

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: MMS-03921
Person: Guraik Gill
Licence Type & Class: Not licensed
Process: Section 83 of the *Real Estate Act*
Document: ADMINISTRATIVE PENALTY
Penalty: \$10,000 (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: Guraik Gill

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.*

Particulars of the contravention(s):

1. In or around February 2024, you performed duties of a mortgage broker without a license to do so, contrary to section 17(b) of the *Real Estate Act*:
 - a) In January 2024, [J.D], a real estate licensee in Alberta, [M.S] to you for advice on financing as he was purchasing the property located at [ADDRESS].
 - b) You stated you did not assist [M.S] with obtaining a mortgage as you were not licensed in Alberta, and you were not advising him as a mortgage broker, but as a friend.
 - c) On February 13th, 2024, [M.S] provided you with a copy of a waiver that included his financing condition and asked you for your advice. You advised him to complete the waiver. [M.S] did not have financing secured at the time the waiver was completed.
 - d) On April 7th, 2024, [M.S] contacted you via text message for an update on the progress of his approval. You informed [M.S] you had an approval, and you were waiting to confirm the closing date.
 - e) You alleged [M.S] updated a different contact in his phone with your name as you did not provide mortgage services for him.
 - f) You were addressed by your name throughout the text message communications from [M.S].
 - g) On April 8th, 2024, you provided [M.S] a list of tax and employment related documents that are typically required from a borrower.
 - h) [M.S] requested you join a conference call with him and his real estate licensee. You joined a conference call with the pair where the status of [M.S]'s financing was discussed.
 - i) On or around April 30th, 2024, [M.S] became aware he did not qualify for a mortgage with favorable conditions.
 - j) The transaction was not completed, and [M.S] forfeited his \$10,000 deposit.

The Registrar considered the following aggravating factors:

Aggravating Factors

- Unlicensed persons who provide services that require a licence put consumers at risk. Often, unlicensed persons do not have the required education or errors and omissions insurance. There must be general deterrence of unlicensed activity.
- You were aware that obtaining a license in Alberta is mandatory for dealing in mortgages within the province.
- Your misconduct contributed to the Buyer forfeiting their \$10,000 deposit.
- You did not take responsibility for the conduct and were not forthcoming in the investigation.

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: [S.W], 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 July 7, 2025.

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta