

THE REAL ESTATE COUNCIL OF BRITISH COLUMBIA

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*
S.B.C. 2004, c. 42 as amended**

AND

IN THE MATTER OF

**BALTEJ (TJ) SINGH SAMRA (165686)
PULBINDER (PAUL) SINGH SAMRA (155521)
PAUL SAMRA PERSONAL REAL ESTATE CORPORATION (155521PC)
AND
BRENDA CHUNG YING LEE (092663)**

CONSENT ORDER

RESPONDENT:	Baltej (TJ) Singh Samra, Representative, RE/MAX Colonial Pacific Realty, while licensed with RE/MAX Blueprint Realty Pulbinder (Paul) Singh Samra, Representative, RE/MAX Blueprint Realty Paul Samra Personal Real Estate Corporation, RE/MAX Blueprint Realty Brenda Chung Ying Lee, Representative, Century 21 Supreme Realty Inc., while licensed with RE/MAX Blueprint Realty
DATE OF REVIEW MEETING:	September 13, 2017
DATE OF CONSENT ORDER:	June 20, 2018
CONSENT ORDER REVIEW COMMITTEE:	R. Holmes Q.C. G. Martin S. Sidhu M. Wong
ALSO PRESENT:	E. Seeley, Executive Officer G. Thiele, Director, Legal Services Caroline Lee, Legal Counsel for the Real Estate Council

PROCEEDINGS:

On September 13, 2017, a Consent Order Proposal (“COP”) submitted by Baltej (TJ) Singh Samra, Pulbinder (Paul) Singh Samra, on his own behalf and on behalf of Paul Samra Personal Real Estate Corporation and Brenda Chung Ying Lee was considered by the Consent Order Review Committee (the “Committee”) but not accepted. On June 8, 2018, a revised COP acceptable to the Committee was submitted by Baltej (TJ) Singh Samra, Pulbinder (Paul) Singh Samra, on his own behalf and on behalf of Paul Samra Personal Real Estate Corporation and Brenda Chung Ying Lee.

WHEREAS the COP, a copy of which is attached hereto, has been executed by Baltej (TJ) Singh, Pulbinder (Paul) Singh Samra, on his own behalf and on behalf of Paul Samra Personal Real Estate Corporation and Brenda Chung Ying Lee.

NOW THEREFORE, the Committee having made the findings proposed in the attached COP, and in particular having found that Baltej (TJ) Singh, Pulbinder (Paul) Singh Samra and Paul Samra Personal Real Estate Corporation, Brenda Chung Ying Lee committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* (RESA), orders that:

1. Baltej (TJ) Singh Samra, Pulbinder (Paul) Singh Samra, Paul Samra Personal Real Estate Corporation and Brenda Chung Ying Lee each be reprimanded.
2. Pulbinder (Paul) Singh Samra and Paul Samra Personal Real Estate Corporation, be jointly and severally liable to pay a discipline penalty to the Council in the amount of \$2,500.00 within ninety (90) days of the date of this Order.
3. Baltej (TJ) Singh Samra and Brenda Chung Ying Lee each pay a discipline penalty to the Council in the amount of \$2,500.00 within ninety (90) days of the date of this Order.
4. Baltej (TJ) Singh Samra, Pulbinder (Paul) Singh Samra, and Brenda Chung Ying Lee, at their own expense, shall register for and successfully complete the *Real Estate Trading Services Remedial Education Course*, as provided by Sauder School of Business at the University of British Columbia in the time period as directed by the Council;
5. Pulbinder (Paul) Singh Samra and Paul Samra Personal Real Estate Corporation be jointly and severally liable to pay enforcement expenses of this Consent Order to the Council in the amount \$1,500.00 within sixty (60) days from the date of this Order.
6. Baltej (TJ) Singh Samra and Brenda Chung Ying Lee each pay enforcement expenses of this Consent Order to the Council in the amount \$1,500.00 within sixty (60) days from the date of this Order.

If Baltej (TJ) Singh Samra, Pulbinder (Paul) Singh Samra, Paul Samra Personal Real Estate Corporation, or Brenda Chung Ying Lee fails to comply with any term of this Order, the Council may suspend or cancel their licences without further notice to them, pursuant to sections 43(3) and 43(4) of the *Real Estate Services Act*.

