

File # 15-702

IN THE MATTER OF THE *REAL ESTATE SERVICES ACT***S.B.C. 2004, c. 42****AND****IN THE MATTER OF****RYAN GURINDER RANA****(172679)****AND****RYAN RANA PERSONAL REAL ESTATE CORPORATION****(172679PC)****CONSENT ORDER****RESPONDENTS:**

Ryan Rana, currently unlicensed,
while licensed as a Representative
with West Coast Realty Ltd. dba
Sutton Group West Coast Realty,
Langley Branch

Ryan Rana Personal Real Estate
Corporation, currently unlicensed,
while licensed with West Coast Realty
Ltd. dba Sutton Group West Coast
Realty, Langley Branch

DATE OF REVIEW MEETING:

September 29, 2016

DATE OF CONSENT ORDER:

September 29, 2016

CONSENT ORDER REVIEW COMMITTEE:

H. Exner
M. Leslie
S. Lynch
G. Martin
J. Pearson
T. O'Grady

ALSO PRESENT:

R.O. Fawcett, Executive Officer
G. Thiele, Director, Legal Services
E. Jeon, Legal Counsel for the Real
Estate Council

PROCEEDINGS:

On September 29, 2016 the Consent Order Review Committee (the "Committee") resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver ("ASF") submitted by Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation.

WHEREAS the ASF, a copy of which is attached hereto, has been executed by Ryan Gurinder Rana, Ryan Rana Personal Real Estate Corporation and on behalf of the Council;

NOW THEREFORE, the Committee having made the findings proposed in the attached ASF, and in particular having found that Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act*, orders that:


1. The licences of Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation each be cancelled with no right to reapply for licensing for a period of eight (8) years from the date of this Order;
2. Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation be jointly and severally liable to pay a discipline penalty to the Council in the amount of \$7,500.00 within ninety (90) days of the date of this Order; and
3. Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation be jointly and severally liable to pay enforcement expenses of this Consent Order to the Council in the amount of \$1,500.00 within sixty (60) days from the date of this Order.

Dated this 29 day of September, 2016 at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE


_____, Chair
Consent Order Review Committee

Attch.



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

IN THE MATTER OF

RYAN GURINDER RANA
(172679)

AND

RYAN RANA PERSONAL REAL ESTATE CORPORATION
(172679PC)

AGREED STATEMENT OF FACTS,
PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER

The following agreement has been reached between Ryan Gurinder Rana ("Mr. Rana"), Ryan Rana Personal Real Estate Corporation and the Real Estate Council of British Columbia (the "Council").

- A. Mr. Rana and Ryan Rana Personal Real Estate Corporation hereby consent to an Order to be made pursuant to sections 41 and 43 of the *Real Estate Services Act* that their licences be cancelled with no right to reapply for licensing for eight (8) years from the date of this Order.
- B. Mr. Rana and Ryan Rana Personal Real Estate Corporation agree to be jointly and severally liable to pay a discipline penalty to the Council in the amount of \$7,500.00 within ninety (90) days of the date of this Order, and enforcement expenses of this Consent Order to the Council in the amount of \$1,500.00 within sixty (60) days of the date of this Order.
- C. As a basis for this Order, Mr. Rana and Ryan Rana Personal Real Estate Corporation acknowledge and agree that the facts set forth herein are correct:
 - 1. At all relevant times, Mr. Rana was unlicensed and shortly thereafter licensed as a representative with West Coast Realty Ltd. dba Sutton Group West Coast Realty - Langley.
 - 2. Mr. Rana's licensing history is as follows:

AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF
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Start Date	End Date	Brokerage	Licence Level	Licence Category
2016/02/12	2016/04/15	West Coast Realty Ltd. dba Sutton Group West Coast Realty -Langley (X026030)	Representative	Trading

3. Mr. Rana became licensed as Ryan Rana Personal Real Estate Corporation on February 12, 2016.
4. Mr. Rana has no prior disciplinary record with the Council.

