

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(b) of the *Real Estate Act***.

**Section 17 - Licence Required**

*17 No person shall*

***(b) deal as a mortgage 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 and around October 2021 until around to April 2022, you solicited a person to borrow money without a mortgage licence, contrary to section 17(b) of the *Real Estate Act*.

- a) [H.S and K.K], ("the borrowers") were referred to you due to your position in the community and knowledge of mortgages.
- b) You assisted the borrowers in obtaining a mortgage. You advised the borrowers what supporting documentation was required to secure a mortgage. The borrowers provided information and documentation to you. You then facilitated with providing documentation to a lender on behalf of the borrowers to secure a mortgage. These activities required a licence to deal as a mortgage broker.
- c) In order for the borrowers to secure a mortgage, you provided false employment documentation including, employment letters, paystubs from your own company, Westcoast Transportation.
- d) You took payments from the borrowers in order to provide pay cheques from your company to make it appear to a lender a borrower was your employee.
- e) The borrowers paid a fee in connection with your unlicensed mortgage services.
- f) The borrowers' mortgage was funded. The false supporting documentation you provided was submitted to the lender.

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"**

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Warren Martinson, Registrar  
Real Estate Council of Alberta