

FILED / PRODUIT

Date: September 15, 2011

CT-2011-003

Chantal Fortin for / pour
REGISTRAR / REGISTRAIRE

CT-2011-003

OTTAWA, ONT.

43

COMPETITION TRIBUNAL

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

IN THE MATTER OF an application by the Commissioner of Competition pursuant to section 79 of the *Competition Act*;

AND IN THE MATTER OF certain rules, policies and agreements relating to the residential multiple listing service of the Toronto Real Estate Board.

B E T W E E N :

COMMISSIONER OF COMPETITION

Applicant

AND

THE TORONTO REAL ESTATE BOARD

Respondent

**RESPONSE OF THE TORONTO REAL ESTATE BOARD
TO THE REQUEST OF REALTYSELLERS REAL ESTATE INC.
FOR LEAVE TO INTERVENE**

PART I: OVERVIEW

1. The Toronto Real Estate Board ("**TREB**") opposes the request of Realtysellers Real Estate Inc. ("**Realtysellers**") for leave to intervene.
2. The Affidavit of Lawrence Dale ("**Dale**"), sworn August 31, 2011 in support of Realtysellers' request (the "**Dale Affidavit**"), fails to establish a basis upon which Realtysellers ought to be granted leave to intervene.

3. Realtysellers is not an unbiased party seeking to assist the Tribunal. Rather, as is evident throughout the Dale Affidavit, Realtysellers' motivation is based entirely on its desire to promote its (and Dale's) own business aspirations and agenda. Any submissions made by Realtysellers (including through Dale or Fraser Beach) will be tainted by Dale and Beach's historical and current status as litigants against TREB and individual members of TREB's Board of Directors and Executive.
4. Realtysellers is not directly affected by the matters in issue before the Tribunal. Its business is focused on the sell-side of the residential real estate market, not the buy-side. It is the buy-side with which the Commissioner of Competition's application is primarily concerned.
5. Further, Realtysellers will not bring to the Tribunal a unique or distinct perspective that will assist the Tribunal in deciding the issues before it.
6. Realtysellers has no greater interest in the outcome of the application than any other member of TREB. All members of TREB are bound equally by the rules and policies at issue in the proceedings. If Realtysellers is directly affected by the proceeding or has a unique and distinct perspective that will assist the Tribunal, so too must TREB's other approximately 32,000 current members.
7. Realtysellers has been in operation for a little over 3 months. This hardly speaks of a party with a depth of experience or expertise sufficient to offer the Tribunal an informed, let alone unique and distinct, perspective.
8. Realtysellers states in its request to intervene that it intends to support "generally" the position of the Commissioner of Competition ("**Commissioner**"). In fact, many of the

assertions made by Realtysellers in its request to intervene, as well as throughout the Dale Affidavit, closely mirror those made by the Commissioner in her Notice of Application, Amended Notice of Application and Reply. The Dale Affidavit provides no examples of topics on which Realtysellers' position differs from that of the Commissioner or upon which its position is unique or distinct.

9. Should there be matters on which Realtysellers could possibly assist or develop the Commissioner's position, it is open to the Commissioner to call representatives of Realtysellers as witnesses.
10. TREB respectfully submits that Realtysellers' request to intervene should be denied.

PART II: FACTS

11. TREB is an Ontario corporation without share capital, operated for the benefit of its members.
12. Currently TREB has some 32,000 members, including brokerages, brokers and agents.
13. Realtysellers is a member of TREB, and has been since April 27, 2011.
14. Dale is the Chief Executive Officer, President, Secretary and sole director of Realtysellers.

**Corporate Profile Report for Realtysellers dated September 9, 2011,
Appendix 1 hereto.**

15. Dale is a member of TREB, and has been since April 27, 2011. Dale was also a member of TREB during the period from February 14, 2001 to February 9, 2007.

16. The Dale Affidavit deposes that Fraser Beach (“**Beach**”) is a senior member of the Realtysellers executive group. In the “Our Story” section of Realtysellers’ website, Beach is described as “[a] special consultant to the team”.

