

CITATION: Kooner (Re), 2024 BCSRE 53

Date: 2024-07-29

File # 16-669

**BC FINANCIAL SERVICES AUTHORITY**

**IN THE MATTER OF THE *REAL ESTATE SERVICES ACT***

**SBC 2004, c 42 as amended**

**AND**

**IN THE MATTER OF**

**RAMANDEEP SINGH KOONER**

**(138420)**

**AND**

**RAMAN KOONER PERSONAL REAL ESTATE CORPORATION**

**(138420PC)**

**CONSENT ORDER**

**[This Order has been redacted before publication.]**

RESPONDENTS: Ramandeep Singh Kooner, Representative, 596373 BC Ltd dba RE/MAX Westcoast, while licensed with Seafair Realty Ltd dba Sutton Group Seafair Realty

Raman Kooner Personal Real Estate Corporation

DATE OF CONSENT ORDER: July 29, 2024

COUNSEL: Simon Adams, Senior Legal Counsel for the BC Financial Services Authority  
Scott Twining, Legal Counsel for the Respondents

PROCEEDINGS:

On July 29, 2024, the Superintendent of Real Estate (the "Superintendent"), or the Superintendent's authorized delegate, of the BC Financial Services Authority ("BCFSA") accepted the Consent Order Proposal (the "Proposal") submitted by Ramandeep Singh Kooner, on their own behalf and on behalf of Raman Kooner Personal Real Estate Corporation.

**WHEREAS** the Proposal, a copy of which is attached hereto, has been executed by Ramandeep Singh Kooner, on their own behalf and on behalf of Raman Kooner Personal Real Estate Corporation.

**NOW THEREFORE**, having made the findings proposed in the attached Proposal, and in particular having found that Ramandeep Singh Kooner and Raman Kooner Personal Real Estate Corporation committed professional misconduct within the meaning of sections 35(1)(a) and (c) of the *Real Estate Services Act* ("RESA") and sections 33 and 34 of the *Real Estate Services Rules* (the "Rules"), and committed conduct unbecoming a licensee within the meaning of section 35(2) of the RESA, pursuant to section 43 of the RESA the Superintendent orders that:

1. Ramandeep Singh Kooner and Raman Kooner Personal Real Estate Corporation have their licences suspended for six (6) months;
2. Ramandeep Singh Kooner will not act as an unlicensed assistant during the time of their licence suspension;
3. Ramandeep Singh Kooner and Raman Kooner Personal Real Estate Corporation jointly and severally pay a discipline penalty to BCFSA in the amount of \$10,000 within three (3) months from the date of this Order; and
4. Ramandeep Singh Kooner and Raman Kooner Personal Real Estate Corporation jointly and severally pay enforcement expenses to BCFSA in the amount of \$5,000 within three (3) months from the date of this Order.

If Ramandeep Singh Kooner and/or Raman Kooner Personal Real Estate Corporation fails to comply with any term of this Order, the Superintendent may suspend or cancel their licences without further notice to them, pursuant to sections 43(3) and 43(4) of the RESA.

Dated this 29<sup>th</sup> day of July, 2024 at the City of Victoria, British Columbia.

Superintendent of the BC Financial Services Authority

"Original signed by Jonathan Vandall"

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Jonathan Vandall  
Delegate of the Superintendent of Real Estate  
Province of British Columbia

Attch.

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**IN THE MATTER OF**

**RAMANDEEP SINGH KOONER  
(138420)**

**AND**

**RAMAN KOONER PERSONAL REAL ESTATE CORPORATION  
(138420PC)**

**CONSENT ORDER PROPOSAL BY RAMANDEEP SINGH KOONER  
AND RAMAN KOONER PERSONAL REAL ESTATE CORPORATION**

**BACKGROUND AND FACTS**

This Consent Order Proposal (the "Proposal") is made by Ramandeep Singh Kooner ("R Kooner") on his own behalf and on behalf of and Raman Kooner Personal Real Estate Corporation ("RK PREC") to the Superintendent of Real Estate (the "Superintendent") of the BC Financial Services Authority ("BCFSA") pursuant to section 41 of the *Real Estate Services Act* ("RESA").