Mr. Rana's Licensing Examination

5. Section 2-8 of the Council Rules provides that in order to be eligible to be issued a real estate licence, an applicant for a new licence who is an individual must have:
 - (a) *taken the applicable licensing courses respecting the real estate services in relation to which the application is made, and*
 - (b) *successfully completed any assignments corresponding to those courses, no longer than 2 years before the date of writing any corresponding examinations; and*
 - (c) *passed the examinations corresponding to those courses, no longer than 1 year before the date of the application.*
6. Section 2-7(2)(b) of the Council Rules provides that an applicant
 - (a) *who fails an examination required under these rules must wait a minimum of 90 days before again attempting the examination, and*
 - (b) *who fails an examination required under these rules two times in succession must retake and successfully complete the applicable licensing course before again attempting the examination.*
7. On March 10, 2015, the Real Estate Division of the Sauder School of Business at the University of British Columbia ("Sauder Real Estate Division") administered a sitting of the Real Estate Trading Services Licensing Examination (the "Licensing Examination"). Mr. Rana wrote the Licensing Examination on that date and failed with a score of [REDACTED]

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8. On November 26, 2015, Sauder Real Estate Division administered another sitting of the Licensing Examination. On that date, a person claiming to be Mr. Rana (the "Exam Writer") attended at the examination centre and presented an Examination Admission Ticket and a BC driver's licence for Ryan Rana. Due to concerns that the photo on the BC driver's licence for Mr. Rana did not match the recent passport photo of the Exam Writer attached to the Examination Admission Ticket, Sauder Real Estate Division did not permit the Exam Writer to complete the Licensing Examination.
9. On or about November 30, 2015, Mr. Rana provided Sauder Real Estate Division with an affidavit sworn November 30, 2015. The affiant in this affidavit swore that his legal name was Ryan Gurinder Rana, that the photo attached to his affidavit was a current photo of him taken on November 26, 2015, and that the purpose of the affidavit was to establish that the affiant was the same individual shown on the BC driver's licence held by "Ryan Gurinder Rana".
10. After receiving the affidavit, Sauder Real Estate Division permitted the Exam Writer to write the Licensing Examination on behalf of Mr. Rana on December 15, 2015. The Exam Writer passed the Licensing Examination with a score of [REDACTED].
11. On April 6, 2016, an employee of Sauder Real Estate Division discovered that Mr. Rana was licensed by the Council on February 12, 2016, and that the photos of Mr. Rana on his website advertising real estate services appeared to show a different person than the passport-sized photos that were attached to the affidavit and the Examination Admission Ticket.
12. On April 13, 2016, Sauder Real Estate Division advised the Council that it was concerned that someone posing as Mr. Rana may have written the Licensing Examination on Mr. Rana's behalf.
13. On April 13 and 14, 2016, a Compliance Officer with the Council commenced an investigation into whether the person shown on Mr. Rana's website advertising real estate services was the person shown in the passport-sized photos attached to the affidavit and the Examination Admission Ticket.
14. During the course of her investigation, the Compliance Officer viewed Mr. Rana's Instagram accounts and noticed that a person with the screen name "Mr. A" had "liked" a number of Mr. Rana's posts on Instagram. When the Compliance Officer searched the name Mr. A on Facebook, she was directed to a Facebook page for a person named "I.A." When she viewed that Facebook page, she noticed that the person shown in the profile picture for I.A. appeared to be the same person shown in the passport-sized photos attached to the affidavit and Examination Admission Ticket of Mr. Rana.

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15. On April 15, 2016, Mr. Rana admitted to the Council that he did not write the Licensing Examination and that someone else had written it for him.
16. On April 15, 2016, the licences of Mr. Rana and Ryan Rana Personal Real Estate Corporation were surrendered to the Council by Mr. Rana's managing broker.
17. On April 20, 2016, a Discipline Hearing Committee of the Council ordered that the licences of Mr. Rana and Ryan Rana Personal Real Estate Corporation be suspended effective immediately pursuant to section 45(2) of the *Real Estate Services Act* (the "Suspension Order").

Mr. Rana's Conduct While Unlicensed

18. Following the publication of the Suspension Order, the Council received information regarding two transactions involving Mr. Rana that took place before he was unlawfully licensed by the Council.
19. On or about January 21, 2016, Mr. Rana entered into a Contract of Purchase and Sale in which he agreed to purchase a proposed strata lot ("Proposed Strata Lot 94") to be created by the subdivision of [REDACTED] (the "Property").
20. The contract of purchase and sale entered into by Mr. Rana with respect to Proposed Strata Lot 94 stated that Mr. Rana had an "agency relationship with Ryan Rana [of] Sutton West Coast Realty".
21. On January 24, 2016, I.A. (the person who appeared to be the same person shown in the passport-sized photos attached to the affidavit and Examination Admission Ticket of Ryan Rana) entered into a Contract of Purchase and Sale in which I.A. agreed to purchase another proposed strata lot ("Proposed Strata Lot 71") to be created by the subdivision of the Property.
22. The contract of purchase and sale entered into by I.A. with respect to Proposed Strata Lot 71 stated that I.A. had an "agency relationship with Ryan Rana [of] Sutton West Coast Realty".

