



**NBREA**  **AAINB**  
**OFFICE OF THE REGISTRAR / BUREAU DU REGISTRAIRE**



**COMPLAINT 2025-003**  
**NBREA v. NATALIE DAIGLE**

**DISCIPLINE DECISION**

This Decision was produced by the Discipline Committee of the New Brunswick Real Estate Association in accordance with *An Act to Incorporate the New Brunswick Real Estate Association*.

## Contents

<b>Recitals</b> .....	1
<b>Executive Summary</b> .....	2
<b>Introduction</b> .....	4
<b>Jurisdiction</b> .....	4
<b>Legal Test</b> .....	4
<b>Issue</b> .....	6
<b>Charges</b> .....	6
<b>Background and Evidence</b> .....	7
<b>Findings and Reasons</b> .....	9
<b>Decision</b> .....	10
<b>Order</b> .....	10
<b>Schedule “A” – Documents reviewed by the Discipline Committee</b> .....	13



## Recitals

### DECISION OF THE DISCIPLINE COMMITTEE WITH RESPECT TO MERIT AND PENALTY

In the matter of a Discipline Committee Hearing held pursuant to Section 23(1) of *The New Brunswick Real Estate Association Act* (the “Act”):

#### BETWEEN

The New Brunswick Real Estate Association (the “Association”)

-and-

Natalie Daigle (the “Respondent”)

Date of Hearing: December 2 & 3, 2025

Place of Hearing: Virtual

Members of Committee: Karl Merrill, Chairperson  
Joan Hodder-Hayes  
Chris Turner  
Shane MacPherson  
Michèle Morin, Government Appointee

Appearances: Dominic Caron, Counsel for the Association  
Sue Duguay, Counsel for the Association  
Natalie Daigle, Respondent

The Chair noted persons attending the hearing:

Present: Mr. Merrill, Mrs. Hodder-Hayes, Mr. Turner, Mr. MacPherson, Mrs. Michèle Morin, Mr. Caron, Ms. Duguay, Mrs. Daigle, [The Complainant], Mr. Mitchell McLean (Registrar), Mr. Logan MacNeil (Administrative Services Assistant, Education Support, NBREA), Ms. Brittany Trafford (Committee Legal Counsel), and Mrs. Gabriella Mockler (Court Reporter).

## Executive Summary

- [1] This Complaint concerns the actions of a REALTOR® who, while representing the seller of a house in which the seller's former spouse and children resided, failed to treat all parties fairly; engaged in behaviour unbecoming of a REALTOR®, and failed to consult outside professional advice (collectively, the "Allegations").
- [2] On November 12, 2025, the Respondent was notified by the Association that the Discipline Committee (the "Committee") would commence a hearing respecting the Allegations on December 2, 2025 (the "Notice of Hearing").
- [3] Prior to the hearing date, the Respondent and the Association, through its legal counsel, mutually agreed to present a joint submission to the Committee.
- [4] Pursuant to the joint submission, the Respondent admitted guilt to three charges laid against her on behalf of the Association which amounted to three (3) counts of professional misconduct under the REALTOR® Code of Ethics.
- [5] The Committee accepted the Respondent's admission of guilt and considered the particular facts of the matter along with the joint submission on penalty accordance with the joint submission.
- [6] In accordance with the law relating to joint submissions before disciplinary bodies, the Committee accepted that the penalties in the joint submission were reasonable considering the particular breaches of professional misconduct. In this matter, the

Respondent, a new REALTOR®, had represented a relative selling a property where their ex-partner was residing with children. When the ex-partner would not vacate the property, the Respondent sent many vindictive text messages to the ex-partner, a member of the public. The messages were bullying in nature and continued for months including after the within Complaint was referred to this Committee. In some instances, the Respondent also purported to provide legal advice.

- [7] In considering and accepting the joint submission, the Committee contemplated the severity of the Respondent's conduct in this matter as well as the goal of protecting the public and deterring any similar misconduct. The Committee particularly noted that the Respondent took full responsibility for her actions and indicated that she is remorseful of her conduct. The requirement that the Member pass the Real Estate Institute of Canada 2600—Ethics in Business Practice Course and the NBREA Pre-Licensing Education course and practicum (including exam) as well being ordered to pay a fine and costs (representing a portion of the actual costs of the discipline process) and having the discipline decision published including the Respondent's name was accepted as a reasonable penalty in the circumstances.

## Introduction

[8] The Association's position is that, under the REALTOR® Code of Ethics, the Allegations, if founded, constitute acts of professional misconduct.

[9] The Complaints Committee reviewed all evidence presented by the Complainant and the Respondent on March 21, 2025, and by decision dated June 3, 2025, referred the matter to the Committee pursuant to subsection 21(3)(a) of the Act.

## Jurisdiction

[10] The Respondent and legal counsel for the Association confirmed at the hearing that they had no objection to the composition and jurisdiction of the Committee.

## Legal Test

[11] The standard of proof required in a hearing before the Committee refers to the level of proof that must be met for the Committee to find a member guilty of an alleged offence. That level of proof, or threshold, is the civil standard of a "balance of probabilities" which is 51% or higher (i.e., is it more likely than not that the Respondent is guilty of one or more of the alleged offences).