Dale Affidavit, para. 26.

Excerpt from <http://realtysellersrealestate.com/about/changing-the-rules/>, Appendix 2 hereto.

17. Realtysellers, by its own admission, has been offering real estate brokerage services since only about June, 2011.

Realtysellers’ Request to Intervene, paras. 8, 10 and 13.

Dale Affidavit, paras. 10, 11, 12 and 14.

18. Dale co-founded Realtysellers (Ontario) Limited in 2000 (“**Realtysellers I**”) with Stephen Moranis (“**Moranis**”).

19. Dale, Beach and Realtysellers I, each have a protracted and continuing history of litigation against TREB:

- (a) In January, 2002 Realtysellers I commenced an action in the Ontario Superior Court of Justice (Court File No. O2-CV-223195CM1) against TREB, The Canadian Real Estate Association (“**CREA**”) and officers and directors of TREB and CREA in their individual capacity, seeking damages in the amount of \$25 million plus punitive damages of \$1 million against all defendants on a joint and several basis. Included in the allegations against TREB, was that it breached sections 45, 51, 52 and 61 of the *Competition Act* in connection with the operation of the TREB MLS®. This action was ultimately settled in 2003 by confidential settlement agreement.

- (b) In 2007, Realtysellers I, commenced a proceeding against TREB in the Ontario Superior Court of Justice (Court File No. 07-CV-342165PD1), alleging that TREB improperly terminated its access to the TREB MLS®. In November 2007, Realtysellers I's motion to continue an interim injunction granting it access to the TREB MLS® was dismissed, with costs. The proceeding was wholly discontinued by Realtysellers I in May, 2008, with costs awarded in TREB's favour.
- (c) Also in 2007, Beach commenced a proceeding against TREB in the Ontario Superior Court of Justice (Court File No. CV-08-366597) after TREB terminated his access to the TREB MLS® upon discovering that Beach was attempting to take or scrape all of the residential listing data for an area of the City of Toronto and republish it on a website of BNV Real Estate Inc. It is this situation that is referenced by the Commissioner at paragraphs 3, 32, 46 and 52 of the Amended Notice of Application and that is responded to by TREB at paragraph 24 of its Response and that is referred to in the Dale Affidavit. Dale was Beach's counsel. As noted in TREB's Response, after a seven day trial the Court held that TREB was justified in suspending Beach's access to the TREB MLS® and that Beach had breached his contract with TREB. Both Beach's original action and his subsequent appeal in the Ontario Court of Appeal were dismissed, with costs.

Amended Notice of Application, paras. 3, 32, 46 and 53.

TREB's Response, para. 24.

Dale Affidavit, paras. 6 and 26.

- (d) In March 2009, Dale, Moranis, and Realtysellers I (as assignor) commenced an action in the Ontario Superior Court of Justice (Court File No. CV-09-374829)

against TREB, CREA and number of then current or former officers and directors of TREB and CREA in their individual capacity, again alleging breaches of sections 45 and 61 of the *Competition Act*. The plaintiffs seek damages of \$540 million against the defendants on a joint and several basis. This proceeding is ongoing.

- (e) On October 11, 2009 Dale, Moranis, Beach and Realtysellers I commenced a proceeding in the Ontario Superior Court of Justice (Court File No. CV-09-389169) against TREB and a number of former and current officers and directors of TREB seeking, amongst other relief, damages in the amount of \$750 million for terminating the access of Moranis, Beach, Realtysellers I and BNV Real Estate Inc. to the TREB MLS®; damages in the amount of \$750 million for alleged breaches of section 45 and 61 of the *Competition Act*, damages for defamation in the amount of \$5 million and punitive, aggravated or exemplary damages in the amount of \$10 million. Again, relief is sought against the defendants on a joint and several basis. This proceeding is also ongoing.

PART III: TEST FOR INTERVENTION

20. The test for granting intervenor status is set out in subsection 9(3) of the *Competition Tribunal Act*:

Any person may, with leave of the Tribunal, intervene in any proceedings before the Tribunal, other than proceedings under Part VII.1 of the *Competition Act*, to make

representations relevant to those proceedings in respect of
any matter that affects that person.