Dated this 20th day of June, 2018, at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE

A handwritten signature in black ink, appearing to read 'R. Holmes', with a long horizontal flourish extending to the right.

R. Holmes, Q.C., Chair
Consent Order Review Committee

Attch.

IN THE MATTER OF THE *REAL ESTATE SERVICES ACT*
S.B.C. 2004, c. 42 as amended

AND

IN THE MATTER OF

BALTEJ (TJ) SINGH SAMRA (165686)
PULBINDER (PAUL) SINGH SAMRA (155521)
PAUL SAMRA PERSONAL REAL ESTATE CORPORATION (155521PC)
AND
BRENDA CHUNG YING LEE (092663)

CONSENT ORDER PROPOSAL BY BALTEJ (TJ) SINGH SAMRA, PULBINDER (PAUL) SINGH SAMRA, PAUL
SAMRA PERSONAL REAL ESTATE CORPORATION AND BRENDA CHUNG YING LEE

BACKGROUND AND FACTS

This Consent Order Proposal (the "Proposal") is made by Baltej (TJ) Singh Samra ("Mr. B. Samra"), Pulbinder (Paul) Singh Samra ("Mr. P. Samra"), Paul Samra Personal Real Estate Corporation and Brenda Chung Ying Lee ("Ms. Lee") to the Consent Order Review Committee ("CORC") of the Real Estate Council of British Columbia (the "Council") pursuant to section 41 of the *Real Estate Service Act* ("RESA").

For the purposes of the Proposal, Mr. B. Samra, Mr. P. Samra, on his own behalf and on behalf of Paul Samra Personal Real Estate Corporation, Ms. Lee and the Council have agreed upon the following facts:

1. Mr. B. Samra (165686) has been licensed as a representative since 2013.
2. Mr. P. Samra (155521) has been licensed as a representative since 2008.
3. Mr. P. Samra became licensed as Paul Samra Personal Real Estate Corporation on February 23, 2012.
4. Ms. Lee (092663) has been licensed as a representative since 1991.
5. Mr. B. Samra, Mr. P. Samra, and Ms. Lee were at all relevant times licensed as representatives with Blueprint Realty Inc. dba RE/MAX Blueprint Realty.
6. On July 13, 2015, the residential property located at XXXX 145th Street in Surrey (the "Property") was listed for sale by Mr. B. Samra, Mr. P. Samra and Ms. Lee.
7. According to the New Homes Registry on the BC Housing website, the Property is an "owner-built" home.

8. Under the *Homeowner Protection Act*, the owner builder or any subsequent owner is required to provide a disclosure notice known as an Owner Builder Disclosure Notice ("OBDN") to any potential buyers within the first 10 years after occupancy. The OBDN must be provided prior to entering into a purchase and sale agreement. It informs potential buyers that the home was built under an "Owner Builder Authorization" issued by the Homeowner Protection Office, when the 10-year period started, and if there is a voluntary policy of home warranty insurance in place.
9. The date of first occupancy of the Property was July 28, 2010. As the Property was listed for sale within the 10 year period, the seller was required to provide an OBDN to the buyer prior to the sale of the Property.
10. On July 18, 2015, a contract of purchase and sale was entered into for the Property. The sale completed on July 31, 2015. The buyer did not receive an OBDN.
11. The OBDN for the Property was issued on September 3, 2015, approximately one month following the completion of the sale.
12. Mr. B. Samra, Mr. P. Samra and Ms. Lee stated that the sellers of the Property were informed of the need to provide the OBDN before listing the Property, but that the sellers "insisted" that they still list the Property and that the OBDN would be provided "a couple of days after listing".
13. Notices of Disciplinary Hearing were signed on July 11, 2017 and served on Mr. B. Samra, Mr. P. Samra on his own behalf and on behalf of Paul Samra Personal Real Estate Corporation, and Ms. Lee on July 14, 2017.
14. Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee have no previous discipline with the Council.

PROPOSED FINDINGS OF MISCONDUCT

For the sole purposes of the Proposal and based on the Facts outlined herein, Mr. B. Samra proposes the following findings of misconduct be made by the CORC:

1. Mr. B. Samra committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that:
 - (a) contrary to section 3-4 of the Rules, between on or about July 13, 2015 and July 31, 2015, when acting as the listing agent in the sale of the Property, a new home built by an owner builder under the provisions of the *Homeowner Protection Act*, he failed to ensure that a disclosure notice was provided to the buyer prior to the offer, as required by s. 21(2) of that Act.