For the purposes of the Proposal, R Kooner on his own behalf and on behalf of RK PREC and the Superintendent have agreed upon the following facts:

1. R Kooner (138420) was first licensed as a trading representative at Royal Pacific Riverside Realty Ltd on October 23, 2003. On July 20, 2004, he transferred his licence to Seafair Realty Ltd dba Sutton Group Seafair Realty ("Seafair Realty") and remained there until May 14, 2019, when he transferred his licence to 596373 BC Ltd dba RE/MAX Westcoast ("RE/MAX Westcoast"). R Kooner remains to date at RE/MAX Westcoast.
2. RK PREC was first licensed on December 24, 2009.
3. R Kooner was at all relevant times licensed as a trading representative with Seafair Realty.
4. [Licensee 1] ("[Licensee 1]") was also a licensed trading representative with Seafair Realty at all relevant times.
5. In or about July, 2015, [Licensee 1] came across owners of three properties in Richmond, BC who wished to sell the three properties together in a land assembly deal. Those properties and owners were:

- a. [Property 1], Richmond (owned by [Owner 1]);
  - b. [Property 2], Richmond (owned by [Owner 2]); and
  - c. [Property 3], Richmond (owned by [Owner 3])
- (the "Properties").
6. [Licensee 1] found a buyer for the Properties, [Buyer 1] (the "Buyer"). [Licensee 1] PREC subsequently prepared Contracts of Purchase and Sale for each of the three properties, however each of the Contracts noted that there was no agency involved as [Licensee 1] was now acting for the Buyer.
  7. On August 21, 2015, the property owners signed the Contracts of Purchase and Sale to sell their respective properties to the Buyer. It was noted on each of the Contracts of Purchase and Sale that the sale of the Properties to the Buyer was contingent on a land assembly approval by the City of Richmond on or before February 1, 2016.
  8. On the same day, all three Contracts of Purchase and Sale were assigned from the Buyer to a group of assignees: [Individual 1], [Individual 2], and [Individual 3] (the "Assignees"). The Assignees were childhood friends of R Kooner and R Kooner assisted the Assignees with the assignment of the contracts.
  9. On September 22, 2015, R Kooner provided City of Richmond's Letters of Authorization to [Licensee 1] to have them be executed by all the property owners which would allow R Kooner and [Individual 1], one of the assignees, to act as their representative to proceed with the rezoning and subdivision process of the Properties.
  10. On or about September 24, 2015, two of the property owners, [Owner 1] and [Owner 2], attended at the City of Richmond to inquire about the risk of signing the Letters of Authorization for the rezoning and subdivision process of their Properties. They were informed by the City of Richmond staff that their Letters of Authorization had already been signed and submitted allowing R Kooner and [Individual 1] to be their representatives.
  11. [Owner 1] and [Owner 2] did not recognize their signatures on the Letters of Authorizations, and noted to the City of Richmond staff that they did not provide consent to R Kooner to sign their names on the Letters of Authorization on their behalf.
  12. The City of Richmond cancelled the rezoning application upon learning that the Letters of Authorization were not truly signed by [Owner 1] and [Owner 2].
  13. R Kooner admits that he forged the signatures of [Owner 1] and [Owner 2] on the Letters of Authorization and submitted them to the City of Richmond without the consent of [Owner 1] or [Owner 2].
  14. R. Kooner had obtained the verbal consent from the owners of one of the three Properties, [Owner 3], who was a colleague that had previously worked with R. Kooner, that he could sign the letters of authorizations for all owners. However, R. Kooner did not follow up directly with the owners of the other properties, [Owner 1] and [Owner 2], to confirm if that was true.
  15. The Buyer ultimately did not complete the Contracts of Purchase and Sale according to their terms and consequently the assignments also did not complete.