21. The Tribunal has consistently held that, in order to grant the status of intervenor, the Tribunal must be satisfied that all of the following elements are met:

- (a) the matter alleged to affect that person seeking leave to intervene must be legitimately within the scope of the Tribunal's consideration or must be a matter sufficiently relevant to the Tribunal's mandate;
- (b) the person seeking leave to intervene must be directly affected;
- (c) all representations made by a person seeking leave to intervene must be relevant to an issue specifically raised by the Commissioner; and
- (d) the person seeking leave to intervene must bring to the Tribunal a unique or distinct perspective that will assist the Tribunal in deciding the issues before it.

Commissioner of Competition v Canadian Waste Services Holdings, [2000]
CCTD. No. 9

22. Realtysellers bears the onus of demonstrating that each of these elements is met.

Canada (Director of Investigation and Research, Competition Act) v. Air Canada
[1992] CCTD No. 24

PART IV – REALTYSELLERS’ REQUEST FOR INTERVENOR STATUS SHOULD BE DENIED

23. Realtysellers cannot demonstrate that its request to intervene satisfies the test for granting intervenor status. Specifically, Realtysellers cannot satisfy the Tribunal:
- (a) that its interests are directly affected by the matters at issue; or
 - (b) that it has a unique or distinct perspective that will assist the Tribunal in deciding the issues before it.

Realtysellers’ interests are not directly affected

24. A party seeking intervenor status must satisfy the Tribunal that it would be directly affected by the proceedings.

Canada (Director of Investigation and Research, Competition Act) v. Air Canada
[1992] CCTD No. 24

25. The relief sought by the Commissioner’s Amended Notice of Application is aimed at allowing brokers to operate a “virtual office website” without restrictions being placed on the type of information displayed or the way in which those brokers can display information to users of that such virtual office website, to the extent that that information has been taken from the TREB MLS®. As is implicitly acknowledged throughout the Commissioner’s Amended Notice of Application, virtual office websites are primarily targeted at and operated for the benefit of buyers and potential buyers of real estate.

Amended Notice of Application: paragraphs 22 to 24, 29, 59 and 62.

26. The focus of the Commissioner’s Amended Notice of Application, therefore, is on the alleged effect of TREB’s Access Terms (as defined in TREB’s Response filed August 19,

2011) on brokers seeking to offer what the Commissioner alleges are more innovative real estate brokerage services to buyers of residential real estate.

27. Realtysellers, however, does not service the buy-side of the market for residential real estate services. As noted in the Dale Affidavit, “Realtysellers is only offering limited ala carte MLS services concentrating on the **“sell side of the business”** such as a simple MLS posting for consumers who do not want to purchase any other brokerage services”. (emphasis added)

Dale Affidavit, para 13.

28. Indeed, the “buy-side” focus of virtual office websites is acknowledged by Realtysellers itself:

In less than two months, Realtysellers has established itself as a real market competitor to the traditional agent and brokerage while operating almost exclusively on the “sell” side of the business. Realtysellers’ market share will substantially increase once it is able to operate a virtual office and attract prospective home buyers. ...

Dale Affidavit, para 24.

See also Dale Affidavit, para 19.

29. Dale claims that Realtysellers is unable to expand its service offerings “given the current restrictions that TREB has placed on our ability to provide the same MLS information that traditional agents and brokerages can provide to consumers by hand delivery”. However, to date, TREB has received no request from Realtysellers to operate a virtual

office website nor has it sought guidance from TREB as to what would be required in order for it to operate a virtual office website in compliance with TREB's Access Terms.

Dale Affidavit, para 15.

30. By its own account, Realtysellers is a highly successful brokerage despite its infancy; "Realtysellers currently is signing up more than 100 customers per week, with that number growing each week. Realtysellers anticipates assisting over 30,000 consumers ... in the next 12 months representing approximately \$4 billion in property transaction value". Realtysellers' self-proclaimed success hardly tells of a party directly affected by alleged anti-competitive conduct.

