

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  
RANJIT SINGH VILLING  
(111767)

CONSENT ORDER

RESPONDENT: Ranjit Singh Villing, Representative,  
Satnam Real Estate Services Ltd

DATE OF REVIEW MEETING: September 13, 2017

DATE OF CONSENT ORDER: May 28, 2018

CONSENT ORDER REVIEW COMMITTEE: R. Holmes, Q.C.  
G. Martin  
M. Wong  
S. Sidhu

ALSO PRESENT: 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 Ranjit Singh Villing was considered by the Consent Order Review Committee (the “Committee”) but not accepted. On May 2, 2018, a revised COP acceptable to the Committee was submitted by Ranjit Singh Villing.

**WHEREAS** the COP, a copy of which is attached hereto, has been executed by Ranjit Singh Villing.

**NOW THEREFORE**, the Committee having made the findings proposed in the attached COP, and in particular having found that Ranjit Singh Villing committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* (RESA), orders that:

1. Ranjit Singh Villing be reprimanded;
2. Ranjit Singh Villing pay a discipline penalty to the Council in the amount of \$2,500.00 within ninety (90) days of the date of this Order;

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3. Ranjit Singh Villing at his 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;
  4. Ranjit Singh Villing pay enforcement expenses of this Consent Order to the Council in the amount \$1,500 within sixty (60) days from the date of this Order.

If Ranjit Singh Villing fails to comply with any term of this Order, the Council may suspend or cancel his licence without further notice to him, pursuant to sections 43(3) and 43(4) of the *Real Estate Services Act*.

Dated this 28th day of May, 2018, at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE



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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

RANJIT SINGH VILLING (111767)

CONSENT ORDER PROPOSAL BY RANJIT SINGH VILLING

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**BACKGROUND AND FACTS**

This Consent Order Proposal (the "Proposal") is made by Ranjit Singh Villing ("Mr. Villing") 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. Villing and the Council have agreed upon the following facts:

1. Mr. Villing (111767) has been licensed as a representative since 2005.
2. Mr. Villing was at all relevant times licensed as a representative with Satnam Real Estate Services Ltd. dba SRS Panorama Realty.
3. Mr. Villing acted as the buyer's agent in connection with the purchase of a residential property located at XXXX 145th Street in Surrey (the "Property").
4. The contract of purchase and sale, dated July 18, 2015, lists the purchase price for the Property at \$990,000. The sale was not subject to any conditions.
5. According to the New Homes Registry on the BC Housing website, the Property is an "owner-built" home.
6. Under the *Homeowner Protection Act* (HPA), 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. If the home is not covered by a policy of home warranty insurance, statutory protection, as per section 23 of the HPA, is available to a purchaser.

7. 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.
  8. The sale of the Property completed on July 31, 2015 without the buyer receiving an OBDN.
  9. The OBDN for the Property was issued on September 3, 2015, approximately one month following the completion of the sale. The OBDN states that the Property is not covered by a policy of home warranty insurance.
  10. Mr. Villing did not inform the buyer of the fact that the Property was an owner-built home or of the implications of the Property not having a policy of home warranty insurance in place.
  11. In his response, Mr. Villing stated that there was no indication in the Property listing that the Property was an owner-built home or that there was no home warranty.
  12. A Notice of Disciplinary Hearing was issued on July 12, 2017 and served on Mr. Villing on July 14, 2017.
  13. Mr. Villing has no previous discipline with the Council.
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#### **PROPOSED FINDINGS OF MISCONDUCT**

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

1. Mr. Villing committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that:
  - (a) contrary to sections 3-3(h) and 3-4 of the Rules, when acting as the buyer's agent in the sale of XXXX 145th Street, Surrey, he failed to use reasonable efforts to ascertain that the property was a new home built by an owner builder under the provisions of the *Homeowner Protection Act*, failed to obtain a disclosure notice for the buyer prior to entering into an agreement of purchase and sale, as required by s. 21(2) of that *Act*, and failed to advise the buyer of the implications of purchasing an owner-built home with no home warranty.

#### **PROPOSED ORDERS**

Based on the Facts herein and the Proposed Findings of Misconduct, Mr. Villing 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:

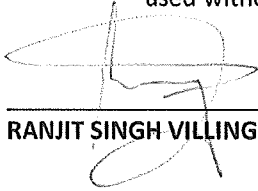
1. Mr. Villing be reprimanded;

2. Mr. Villing, 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. Villing pay a discipline penalty in the amount \$2,500.00 within ninety (90) days from the date of this Order;
4. Mr. Villing pay enforcement in the amount of \$1,500.00 within sixty (60) days from the date of this Consent Order; and
5. If Mr. Villing fails to comply with any of the terms of this Order, a Discipline Committee may suspend or cancel Mr. Villing's licence without further notice to Mr. Villing.

**ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT**

1. Mr. Villing acknowledges and understands 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. Villing has been advised of and understands their right to obtain independent legal advice regarding the disciplinary process, including with respect to the execution and submission of the Proposal.
3. Mr. Villing acknowledges and is 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. Villing acknowledges and is 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. Villing hereby waives their right to appeal pursuant to section 54 of the RESA.

6. The Proposal and its contents are made by Mr. Villing 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. Villing in any civil proceeding with respect to the matter.



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**RANJIT SINGH VILLING**

Dated 02 day of MAY, 2017

Signature of Ranjit Singh Villing witnessed on the above date by

SATNAJI BAINS

Witness Name (Please Print)



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Witness Signature