[12] The Association has the onus of proving the Allegations against the Respondent, on a balance of probabilities, through documentation and testimony given under oath or affirmation.

[13] In the case of the Committee, it may find a member of the Association guilty of professional misconduct. Pursuant to subsections 23(2) and 23(3) of the *Act*, a finding of professional misconduct must meet the following criteria:

1. A member may be found guilty of professional misconduct if:
  - a. the member has been convicted of an offence which, in the opinion of the Committee, is relevant to the member's suitability to trade in real estate; or
  - b. the member has been guilty, in the opinion of the Committee, of professional misconduct.

[14] Where the parties have presented a joint submission to the Committee and the Respondent has admitted guilt on the charges contained in the Notice of Hearing, the Committee has a duty to consider the joint submission.

[15] In the decision of *R. v. Anthony-Cook*,<sup>1</sup> the Supreme Court of Canada adopted a high standard for rejecting joint submissions, explaining that:

*“rejection [of a joint submission] denotes a submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons, aware of all of the relevant circumstances, including the importance of*

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<sup>1</sup> *R. v. Anthony-Cook*, 2016 SCC 43 (“*Anthony-Cook*”).

*promoting certainty in resolution discussions, to believe that the proper functioning of the justice system had broken down.”<sup>2</sup>*

[16] The public interest test, as established in *Anthony-Cook*, is widely accepted and unequivocally applies to disciplinary bodies.<sup>3</sup>

[17] When considering the joint submission, the Committee must decide whether the mutual agreement with regard to sanctions is appropriate, reasonable and fitting, consistent with the range of sanctions imposed in similar circumstances and that the agreement is not contrary to the public interest.<sup>4</sup> The Committee must approach the joint submission from a position of restraint but may refuse a joint submission should it be so unreasonable as to bring the administration of justice into disrepute or otherwise be contrary to the public interest.

## Issue

[18] The issue to be determined by the Committee is whether it should accept the joint submission presented by the parties.

## Charges

[19] Counsel for the Association presented the following charges against the Respondent at the hearing:

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<sup>2</sup> *Ibid*, at para 34.

<sup>3</sup> *Timothy Edward Bradley v. Ontario College of Teachers*, 2021 ONSC 2303, at para 14.

<sup>4</sup> *Rault v. Law Society of Saskatchewan*, 2009 SKCA 81 (CanLII), at para 28.

*Between December 2024, and January 10, 2025, both dates inclusive, Natalie Daigle, being a member, as defined by The Act to Incorporate the New Brunswick Real Estate Association, Chap. 115, S.N.B., 1994 (the Act):*

- (i) Failed to treat all parties fairly;*
- (ii) Engaged in behaviour unbecoming of a REALTOR®; and*
- (iii) Failed to consult outside professional advice.*

*All as set out in the complaint dated January 10, 2025, thereby allegedly committing acts of professional misconduct, in violation of, inter alia, Articles 3, 10 and 21 of the REALTOR® Code and punishable under ss. 23(4) and 23(5) of the Act.*

[20] It was noted that although an additional charge against the Respondent had been referred to the Committee, it had been dropped by the Association prior to the hearing.

## **Background and Evidence**

[21] During the hearing, the Committee received as evidence and carefully reviewed the Book of Documents and a screen recording of messages. Attached to this Decision as Schedule "A" is a list of the evidence reviewed by the Committee and marked as exhibits.

[22] The Respondent is a new REALTOR® and represented her cousin in selling his house. Her cousin was not living in the house. The Complainant (the cousin's ex-partner) and their two children had been residing at the house for 15 years. The Respondent contacted the Complainant to tell her the house was going on the market and that visitors wanted to see the house.

[23] The Complainant indicated she had legal interests in the house and did not wish for her and her children to move out of the house until a family law settlement was reached. The Respondent proceeded to send a notice to vacate and several emails and messages to the Complainant in effort to force the Complainant to vacate the property.

[24] For example, on December 16, 2024, the Respondent wrote to the Complainant, in part, “*I don't feel ONE BIT BAD for helping [redacted] get out of a bad financial situation. HE is my family, the GIRLS are my family. YOU are not. OVER MY fucking dead body will I turn my back on him. [...] Had you not been a stubborn, greedy selfish, narcissistic woman, you could have walked away DEBT FREE. [...] You are a horrible person to be keeping them there and you're horrible for putting a monetary value on their health and safety!!!! SHAME on YOU!!! [...] Hold on Babe... Shit about to go down [...] It was a really bad decision to get on my bad side.*”

[25] After the Complainant contacted the owner of the agency the Respondent was working for at the time, the Respondent sent the Complainant additional threatening messages including emails to the Complainant stating: “*Try again you evil selfish woman!!!!*”; “*You think it's some kind of a joke trying to fuck with someone's livelihood eh. Too bad you can't get to goverment eh!?! Well.... now it's my turn. You brought this ALL on yourself*”. The emails continue where the Respondent calls the Complainant, “useless” and “selfish and greedy”.