Dale Affidavit, para 14.

31. That Realtysellers may choose to operate a virtual office website if the Commissioner is successful in obtaining the relief sought, does not place it within a class of persons "directly affected" by the proceeding. Directly affected must mean more than hypothetically affected.
32. Despite the allegations made in the Commissioner's Notice of Application, Amended Notice of Application and Reply and in Realtysellers' request to intervene, TREB's Access Terms apply equally to all members: Realtysellers therefore stands to be affected no more and no less than any of TREB's other approximately 31,000 members. It has no interest more or less direct than other members. As noted in *Canada (Director of Investigation and Research, Competition Act) v. Air Canada* [1992] CCTD No. 24:

A broader role of this sort [intervenor status] should not in my view be automatically accorded to anyone who as a

member of the public may have strong views on the appropriate outcome of the case but can demonstrate no direct effect on him or her that is different from all or a large segment of the public at large.

33. Realtysellers' interests are not directly affected by the matters in issue. It therefore fails to satisfy the elements required to be granted intervenor status and should be denied leave to intervene.

Realtysellers has no unique or distinct perspective that will assist the Tribunal

34. Realtysellers has no unique or distinct perspective that will assist the Tribunal in deciding the issues before it in these proceedings.

35. By its own admission:

- (a) It was only after the Commissioner filed her Notice of Application on May 25, 2011 that Realtysellers "finalized plans to enter the residential real estate brokerage marketplace in the Greater Toronto Area and elsewhere in Canada".

**Request to Intervene, para 6.
See also Dale Affidavit, para 10.**

- (b) "Realtysellers has only been operating for less than two months offering very limited programs".

**Request to Intervene, para 8.
Dale Affidavit, para 12.**

36. It is implausible that a business operating for such a short period of time could possibly have gained enough experience to offer a “unique or distinct perspective that will assist the Tribunal”.
37. Realtysellers’ submits that it is able to offer the Tribunal a unique and distinct perspective on account of its claimed status as “TREB’s largest non-traditional brokerage”, “likely TREB’s only non-traditional brokerage wanting to operate a true virtual office”, “TREB’s largest innovative non-traditional brokerage member”, and “the only known non-traditional brokerage member in TREB that wants to operate a virtual brokerage ...”. Such facts are not known to be true by TREB and no evidentiary support is given in the Dale Affidavit to substantiate Realtysellers’ bald assertions.

Request to Intervene, paras. 14, 15 and 17.
Dale Affidavit, paras. 12 and 23.

38. By the Dale Affidavit, Realtysellers seeks to conflate the experiences of it and Mr. Dale. However, the request to intervene is not made on behalf of Mr. Dale, it is made on behalf of Realtysellers. While TREB says that Mr. Dale would in any event also be unable to satisfy the elements to be granted intervenor status, it respectfully submits that any submissions made by Dale as to the information he may personally be able to offer the Tribunal are completely irrelevant to the consideration of whether Realtysellers’ brings a unique and distinct perspective to the issues before the Tribunal.

Dale Affidavit, para 27.

39. Realtysellers requests leave to intervene on the following issues:

- (a) “How a brokerage like Realtysellers would operate a virtual office and provide MLS information to consumers over the internet as opposed to through a bricks and mortar office and by hand”;
- (b) “The cost savings and operational efficiencies of operating a virtual office and the savings that can be passed along to consumers”;
- (c) “The impact of the current TREB rules and policies including its recent VOW policy on a non-traditional brokerage like Realtysellers who wants to provide consumers with MLS information in a virtual office environment over the internet as opposed [sic] to through a bricks and mortar office by hand”;
- (d) “The absence of any privacy issues and other issues preventing virtual offices” as described in Realtysellers’ request to intervene; and
- (e) The proposed order sought by the Commissioner on “non-traditional brokerages”.

