

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011959
Person: Sameer Kalia
Licence Type & Class: Not licensed; licence suspended
Process: Section 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$25,000.00

Payment

This Penalty must be paid **within 30 days** of the date this Notice was issued.

If you fail to pay the Penalty the Registrar may commence collection under Part 6 of the *Real Estate Act*.

If you pay the Penalty

- You will have satisfied the Administrative Penalty and no further proceedings under Part 6 will be taken against you.
- You cannot be charged under the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

TO: Sameer Kalia

The Registrar of the Real Estate Council of Alberta (RECA) is of the opinion you have contravened **section 17(d) of the *Real Estate Act***.

17 No person shall

(d) advertise himself or herself as, or in any way holding himself or herself out as, a mortgage broker, real estate broker or property manager unless that person holds the appropriate licence for that purpose issued by the Industry Council relating to that industry.

Particulars of the contravention(s):

1. From approximately May 2021 until approximately August 2021, you held yourself out as a real estate broker without holding the appropriate licence, contrary to s. 17(d) of the *Real Estate Act*:
 - a. On May 7, 2021, your license was suspended by order of the Chair, Commercial Real Estate Broker & Commercial Property Manager Industry Council.
 - b. From May 2021 through to August 2021, you contacted [BROKER], requesting information on a multi-million dollar property on behalf of your buyer clients.
 - c. You held yourself out as a Broker and owner of a real estate company that you were not licensed to work with.
 - d. You continued to request information regarding the property on behalf of your buyer clients despite [BROKER] telling you he had learned of your suspension, you did not have insurance, nor were you licensed to trade in real estate.

The Registrar considered the following aggravating factors:

Aggravating Factors

- You engaged in these activities while suspended.
- You had been licensed for 20 years and ought to know what activities require a licence.
- You have failed to provide requested information during the investigation.
- The need for general deterrence is high. Unlicensed activity puts consumers at risk.

Appeal

You have the right to appeal this Administrative Penalty to a Hearing Panel. See **section 83.1 of the *Real Estate Act*** for what you must do to appeal.

In an appeal you will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel in relation to the contraventions alleged.

Your written notice of appeal must comply with section 83.1 and must be received by the Registrar **within 30 days** of you receiving this Administrative Penalty. If you appeal, payment of the Penalty will not be required until an order to pay a penalty is issued by the Hearing Panel. If you have any questions regarding particulars or the appeal process, please contact:

Name: [H.C], Professional Conduct Review Officer
Email: [EMAIL]
Phone: 403.228.2954; Toll Free: 1.888.425.2754
Fax: 403.228.3065
Address: Real Estate Council of Alberta
Suite 202, 1506 11 Avenue SW
Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on September 24, 2021.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta