

## THE REAL ESTATE COUNCIL OF ALBERTA

Case: 008714  
Process: Section 83 of the *Real Estate Act*  
Person: Gurveer Randev, Stealth Homes Ltd/Luxuria Homes  
Document: ADMINISTRATIVE PENALTY  
Penalty: \$5000.00

### 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: Gurveer Randev**

The Registrar of the Real Estate Council of Alberta (RECA) is of the opinion you have contravened **section 38(4)(a) of the *Real Estate Act***.

### **Section 38 - Investigation**

38(2) *A person conducting an investigation may*

- by notice in writing demand that any person produce to the investigator*
  - (a) *any books, documents, records and other things in that person's possession or under that person's control that are relevant to the investigation,*
  - (b) *demand that any person answer any questions that are relevant to the investigation,*

38(4) *A person who is required under subsection (2) to answer the questions of a person conducting an investigation*

- (a) *shall co-operate with the investigator and promptly respond to the questions*

### Particulars of the contravention(s):

1. On November 20, 2018 RECA received information into the conduct of industry member Jagdeep Duggal. The information consisted of a number of transactions Jagdeep Duggal had been involved in that were suspicious in nature. Two of those transactions were the purchase of the properties located at [ADDRESS 1] with [O.O] and [T.A] being the buyers, and [ADDRESS 2] with [M.J] and [J.J] being the buyers.
2. On November 22, 2018 an investigation was opened into Jagdeep Duggal's conduct. Stealth Homes/Luxuria Homes were directly involved in the transactions which are the subject of an investigation involving a licensee, and has information that is relevant to the investigation. The investigation requires documents and answers from Stealth Homes/Luxuria Homes to questions relating to the process of the purchase of the properties.
3. Attempts were made via email and telephone conversations to have you provide documentation and information of the transactions to the RECA investigator. You failed to provide the requested documents and information.
  - a) On August 25, 2016 a New Home Sale Agreement was entered into between Stealth Homes Ltd and buyers [O.O] and [T.A] for the property located at [ADDRESS 1].
  - b) On , January 10, 2017 a New Home Sale Agreement was entered into between Stealth Homes Ltd and buyers [M.J] and [J.J] for the property at [ADDRESS 2].
  - c) On August 11, 2021 a Demand For Information Letter was emailed to Gureev Randev at Luxuria Homes and to the accounting department at Luxuria Homes requesting documents and information regarding the transactions relating to [ADDRESS 1], and [ADDRESS 2]. You failed to respond by the due date of September 3, 2021.
  - d) On September 7, 2021 a second Demand For Information Letter was emailed to Gureev Randev of Luxuria Homes and the accounting department at Luxuria Homes requesting documents and information regarding the transactions.
  - e) Gureev Randev contacted the RECA investigator by telephone and explained they were a small company and he was not sure if they had the documents. He would contact their lawyer to see what he could obtain.

You failed to provide the documents and information by the due date of September 10, 2021.

- f) On September 21, 2021 Gureev Randev was emailed by the RECA investigator requesting when the documents and information would be provided. You failed to respond with an answer or with the documents and information requested by the due date of September 30, 2021.

The Registrar considered the following aggravating factors:

### ***Aggravating Factors***

- There must be general deterrence of this type of conduct. RECA's ability to effectively investigate complaints depends on cooperation from witnesses.
- An investigator has explained RECA's authority to you and provided to you copies of the legislation. Despite this, you still failed to cooperate.

### **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: Ray Beisick, Professional Conduct Review Officer  
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Address: Real Estate Council of Alberta  
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Issued at Calgary, Alberta, on October 7, 2021.

"Signature"

Charles Stevenson, Registrar  
Real Estate Council of Alberta