**Request to Intervene, para 24.
Dale Affidavit, para 28.**

40. Privacy issues have been directly raised by TREB in its Response and by the Commissioner in her Reply. Those issues will be adequately addressed by the parties to the proceeding. Realtysellers’ provides no basis upon which the Tribunal should expect the Commissioner to fail to adequately address this area of contention. Further, Realtysellers’ has no demonstrated expertise or knowledge in the area of privacy that could be expected to assist the Tribunal.

**Amended Notice of Application, paras. 35 and 51
TREB Response to Amended Notice of Application, paras. 4, 48 and 59.
Commissioner’s Reply, paras. 8, 21 and 31.**

41. With respect to the balance of the topics on which Realtysellers wishes to intervene, Realtysellers offers no explanation as to how its position differs from that advanced by the Commissioner. To the contrary, the language used throughout the request to intervene and the Dale Affidavit, closely mirrors the language adopted by the Commissioner in her Amended Notice of Application and Reply. Based on Realtysellers' request to intervene and the Dale Affidavit, rather than offering a unique or distinctive perspective on the matters raised in the proceeding, Realtysellers' position is identical to that of the Commissioner. An intervenor is not to be called upon to make the very case that an application is called upon to make.

Southam Inc. v. Canada (Competition Act, Director of Investigation and Research) Trib. Dec. No. CT9001/343 at para. 12.

42. To the extent that Realtysellers is able to offer factual evidence relevant to the Commissioner's position, the Commissioner is free to call a representative of Realtysellers as a witness.

PART V: SCOPE OF INTERVENTION, IF PERMITTED

43. For the reasons set out above, TREB submits that Realtysellers' request for leave to intervene should be denied.

44. Should the Tribunal grant leave to Realtysellers to intervene, TREB submits that the intervention should be strictly limited. Realtysellers should not be permitted to call a witness or witnesses, to produce documents or receive documents from other parties, to produce any affidavit of documents or received those produced by other parties, to attend

oral discoveries, to cross-examine witnesses at the hearing or to make oral representations to the Tribunal.

PART VI: HEARING REQUESTED

45. TREB requests that a hearing be held to determine Realtysellers' Request to Intervene.

DATED at Toronto, this 15th day of September, 2011.



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Toronto, Ontario
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Counsel for The Canadian Real Estate Association

And To: **The Registrar**
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K1P 5B4

APPENDIX 1

Request ID: 013507250
Transaction ID: 45346832
Category ID: UN/E

Province of Ontario
Ministry of Government Services

Date Report Produced: 2011/09/09
Time Report Produced: 16:10:05
Page: 1

CORPORATION PROFILE REPORT

Ontario Corp Number	Corporation Name	Incorporation Date		
1832861	REALTYSELLERS REAL ESTATE INC.	2010/09/03		
		Jurisdiction		
		ONTARIO		
Corporation Type	Corporation Status	Former Jurisdiction		
ONTARIO BUSINESS CORP.	ACTIVE	NOT APPLICABLE		
Registered Office Address	Date Amalgamated	Amalgamation Ind.		
226 DUNVEGAN ROAD	NOT APPLICABLE	NOT APPLICABLE		
TORONTO	New Amal. Number	Notice Date		
ONTARIO	NOT APPLICABLE	NOT APPLICABLE		
CANADA M5P 2P2		Letter Date		
Mailing Address		NOT APPLICABLE		
226 DUNVEGAN ROAD	Revival Date	Continuation Date		
TORONTO	NOT APPLICABLE	NOT APPLICABLE		
ONTARIO	Transferred Out Date	Cancel/Inactive Date		
CANADA M5P 2P2	NOT APPLICABLE	NOT APPLICABLE		
	EP Licence Eff.Date	EP Licence Term.Date		
	NOT APPLICABLE	NOT APPLICABLE		
	Number of Directors	Date Commenced	Date Ceased	
	Minimum	Maximum	in Ontario	in Ontario
Activity Classification	00001	00010	NOT APPLICABLE	NOT APPLICABLE
NOT AVAILABLE				

Request ID: 013507250
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Category ID: UN/E

Province of Ontario
Ministry of Government Services

Date Report Produced: 2011/09/09
Time Report Produced: 16:10:05
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CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

1832861

REALTYSELLERS REAL ESTATE INC.

