

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 013887  
Name on Licence: Harminder Singh Mann  
Licence Type & Class: Real Estate Associate  
Brokerage at Time of Conduct: Twin Oakes Real Estate 1993 Inc. o/a  
Re/Max House of Real Estate  
Current Brokerage: 969801 Alberta Ltd. o/a Avenue  
Commercial

Process: Section 39 & 83 of the *Real Estate Act*  
Document: ADMINISTRATIVE PENALTY  
Penalty: \$3,500.00

**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* and may suspend your licence under section 38.1 of the Rules.

**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: Harminder Singh Mann**

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 45(3) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

**Rule 45 (3)** - *If a licensee makes a referral to another person the licensee believes to be a licensee, the licensee must take reasonable steps to ensure the person is in fact authorized to carry out the activities for which the referral is made.*

**Particulars of the contravention(s):**

1. In or around October 2022, you referred an unlicensed person to your client, [S.D] and partner, contrary to section 45(3) of the *Real Estate Act Rules*:
  - a) In August 2022, [S.D] (and partner) approached you to represent them in their efforts to purchase the commercial property at [ADDRESS 1].
  - b) On August 12, 2022, [S.D] made an offer on the property that was accepted by the sellers.
  - c) Your clients required the services of a mortgage broker. You referred [S.D] to [Y.G] to handle their mortgage application. [Y.G] was not licensed to carry out the activities of a mortgage licensee.
  - d) On October 14, 2022, you text messaged the name and contact information for [Y.G] to the seller's licensee and requested he contact him to see why the buyers were having difficulty securing financing.

The Registrar considered the following aggravating and mitigating factors:

***Aggravating Factors***

- You were aware that [Y.G] was an unlicensed individual.
- You denied referring the buyer to [Y.G].
- [Y.G] previously took a lifetime withdrawal from the industry. Referring your clients to an unlicensed person who had taken a lifetime withdrawal exposed your clients to significant 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: [R.B], 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 March 25, 2024

**“Signature”**

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Warren Martinson, Registrar  
Real Estate Council of Alberta

cc. [G.B], Real Estate Broker  
Avenue Commercial