16. The property owners, [Owner 1] and [Owner 2], subsequently made a complaint to the Real Estate Council of British Columbia ("RECBC"), predecessor of BCFSA, about R Kooner's conduct with respect to forging their signatures on the Letters of Authorization.
17. A Notice of Discipline Hearing was issued on October 5, 2023 and served on R Kooner on his own behalf and on behalf of RK PREC.
18. R Kooner and RK PREC do not have a discipline history.

#### **PROPOSED FINDINGS OF MISCONDUCT**

For the sole purposes of the Proposal and based on the Facts outlined herein, R Kooner and RK PREC propose the following findings of misconduct be made by the Superintendent:

1. R Kooner and RK PREC committed professional misconduct within the meaning of section 35(1)(a) of the RESA in that they executed Letters of Authorization on behalf of two sellers and submitted them to the City of Richmond's Permits Section without the consent of the sellers, contrary to sections 33 and 34 of the Rules (previously section 3-4) [*Duty to act honestly and with reasonable care and skill*].
2. R Kooner and RK PREC committed professional misconduct within the meaning of section 35(1)(c) of the RESA in that they executed Letters of Authorization on behalf of two sellers and submitted them to the City of Richmond's Permits Section without the consent of the sellers which constitutes wrongful or deceptive dealing.
3. R Kooner and RK PREC committed conduct unbecoming a licensee within the meaning of section 35(2) of the RESA by executing Letters of Authorization on behalf of two sellers and submitted them to the City of Richmond's Permits Section without the consent of the sellers.

#### **PROPOSED ORDERS**

Based on the Facts herein and the Proposed Findings of Misconduct, R Kooner and RK PREC propose that the Notice of Discipline Hearing in this matter be resolved through the following Orders being made by the Superintendent, pursuant to section 43 of the RESA:

1. R Kooner and RK PREC's licences be suspended for 6 months.
2. R Kooner be prohibited from acting as an unlicensed assistant during their licence suspension period.
3. R Kooner and RK PREC be jointly and severally liable to pay a discipline penalty to BCFSA in the amount of \$10,000 within three (3) months from the date of this Order.
4. R Kooner and RK PREC be jointly and severally liable to pay enforcement expenses to BCFSA in the amount of \$5,000 within three (3) months from the date of this Order.
5. If R Kooner and RK PREC fail to comply with any of the terms of this Order, the Superintendent may suspend or cancel their licences without further notice to them.

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**ACKNOWLEDGEMENTS AND WAIVER OF APPEAL RIGHT**

1. R Kooner and RK PREC acknowledge and understand that the Superintendent may accept or reject the Proposal. If the Proposal is rejected by the Superintendent, the matter may be referred to a disciplinary hearing.
2. R Kooner and RK PREC acknowledge that they have been urged and given the opportunity to seek and obtain independent legal advice with respect to the disciplinary process, the allegations contained in the Notice of Discipline Hearing, and the execution and submission of the Proposal to the Superintendent; and, that they have obtained independent legal advice or have chosen not to do so, and that they are making the Proposal with full knowledge of the contents and the consequences if the Proposal is accepted.
3. R Kooner and RK PREC acknowledge and are aware that BCFSA will publish the Proposal and the Consent Order or summaries thereof on BCFSA's website, on CanLII, a website for legal research and in such other places and by such other means as BCFSA in its sole discretion deems appropriate.
4. R Kooner and RK PREC hereby waive their right to appeal pursuant to section 54 of the RESA.
5. If the Proposal is accepted and/or relied upon by the Superintendent, R Kooner and RK PREC will not make any public statement(s) inconsistent with the Proposal and its contents. Nothing in this section is intended to restrict R Kooner or RK PREC from making full answer and defence to any civil or criminal proceeding(s).
6. The Proposal and its contents are made by R Kooner and RK PREC 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 R Kooner and RK PREC in any civil proceeding with respect to the matter.

"Original signed by Ramandeep Kooner"

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**RAMANDEEP SINGH KOONER on his own behalf and  
on behalf of RAMAN KOONER PERSONAL REAL  
ESTATE CORPORATION**

**Dated 16<sup>th</sup> day of July, 2024**