Corporate Name History

Effective Date

REALTYSELLERS REAL ESTATE INC.

2010/10/26

TFH REALTY INC.

2010/09/03

Current Business Name(s) Exist:

NO

Expired Business Name(s) Exist:

NO

Administrator:
Name (Individual / Corporation)

Address

LAWRENCE
M.
DALE

226 DUNVEGAN ROAD

TORONTO
ONTARIO
CANADA M5P 2P2

Date Began

First Director

2011/06/06

NOT APPLICABLE

Designation

Officer Type

Resident Canadian

OFFICER

SECRETARY

Request ID: 013507250
Transaction ID: 45346832
Category ID: UNE

Province of Ontario
Ministry of Government Services

Date Report Produced: 2011/09/09
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CORPORATION PROFILE REPORT

Ontario Corp Number

1832861

Corporation Name

REALTYSELLERS REAL ESTATE INC.

Administrator:
Name (Individual / Corporation)

LAWRENCE
M.
DALE

Address

226 DUNVEGAN ROAD

TORONTO
ONTARIO
CANADA M5P 2P2

Date Began

2011/06/06

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

PRESIDENT

Resident Canadian

Administrator:
Name (Individual / Corporation)

LAWRENCE
M.
DALE

Address

226 DUNVEGAN ROAD

TORONTO
ONTARIO
CANADA M5P 2P2

Date Began

2011/06/06

First Director

NOT APPLICABLE

Designation

DIRECTOR

Officer Type

Resident Canadian

Y

Request ID: 013507250
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Province of Ontario
Ministry of Government Services

Date Report Produced: 2011/09/09
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CORPORATION PROFILE REPORT

Ontario Corp Number

1832861

Corporation Name

REALTYSELLERS REAL ESTATE INC.

Administrator:
Name (Individual / Corporation)

LAWRENCE
M.
DALE

Address

226 DUNVEGAN ROAD

TORONTO
ONTARIO
CANADA M5P 2P2

Date Began

2011/06/06

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

CHIEF EXECUTIVE OFFICER

Resident Canadian

Administrator:
Name (Individual / Corporation)

ALLAN
M.
SPIVAK

Address

374 BEDFORD PARK AVENUE

TORONTO
ONTARIO
CANADA M5M 1J8

Date Began

2010/10/29

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

VICE-PRESIDENT

Resident Canadian

Request ID: 013507250
Transaction ID: 45346832
Category ID: UN/E

Province of Ontario
Ministry of Government Services

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CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

1832861

REALTYSELLERS REAL ESTATE INC.

Last Document Recorded

Act/Code	Description	Form	Date
CIA	CHANGE NOTICE	1	2011/06/07 (ELECTRONIC FILING)

THIS REPORT SETS OUT THE MOST RECENT INFORMATION FILED BY THE CORPORATION ON OR AFTER JUNE 27, 1992, AND RECORDED IN THE ONTARIO BUSINESS INFORMATION SYSTEM AS AT THE DATE AND TIME OF PRINTING. ALL PERSONS WHO ARE RECORDED AS CURRENT DIRECTORS OR OFFICERS ARE INCLUDED IN THE LIST OF ADMINISTRATORS.

ADDITIONAL HISTORICAL INFORMATION MAY EXIST ON MICROFICHE

The issuance of this report in electronic form is authorized by the Ministry of Government Services.

APPENDIX 2

Realtysellers :: Toronto Real Estate Change Agent

Mere Posting Champion on the Toronto MLS

You are here: [Home](#) / [Discover](#) / Our Story

Our Story

For almost a decade, Toronto lawyer Lawrence Dale has been embroiled in a struggle to bring innovative and affordable real estate agency and marketing services to homeowners.

Lawrence is the nephew of Canadian real estate legend Sadie Moranis and has been exposed to the industry his entire life. By 2000, he understood that the marketplace was ripe for some new innovative service models.

