

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: MMS-2652
Name on Licence: Rahul Saini
Licence Type & Class: Real Estate Licensee
Brokerage Name on Licence: iRealty Calgary Inc., O/A Re/Max iRealty
Innovations
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1500.00

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: Rahul Saini

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 42(a) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

Rule 42 – *Licensees must not:*

(a) Make representations or carry on conduct that is reckless or intentional and that misleads or deceives any person or is likely to do so;

Particulars of the contravention(s):

1. In or around June 2023, you made representations to your client's tenants, that were misleading, contrary to section 42(a) of the *Real Estate Act* Rules:
 - a) In April 2023, you were representing your seller client in the sale of three properties that were all tenant occupied. Purchase contracts for the three properties were executed and signed off with a term that the properties were to be vacant upon closing.
 - b) In June 2023, your seller client put you in contact with the tenants for his three properties. Your client wanted your assistance in getting the tenants' current leases assumed by the buyer and new leases signed.
 - c) You were aware at this time that the buyer had no intention of assuming the tenants and was seeking vacant possession of the properties on closing.
 - d) On June 30, 2023, one of the tenants asked you if the leases would be assumed and if they could remain at the property. You advised the tenant that yes, the buyer would be assuming their lease and would be keeping them as tenants. This was an intentional misrepresentation as you knew the buyer was not interested in assuming the tenant.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- The transactions failed to close and the buyer lost his deposits.
- Civil Court proceedings resulted with a conflict as to why the deal did not close (Properties not vacant or lack of financing)

Mitigating Factors

- You did not receive commissions for the failed transaction.
- The buyer and seller connected later and the sale went through independent of your services.

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 July 24, 2025.

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta

cc. [B.C], Real Estate Broker
Re/Max iRealty Innovations