

BC FINANCIAL SERVICES AUTHORITY

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*,
SBC 2004, c 42 as amended**

AND

IN THE MATTER OF

**HARVINDER SINGH JAWANDA
(175912)**

AND

**HARVY JAWANDA PERSONAL REAL ESTATE CORPORATION
(175912PC)**

NOTICE OF ADMINISTRATIVE PENALTY

[This Notice has been redacted before publication.]

The BC Financial Services Authority (“BCFSA”) provides this Notice of Administrative Penalty (the “Notice”) pursuant to sections 57(1) and (3) of the *Real Estate Services Act*, SBC 2004, c 42 (“RESA”).

TAKE NOTICE BCFSA is satisfied that you have contravened one or more rules designated as subject to administrative penalties under section 56(1)(a) of the RESA and section 26 of the *Real Estate Services Rules* (the “Rules”), collectively, the “Designated Rules”.

TAKE NOTICE BCFSA is imposing the following administrative penalties based on your having contravened the Designated Rules:

1. Rule: 34 [*duty to act with reasonable care and skill*]; **First contravention:** Yes; **Penalty:** \$5,000.00
Details: In or about February 2019 you failed to take reasonable steps to confirm the information contained in an advertisement you published for real property located at [Property 1], Surrey, British Columbia, which stated that the property was built in 1965, when it was built in 1958 or 1959 and that the property had a new roof, new furnace, and new hot water tank, when the previous listing for the property noted the roof was replaced in 2008, the furnace in 2005, and the hot water tank in 2012;
2. Rule: 41 [*false or misleading advertising prohibited*]; **First contravention:** Yes; **Penalty:** \$1,000.00
Details: In or about February 2019 you published an advertisement for real property located at [Property 1], Surrey, British Columbia, which was misleading in that it stated that the property was built in 1965, when it was built in 1958 or 1959 and that the property had a new roof, new furnace, and new hot water tank, when the previous listing for the property noted the roof was replaced in 2008, the furnace in 2005, and the hot water tank in 2012;

(collectively the “Contraventions”).

Total administrative penalties: \$6,000.00

TAKE FURTHER NOTICE you may respond to this Notice by requesting an opportunity to be heard as follows (a “Reconsideration Request”):

- a. *Time limit:* You must deliver any Reconsideration Request so that BCFSA receives it within thirty (30) calendar days of the date you received this Notice (the “Response Deadline”).
- b. *Format:* A Reconsideration Request must be in writing.
- c. *Content:* A Reconsideration Request should explain how you exercised due diligence to prevent contravention of the Designated Rules. You may also provide any other information you believe BCFSA should consider.
- d. *Delivery:* A Reconsideration Request may be delivered by email to APreconsiderations@bcfsa.ca and/or delivered to BCFSA’s offices at 600 – 750 West Pender Street, Vancouver, BC V6C 2T8 (Attention: Legal Services – Reconsiderations)

The date you received this Notice is the earliest date on which

- BCFSA personally served you with the Notice (s 57(3)(a) or (b) of the RESA);
- BCFSA provided “substituted service” by a method provided for in a court order (s 12 of the RESA); or
- BCFSA provided this Notice to Canada Post for delivery to your mailing address (ss 18 and 19 of the Rules). This will normally also be the day it was emailed to you.

If BCFSA receives your Reconsideration Request by the Response Deadline, BCFSA will consider your Reconsideration Request, and may cancel or confirm each of the administrative penalties. If BCFSA confirms an administrative penalty, payment is due immediately.

TAKE FURTHER NOTICE if you fail to deliver a Reconsideration Request by the Response Deadline, you are deemed to acknowledge your having contravened the specified Designated Rules (s 57(2)(d) of the RESA).

TAKE FURTHER NOTICE that unless you deliver a Reconsideration Request by the Response Deadline, you must pay the administrative penalties within thirty (30) calendar days of the date you received this Notice. The Reconsideration Request may be by email or otherwise in writing, and should attach or include information respecting the due diligence exercised to avoid the contravention, any extenuating circumstances that prevented compliance, and any other information that you wish BCFSA to consider.

Dated this 21st day of April, 2022 at the City of Vancouver, British Columbia.

BC Financial Services Authority

“JONATHAN VANDALL”

Per: Jonathan Vandall
Vice President, Compliance and Market Conduct