[26] The Respondent continued to send similar threatening messages to the Complainant over the months that followed, including on August 4, 2025, as follows: “*You will soon be contacted by my lawyer regarding libel. I will not be going the LOW COST route. It will be a civil law suit. And I will be sharing the results on social media. [...] Oh and I'm working on getting you banned from the blackvillr market and any other markets around. I don't have a job right now, so I will be working diligently on ruining you as you have ruined me and my family.*”

[27] This message, as well as many other similar messages, were sent after the Complaint's Committee Decision in this matter was rendered on June 4, 2025.

[28] In several messages, the Respondent provided legal advice to the Complainant relating to family law affairs but did not seek any outside professional advice. This included advising on matters relating to a separation agreement, child support payments, rights to marital property.

## **Findings and Reasons**

[29] After receiving the evidence presented by both parties and considering the submissions made at the hearing, the Committee finds that the joint submission is appropriate, reasonable, and is sufficient to protect the public interest and is consistent with matters heard by prior Committees.

[30] The Committee finds that the misconduct by the Respondent, in sending vindictive, and threatening, insulting correspondence to a member of the public was severe especially as the messages continued for months, including after a complaint had been referred to a discipline hearing. The Respondent also provided legal advice to a member of the public and did not consult an outside professional.

[31] However, the Committee also notes that in coming to a joint submission the Respondent had eventually admitted to her guilt and that the Respondent took responsibility for her actions at the hearing and confirmed that she was remorseful for her actions.

[32] The Committee accepts that the joint submission, in addition to protecting the public, will serve to deter similar unprofessional conduct by the Respondent or any other REALTOR®.

## Decision

[33] The Committee accepts the joint submission of the parties and finds that the Respondent is guilty of professional misconduct pursuant to section 23(2)(b) of the *Act*.

## Order

[34] The Committee hereby orders the following:

1. The Respondent take and successfully pass the Real Estate Institute of Canada 2600—Ethics in Business Practice Course, at her own expense.
2. The Respondent take and successfully pass the NBREA Pre-Licensing Education course and practicum (including exam), at her own expense.
3. The Respondent is hereby suspended until such time as the education in paragraphs 1 and 2 has been completed and satisfactory evidence has been provided to the Registrar;
4. The Respondent pay a fine in the amount of \$3,000.00 CAD to the Association within nine (9) months following the date of this Decision.
5. The Respondent pay costs in the amount of \$2,000.00 CAD to the Association as partial reimbursement for costs incurred in the processing of the Complaint, within nine (9) months following the date of this Decision.

6. If payment outlined in paragraphs 4 and 5 is not made within nine (9) months of the date of this Decision, the Registrar is directed to suspend the Respondent's membership in the Association until such time the payments are made.
7. The Respondent shall refrain from publishing or disseminating, whether online or by any other means, any material concerning the Complainant. Failure to comply with this condition shall result in the immediate suspension of the Respondent's membership until such time as the offending publication has been fully removed or redacted.
8. Pursuant to subsection 23(4)(f) of the *Act*, that the Registrar publish this Decision, including the Respondent's name, on the Association's website and CanLii.
9. Pursuant to subsection 23(4)(f) of the *Act*, that the Registrar distribute a summary of this Decision, including the Respondent's name and a website link to the Decision, to all members of the Association by way of email (Notice to the Profession).
10. It is the Respondent's responsibility to ensure that she fulfills the requirements in paragraphs 1, 2, 4, 5, and 7.

[35] In accordance with subsection 25(1) of the *Act*, the Respondent may appeal this Decision within thirty (30) days from the date of the Decision by application to the Court of King's Bench of New Brunswick.

Dated at Fredericton, New Brunswick, this 14<sup>th</sup> day of April 2025.

// Original signed by Committee Chair//

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Karl Merrill, Chair  
on behalf of the Discipline Committee,  
Complaint 2025-003

## Schedule “A” – Documents reviewed by the Discipline Committee

<u>Exhibit</u>	<u>Description</u>
1.	<p><i>Book of Documents</i> consisting of a bound book of documents and materials including:</p> <ul style="list-style-type: none"><li>• Complaint and enclosures, dated January 10, 2025</li><li>• Respondent’s Reply and enclosures, dated January 30, 2025</li><li>• Reply 1 by the Complainant, dated February 5, 2025</li><li>• Reply 1 by the Respondent and Video Evidence, dated February 6, 2025</li><li>• Reply 2 by the Complainant, dated February 19, 2025</li><li>• Final Reply by the Respondent, dated February 19, 2025</li><li>• Decision of the Complaints Committee, dated June 3, 2025</li><li>• Notice of Discipline Hearing, dated November 12, 2025</li><li>• Notice of Panel Composition, dated November 12, 2025</li><li>• Additional information from the Respondent</li><li>• Additional Information from the Complainant (Emails, Messenger &amp; Text Messages)</li><li>• Summons to Witness, dated November 12, 2025</li><li>• Outline of Procedure for Discipline Hearings</li><li>• The REALTOR® Code</li></ul>
2.	Screen Recording of iMessages from Respondent Feb 6, 2025