

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 010955, 010956

Jointly and severely: Nawab Homes & Real Estate Consulting and Dreamland Homes, Syed Hassan-Nawab Rizvi AKA Hassan Nawab, Syed Rizvi and Azher Haleem Chaudhary AKA Azher Haleem, Azher Chaudhary

Licence Type & Class: Not licensed

Process: Section 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY

Penalty: \$25,000.00 (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: Nawab Homes & Real Estate Consulting and Dreamland Homes, Syed Hassan-Nawab Rizvi AKA Hassan Nawab, Syed Rizvi and Azher Haleem Chaudhary AKA Azher Haleem, Azher 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 related to that industry.

Particulars of the contravention(s):

In and around October & November 2021, you traded in real estate contrary to section 17(a) of the *Real Estate Act*.

- a) On June 15, 2021, the Residential Real Estate Broker Industry Council and the Mortgage Broker Industry Council issued you a direction under s. 10 of the *Real Estate Act* to cease holding yourself out to be dealing in mortgages and trading in real estate.
- b) In and around October 2021 you contacted a licensee and identified yourself as a realtor from Nawab Homes.
- c) In and around October 2021, you contacted a licensee and requested, on behalf of your client, a lockbox code to access and view a property. This activity required a license
- d) On or around November 2021 your Dreamland website advertised services that required a license.

The Registrar considered the following aggravating factors:

Aggravating Factors

- In January 2017, you were sanctioned by RECA for unauthorized activity. In June 2021, you were directed to cease unlicensed trading. Strong specific deterrence is required.
- Azher Chaudhary was previously licensed by RECA and ought to be aware of what activities required licenses.

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: [H.C], Professional Conduct Review Officer
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 November 19, 2021.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta