

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 012459.001
Name on Licence: Bhalinder Singh Dhaliwal
Licence Sector and Class: Mortgage Associate
Current Brokerage: Currently unregistered
Conduct Brokerage: VPMG IMortgage Solutions Inc., O/A Verico
IMortgage Solutions
Process: A Hearing under Part 3 of the *Real Estate Act*

AMENDED NOTICE OF HEARING

TO: Bhalinder Singh Dhaliwal

A hearing is set to review allegations about your conduct. Read this entire document to see what you must do.

Hearing Information

Date: Tuesday May 23, 2023
Time: 9:30 a.m.
Venue: Virtual Hearing
Hearing Panel: [A.B]
[M.G]
[B.G]
[A.D]
(Alternates:[K.M], [J.D])

Anthony Dekens, Bishop and McKenzie LLP

It is alleged that your conduct is deserving of sanction for breaching sections of the Act or Rules. Here are the details:

1. In or around October 2021:

- you participated in fraudulent or unlawful activities in connection with the provision of services or in any dealings, contrary to section 42(b) of the *Real Estate Act Rules*
2. In or around November 2020, you were contacted by [T.S] and [H.S] ([T.S AND H.S]) to answer some general mortgage questions.
 3. [T.S AND H.S]'s were considering a mortgage for a new home build located at [ADDRESS] (the "Property").
 4. [T.S AND H.S]'s new home project manager was [C.S]
 5. On December 1, 2020, you did a credit report for [T.S AND H.S].
 6. In or around August 2021, you were contacted by [T.S AND H.S] to begin a mortgage application process for the Property.
 7. In or around October 4, 2021, you did an updated credit report for [T.S AND H.S]
 8. On October 20, 2021, a false mortgage commitment letter (the "False Letter") was created by you. It contained the following information.
 - Broker Name: Verico Paragon Mortgage Inc.
 - Attention: Bhalinder Dhaliwal
 - Lender: Alberta Treasury Branch ("ATB") Financial
 - Property: [ADDRESS]
 - Applicants: [T.S AND H.S]
 - Loan amount: 620,000 at 1.550% Variable Interest
 - Term: 60 Months
 9. On October 29, 2021, the False Letter was signed by [T.S AND H.S] and a copy was provided to them.

10. On November 1, 2021, you had an appraisal done on the Property. The Appraisal stated it was prepared for you and ATB Financial.
11. On December 10, 2021, it appears [C.S] contacted ATB regarding the status of [T.S AND H.S]'s mortgage application. When nothing could be found relating to [T.S AND H.S] or the Property, ATB emailed [C.S] and ask him to provide the commitment letter. About 15 minutes after sending the email [C.S] responded with a copy of the False Letter. It was at this stage ATB determined the document was fraudulent.
12. On December 10, 2021, [C.B] of ATB contacted [S.F] "[S.F]"), your Broker at Verico Paragon Mortgage Inc. [C.B] informed her of the False Letter.
13. On December 13, 2021, [S.F] and a witness [C.M] met with you about the situation. You admitted to creating the False Letter in the meeting. Your employment was terminated immediately with cause by [S.F]. At that time you signed a letter of acknowledgement regarding said termination.
14. You did not receive any benefit for the creation of the False Letter.

Virtual Hearings

Hearings at RECA are conducted virtually. The Hearing Administrator will provide you with the Guide to Virtual Hearings and you will receive help in participating in the virtual process.

Why You Should Attend the Hearing

The hearing is your opportunity to respond to the allegations and state your side of the case in front of the Panel.

Learn About the Hearing Process

Please read these guides on the RECA website

<https://www.reca.ca/complaints-discipline/hearings-information-procedures/>

- *Hearing and Appeal Practice and Procedures Guidelines and*
- *How to Represent Yourself at a Real Estate Council of Alberta Hearing or Appeal*
- *RECA Self-Represented Program*

Before the Hearing

You will receive full disclosure of all evidence gathered by the Registrar relevant to the allegations in this Notice of Hearing for your review. This disclosure is for use in the conduct proceedings only and you may not use it for any other purpose.

You are also invited to meeting with Counsel for the Registrar prior to the hearing to consider entering agreement on non-contested matters such as:

- An admission of conduct deserving of sanction
- An agreement on facts
- An agreement on breaches
- An agreement on a finding of conduct deserving of sanction
- An agreement on sanction and/or costs.

Admissions or agreements can reduce the time and costs of the hearing.

What You Should Bring to the Hearing

Bring any witnesses and evidence you want the Panel to consider, with you to the hearing.

What Will Happen If You Don't Attend

If you do not attend the Panel may proceed to make a decision without you.

What Will Happen At the Hearing

After hearing all evidence and argument the Panel will decide whether the Registrar has proven any of the breaches. If no breach is proven you will face no sanction.

If the Panel finds a breach is proven the Panel may do one or more of the things listed in **section 43** of the *Real Estate Act*:

- Cancel or suspend your authorization
- Order you to pay a fine for each breach
- Order you to pay the cost of the investigation and the hearing
- Order you to complete an education course

Submitting Written Arguments After the Evidence

You can ask the Panel to allow you to provide written arguments at the end of presentation of evidence. The Panel will give directions on how this may be done.

You Can Get Legal Advice

You may get legal advice and may be represented by legal counsel at the hearing. If you do not have a representative please read information for unrepresented Licensees here:

<https://www.reca.ca/complaints-discipline/hearings-information-procedures/>

If You Object to a Panel Member

Please review who is on the Panel. If you object to any of the people being on the Panel, you must advise the Hearings Administrator **who you object to and why within 14 days** of receiving this Notice.

If you do not object to the Panel within 14 days, this Panel will conduct the hearing.

Postponing the Hearing

If you are not available on the date set for the hearing you can apply to the Panel for a new date. Contact the lawyer for the Registrar and the Hearings Administrator as soon as possible if you need a new date.

Dated at Calgary, Alberta, on May 15, 2023
(date)

"Signature"

Warren Martinson
Real Estate Council of Alberta

Contact Information:

<p>Hearings Administrator:</p> <p>Email: hearingsadmin@reca.ca Fax: 403 228 3065 Direct: 403 685 7913 Toll Free: 1 888 425 2754 Address: Real Estate Council Suite 202, 1506 11 Avenue SW Calgary, Alberta T3C 0M9</p>	<p>Administrator for Counsel for the Registrar:</p> <p>Email: conductadmin@reca.ca Fax: 403 228 3065 Direct: 403 685 7944 Toll Free: 1 888 425 2754 Address: Real Estate Council Suite 202, 1506 11 Avenue SW Calgary, Alberta T3C 0M9</p>
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