For the sole purposes of the Proposal and based on the Facts outlined herein, Mr. P. Samra and Paul Samra Personal Real Estate Corporation propose the following findings of misconduct be made by the CORC:

1. Mr. P. Samra and Paul Samra Personal Real Estate Corporation committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that:
 - (a) contrary to section 3-4 of the Rules, between on or about July 13, 2015 and July 31, 2015, when acting as the listing agent in the sale of the Property, a new home built by an owner builder under the provisions of the *Homeowner Protection Act*, they failed to ensure that a disclosure notice was provided to the buyer prior to the offer, as required by s. 21(2) of that Act.

For the sole purposes of the Proposal and based on the Facts outlined herein, Ms. Lee proposes the following findings of misconduct be made by the CORC:

1. Ms. Lee committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that:
 - (a) contrary to section 3-4 of the Rules, between on or about July 13, 2015 and July 31, 2015, when acting as the listing agent in the sale of the Property, a new home built by an owner builder under the provisions of the *Homeowner Protection Act*, she failed to ensure that a disclosure notice was provided to the buyer prior to the offer, as required by s. 21(2) of that Act.

PROPOSED ORDERS

Based on the Facts herein and the Proposed Findings of Misconduct, Mr. B. Samra proposes that the Notice of Discipline Hearing in this matter be resolved through the following Orders being made by the CORC, pursuant to section 43 of the RESA:

1. Mr. B. Samra be reprimanded;
2. Mr. B. Samra, at his own expense, register for and successfully complete the Real Estate Trading Services Remedial Education Course, as provided by Sauder School of Business at the University of British Columbia in the time period as directed by the Council;
3. Mr. B. Samra pay a discipline penalty in the amount \$2,500.00 within ninety (90) days from the date of this Order;
4. Mr. B. Samra pay enforcement expenses in the amount of \$1,500.00 within sixty (60) days from the date of this Consent Order; and
5. If Mr. B. Samra fails to comply with any of the terms of this Order, a Discipline Committee may suspend or cancel Mr. B. Samra's licence without further notice to Mr. B. Samra.

Based on the Facts herein and the Proposed Findings of Misconduct, Mr. P. Samra and Paul Samra Personal Real Estate Corporation propose that the Notice of Discipline Hearing in this matter be resolved through the following Orders being made by the CORC, pursuant to section 43 of the RESA:

1. Mr. P. Samra and Paul Samra Personal Real Estate Corporation be reprimanded;
2. Mr. P. Samra, at his own expense, register for and successfully complete the Real Estate Trading Services Remedial Education Course, as provided by Sauder School of Business at the University of British Columbia in the time period as directed by the Council;
3. Mr. P. Samra and Paul Samra Personal Real Estate Corporation be jointly and severally liable to pay a discipline penalty to the Council in the amount \$2,500.00 within ninety (90) days from the date of this Order;
4. Mr. P. Samra and Paul Samra Personal Real Estate Corporation be jointly and severally liable to pay enforcement expenses in the amount of \$1,500.00 within sixty (60) days from the date of this Consent Order; and
5. If Mr. P. Samra and Paul Samra Personal Real Estate Corporation fail to comply with any of the terms of this Order, a Discipline Committee may suspend or cancel Mr. P. Samra's and Paul Samra Personal Real Estate Corporation's licences without further notice to them.

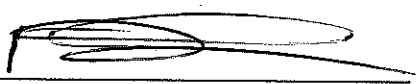
Based on the Facts herein and the Proposed Findings of Misconduct Ms. Lee proposes that the Notice of Discipline Hearing in this matter be resolved through the following Orders being made by the CORC, pursuant to section 43 of the RESA:

1. Ms. Lee be reprimanded;
2. Ms. Lee, at her own expense, register for and successfully complete the Real Estate Trading Services Remedial Education Course, as provided by Sauder School of Business at the University of British Columbia in the time period as directed by the Council;
3. Ms. Lee pay a discipline penalty in the amount \$2,500.00 within ninety (90) days from the date of this Order;
4. Ms. Lee pay enforcement expenses in the amount of \$1,500.00 within sixty (60) days from the date of this Consent Order; and
5. If Ms. Lee fails to comply with any of the terms of this Order, a Discipline Committee may suspend or cancel Ms. Lee's licence without further notice to Ms. Lee.

ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT

1. Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee acknowledge and understand that the Council may refer or decline to refer the Proposal to the CORC. If the Proposal is referred to the CORC, it may be accepted or rejected by the CORC. If the Proposal is rejected by the CORC, the matter may be referred to a disciplinary hearing.
2. Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee have been advised of and understand their right to obtain independent legal advice regarding the disciplinary process, including with respect to the execution and submission of the Proposal.
3. Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee acknowledge and are aware that the Council will publish the Proposal and the Consent Order or summaries thereof in its Report from Council newsletter, on the Council's website, on CanLII, a website for legal research and in such other places and by such other means as the Council in its sole discretion deems appropriate.
4. Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee acknowledge and are aware that the Superintendent of Real Estate has the right, pursuant to section 54 of the RESA, to appeal any decision of the Council, including any Consent Order made by the Council in relation to this matter.
5. Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee hereby waive their right to appeal pursuant to section 54 of the RESA.

6. The Proposal and its contents are made by Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee for the sole purpose of resolving the Notice of Discipline Hearing in this matter and do not constitute an admission of civil liability. Pursuant to section 41(5) of the RESA, the Proposal and its contents may not be used without the consent of Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee in any civil proceeding with respect to the matter.



Baltej (TJ) Singh Samra

Pulbinder (Paul) Singh Samra, on his own behalf
and on behalf Paul Samra Personal Real Estate
Corporation

Dated 8, day of May, ~~2017~~
2018

Dated _____, day of _____, 2017

Signature of Baltej (TJ) Singh Samra witnessed
on the above date by:

Signature of Pulbinder (Paul) Singh Samra
witnessed on the above date by:

JIM HAYNES
Witness Name (Please Print)

Witness Name (Please Print)

[Signature]
Witness Signature

Witness Signature

Brenda Chung Ying Lee

Dated _____, day of _____, 2017

Signature of Brenda Chung Ying Lee witnessed on
the above date by:

Witness Name (Please Print)

Witness Signature

6. The Proposal and its contents are made by Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee for the sole purpose of resolving the Notice of Discipline Hearing in this matter and do not constitute an admission of civil liability. Pursuant to section 41(5) of the RESA, the Proposal and its contents may not be used without the consent of Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee in any civil proceeding with respect to the matter.

Baltej (TJ) Singh Samra

Dated _____, day of _____, 2017

Signature of Baltej (TJ) Singh Samra witnessed on the above date by:

Witness Name (Please Print)

Witness Signature



Pulbinder (Paul) Singh Samra, on his own behalf and on behalf Paul Samra Personal Real Estate Corporation

Dated 10, day of MAY, 2018

Signature of Pulbinder (Paul) Singh Samra witnessed on the above date by:

Sukhwinder Samra

Witness Name (Please Print)



Witness Signature

Brenda Chung Ying Lee

Dated _____, day of _____, 2017

Signature of Brenda Chung Ying Lee witnessed on the above date by:

Witness Name (Please Print)

Witness Signature

6. The Proposal and its contents are made by Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee for the sole purpose of resolving the Notice of Discipline Hearing in this matter and do not constitute an admission of civil liability. Pursuant to section 41(5) of the RESA, the Proposal and its contents may not be used without the consent of Mr. B. Samra, Mr. P. Samra, Paul Samra Personal Real Estate Corporation and Ms. Lee in any civil proceeding with respect to the matter.

Baltej (TJ) Singh Samra

**Pulbinder (Paul) Singh Samra, on his own behalf
and on behalf Paul Samra Personal Real Estate
Corporation**

Dated ____, day of _____, 2018

Dated ____, day of _____, 2018

Signature of Baltej (TJ) Singh Samra witnessed
on the above date by:

Signature of Pulbinder (Paul) Singh Samra
witnessed on the above date by:

Witness Name (Please Print)

Witness Name (Please Print)

Witness Signature

Witness Signature




Brenda Chung Ying Lee

Dated 8th, day of June, 2018

Signature of Brenda Chung Ying Lee witnessed on
the above date by:

Shahheem Ali

Witness Name (Please Print)



Witness Signature