

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 013920
Jointly and severally: Dreamland Homes
Azher Haleem Chaudhary

Licence Type & Class: Not licensed

Process: Section 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$25,000 (see Schedule 2 of the Bylaws)

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: Dreamland Homes
Azher Haleem Chaudhary

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

Section 17 - Licence Required

17 No person shall

*(a) trade in real estate as a real estate broker,
unless that person holds the appropriate licence for that purpose
issued by the Industry Council relating to that industry.*

Particulars of the contravention(s):

In or around October 2021 to Around April 2022 you traded in real estate contrary to section 17(a) of the *Real Estate Act*.

- a) [H.S and K.K] ("the buyers") were referred to you through the community to assist with the purchase of a property.
- b) In January 2022, while working with the buyers as part of a real estate trade, you offered, on behalf of the owner, to show the buyers [ADDRESS 1]. Offering to show this property on behalf of an owner required a licence.
- c) On or around January 7, 2022, while working with the buyers as part of a real estate trade, you offered, on behalf of the owner, to show the buyers [ADDRESS 2]. Offering to show this property on behalf of an owner required a licence.
- d) On or around January 20, 2022, while working with the buyers as part of a real estate trade you offered, on behalf of the owner, to show the buyers [ADDRESS 3] Offering to show this property on behalf of an owner required a licence.
- e) On or around 2 February, 2022, while working with the buyers as part of a real estate trade, you offered, on behalf of the owner, to show the buyers [ADDRESS 4]. Offering to show this property on behalf of an owner required a licence.
- f) You reviewed and offered advice on transaction documents connected to the purchase of [ADDRESS 5], including the residential purchase contract.
- g) On or about February 15, 2022, you met with the buyers and advised the buyers on the purchase of [ADDRESS 5].

The Registrar considered the following aggravating factors:

Aggravating Factors

- You were previously licensed by RECA and ought to be aware of what activities required licenses.
- In January 2017, you were sanctioned by RECA for unauthorized activity.
- In June 2021, you were issued a direction under the *Real Estate Act* s.10(1)(b) forbidding you from doing or continuing of anything that is in contravention of this Act, the regulations, the rules or the bylaws.
- In December 2021, you were sanctioned by RECA and issued nine administrative penalties for unlicensed activities.

- There were multiple instances of unlicensed activity since the administrative penalties were issued.
- The unlicensed activity was part of a mortgage fraud scheme.

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: [J.G], Investigator
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 April 3, 2023.

“Signature”

Warren Martinson, Registrar
Real Estate Council of Alberta