of its failure to comply with the Code of Ethics, Mapleview acquired a monetary benefit of \$100,000 from this transaction.

34. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 131 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
35. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 121 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
36. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 119 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
37. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 111 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
38. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 107 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
39. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 99 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
40. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 91 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
41. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 47 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
42. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 43 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
43. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase

and Sale for 33 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.

44. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 17 Appletree Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
45. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 44 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
46. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 39 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
47. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 38 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
48. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 34 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
49. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 29 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
50. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 21 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
51. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 14 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.
52. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 12 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.

53. On or around September 1, 2023, Maplevue did violate section 13 of the Code of Ethics when it provided a false, misleading, or deceptive Agreement of Purchase and Sale for 2 Magnolia Lane, Barrie, Ontario to the Home Construction Regulatory Authority.







2023.11.10 - Statement of Allegations

Final Audit Report

2023-11-10

Created:	2023-11-09
By:	Alex Alton (alex.alton@hcraontario.ca)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjFd8d8SVPqw7ot0WsrIMPxiTxKnoF8Tb

"2023.11.10 - Statement of Allegations" History

-  Document created by Alex Alton (alex.alton@hcraontario.ca)
2023-11-09 - 10:13:58 PM GMT
-  Document emailed to marc.spector@hcraontario.ca for signature
2023-11-09 - 10:15:11 PM GMT
-  Email viewed by marc.spector@hcraontario.ca
2023-11-10 - 1:52:06 PM GMT
-  Signer marc.spector@hcraontario.ca entered name at signing as Marc Spector
2023-11-10 - 1:55:53 PM GMT
-  Document e-signed by Marc Spector (marc.spector@hcraontario.ca)
Signature Date: 2023-11-10 - 1:55:55 PM GMT - Time Source: server
-  Agreement completed.
2023-11-10 - 1:55:55 PM GMT