D. Proposed Acceptance of Findings and Waiver

1. Based on the Agreed Statement of Facts as outlined herein, and without making any admissions of liability, Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation are prepared to accept the following findings if made against them by the Council's Consent Order Review Committee:

AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF
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- (a) Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation committed conduct unbecoming a licensee within the meaning of section 35(2) of RESA by deceiving the Council as to Mr. Rana's compliance with the Council's educational requirements, in particular, by arranging for someone else to write the Licensing Examination on Mr. Rana's behalf, and then indicating on Mr. Rana's application for licensing that Mr. Rana passed the Licensing Examination.
 - (b) Ryan Gurinder Rana and Ryan Rana Personal Real Estate Corporation committed professional misconduct within the meaning of section 35(1)(a) of RESA in that:
 - (i) contrary to section 35(1)(g) of RESA, Mr. Rana made a false or misleading statement in his application for licensing by indicating he passed the Licensing Examination, when in fact he had arranged for someone else to write the Licensing Examination on his behalf; and
 - (ii) contrary to section 35(1)(c) of RESA, Mr. Rana engaged in deceptive dealing in that, between February 12, 2016 and April 15, 2016, he intentionally misrepresented his qualifications to hold a real estate licence, or intentionally failed to disclose that he was not qualified to hold a real estate licence, to his own clients and other parties to real estate transactions and prospective real estate transactions in which he was involved as a licensee; and
 - (iii) contrary to section 3(1) of RESA, Mr. Rana provided real estate services to or on behalf of another, for or in expectation of remuneration, while unlicensed to provide those real estate services, in that he:
 - 1. provided real estate services to himself in the purchase of Proposed Strata Lot 94, as evidenced by the Contract of Purchase and Sale dated January 21, 2016 for the said transaction which stated that Mr. Rana had an "agency relationship with Ryan Rana [of] Sutton West Coast Realty";
 - 2. provided real estate services to I.A. in the purchase of Proposed Strata Lot 71, as evidenced by the Contract of Purchase and Sale dated January 24, 2016 for the said transaction which stated that I.A. had "an agency relationship with Ryan Rana [of] Sutton West Coast Realty";
2. Mr. Rana and Ryan Rana Personal Real Estate Corporation hereby waive their right to appeal pursuant to section 54 of the *Real Estate Services Act*.

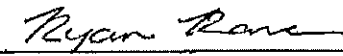
AGREED STATEMENT OF FACTS, PROPOSED ACCEPTANCE OF
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3. Mr. Rana and Ryan Rana Personal Real Estate Corporation acknowledge that they have a right to seek independent legal advice before signing this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
4. Mr. Rana and Ryan Rana Personal Real Estate Corporation acknowledge and are aware that the Council will publish the Consent Order and penalty herein in its Report from Council newsletter, on the Council's website, and on CanLII, a website for legal research.
5. Mr. Rana and Ryan Rana Personal Real Estate Corporation acknowledge and are aware that the Superintendent of Real Estate has the right, pursuant to section 54 of the *Real Estate Services Act*, to appeal any decision of the Council, including this Agreed Statement of Facts, Proposed Acceptance of Findings, and Waiver and Consent Order.
6. The Agreed Statement of Facts and Proposed Acceptance of Findings contained herein are made for the sole purpose of resolving a complaint being considered by the Council and for that purpose only. Such agreed statement of facts and proposed acceptance of findings cannot be used in any other proceeding of any kind.



Esther Jeon, Legal Counsel
Real Estate Council of British Columbia



Ryan Gurlinder Rana on his behalf and
on behalf of Ryan Rana Personal Real
Estate Corporation

As to Part C only (Agreed Statement of
Facts)

As to Parts A, B, C, D (proposed penalty,
Agreed Statement of Facts, Proposed
Acceptance of Findings and Waiver)

Dated 27th day of September, 2016

Dated 23 day of SEPTEMBER, 2016