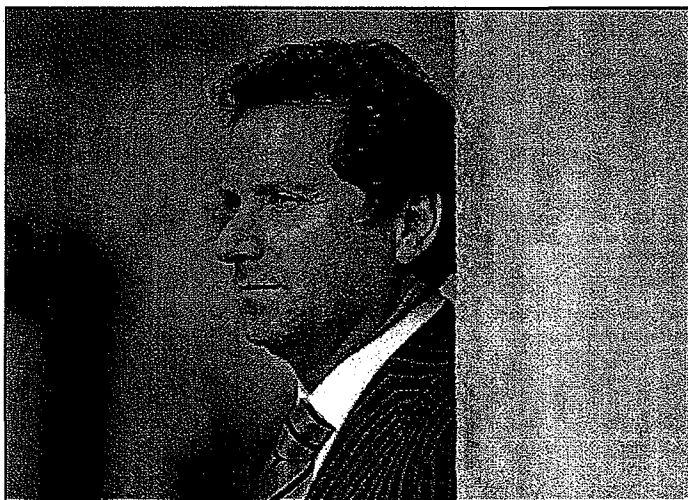
Lawrence co-founded Realtysellers (Ontario) Limited in 2000. For the next several years Lawrence introduced and tested many innovations to traditional real estate practices with a goal to provide consumers with a better and more cost effective experience.

Lawrence experienced considerable resistance from traditional real estate and in 2002 the Toronto Real Estate Board introduced new rules which prohibited many of his innovations. Not being one to shy away when encountering resistance, a lawsuit was commenced against the Toronto Real Estate and its sister organization the Canadian Real Estate Association which was settled in 2004 which coincided with the removal of the offending MLS rules. With this settlement in hand, Lawrence continued on his journey.

But in 2006 the Canadian Real Estate Association began a process to re-enact similar restrictive rules. Unwilling to continue with the development of his business model in the face of these continued attacks, the business suspended operations and Lawrence vowed not to re-enter the marketplace until the Competition Bureau extracted an industry wide resolution that would prevent this type of conduct from happening again.

For the next while Lawrence dabbled in traditional real estate including being co-founder of the group that in 2007 purchased control of Chestnut Park Real Estate, one of Canada's premier traditional real estate brokerages.

But this cause remained with Lawrence and after years of persistence, Lawrence finally persuaded the Competition Bureau to take action and the rest is history. The industry is finally open for business and with this result *Realtysellers* Real Estate Inc. was born.



On July 7, 2011 Realtysellers announced the formation of a partnership with Canada's leading private seller enterprise [PropertyGuys.com](#). [PropertyGuys.com](#) has historically helped thousands of Canadians each year sell their homes

privately to avoid paying high fees. Once this partnership is fully operational, Realtysellers will be able to offer PropertyGuys.com customers any brokerage services that may want including services to help them buy their next home, with all services delivered in a professional manner and with exceptional value.

The *Realtysellers* team includes broker of record Allan Spivak, who has for years worked with Lawrence in testing innovative real estate models. A special consultant to the team is Fraser Beach, who was the broker of record for Bell Canada when Bell was attempting to enter the real estate marketplace with an innovative business model. The team has brought together the most experienced innovative real estate brokerage minds in Canada.

But the *Realtysellers* story is a work in progress ... and we are committed to making the real estate marketplace a more pleasant, financially rewarding and friendly environment for all participants.

Realtysellers ... has changed the rules.

Contact: info@propertyguys.com

or call: 1-866-666-9744

Contact us: info@realtysellers.ca

or call: 416-236-2332

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CT-2011-003

COMPETITION TRIBUNAL

THE COMMISSIONER OF COMPETITION

Applicant

- and -

THE TORONTO REAL ESTATE BOARD

Respondent

**RESPONSE OF THE TORONTO REAL ESTATE BOARD
TO REQUEST OF REALTYSELLERS REAL ESTATE INC.
FOR LEAVE TO INTERVENE**

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