

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

**IN THE MATTER OF
MUNJINDER SINGH GILL**

CONSENT ORDER

RESPONDENT: Munjinder Singh Gill, currently
unlicensed, while licensed with
Fraseridge Realty Ltd. dba Amex-
Fraseridge Realty

DATE OF REVIEW MEETING: March 26, 2010

DATE OF CONSENT ORDER: April 7, 2010

CONSENT ORDER REVIEW COMMITTEE: W. Brown
M. Cowe
A. Ghouri
G. Martin (Chair)

ALSO PRESENT: R. Fawcett, Executive Officer
D. Berger, Director, Legal Services
C. Gulabsingh, Counsel for the Real
Estate Council

PROCEEDINGS:

On March 26, 2010 the Consent Order Review Committee resolved to accept the Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver executed by Munjinder Singh Gill as submitted, which was that Munjinder Singh Gill is not eligible to renew his real estate licence for eighteen (18) months from the date of this Order. As a condition of re-licensing he agrees to pay enforcement expenses to the Council in the amount of

\$1,000.00. Further, he is ordered to successfully complete Trading Services Remedial Education Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia within sixty (60) days of becoming relicensed.

WHEREAS an Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver was executed by Munjinder Singh Gill and the Real Estate Council of British Columbia (“Council”), a copy of which is attached hereto.

NOW THEREFORE, the Council has made the following findings and orders the following penalties based on the Agreed Statement of Facts and Proposed Acceptance of Findings:

1. Munjinder Singh Gill not be eligible to renew his real estate licence for eighteen (18) months from the date of this Order as he committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by contravening section 35(2) of the *Real Estate Services Act* by engaging in conduct unbecoming a licensee by providing information and documents to the Royal Bank of Canada Financial Group in support of two mortgage applications in the name of his wife, which he knew were false and misleading.
2. Munjinder Singh Gill is ordered to successfully complete Trading Services Remedial Education Course as provided by the Real Estate Division, Sauder School of Business at the University of British Columbia within sixty (60) days of becoming relicensed.
3. Munjinder Singh Gill is ordered, as a condition of re-licensing to pay enforcement expenses of this Consent Order to the Council in the amount of \$1,000.00.

If Mr. Gill fails to comply with any of the terms of the Order set out above, 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 7th day of April, 2010 at the City of Vancouver, British Columbia.

ON BEHALF OF THE CONSENT ORDER REVIEW COMMITTEE

“G. Martin”

G. Martin, Chair
Consent Order Review Committee

Atch.

File #08-208

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

**IN THE MATTER OF
MUNJINDER SINGH GILL
(136510)**

***AGREED STATEMENT OF FACTS,*
PROPOSED ACCEPTANCE OF FINDINGS AND WAIVER**

The following agreement has been reached between Munjinder Singh Gill (“Mr. Gill”) and the Real Estate Council of British Columbia (the “Council”).

- A. Mr. Gill, whose licence is currently inoperative and expires on June 3, 2010, hereby consents to an Order to be made pursuant to sections 41 and 43 of the *Real Estate Services Act* that he not be eligible to renew his real estate licence for eighteen (18) months from the date of this Order. Further, as a condition of re-licensing, he agrees to pay enforcement expenses of this Consent Order to the Council in the amount of \$1,000.00 within sixty (60) days from the date of the Order herein. Mr. Gill further consents to an Order that he successfully complete the Trading Services Remedial Education Course as provided by Sauder School of Business at the University of British Columbia within sixty (60) days of his license being re-issued. Mr. Gill also consents to an Order that if he fails to comply with any of the terms of the Order set out above, the Council may suspend or cancel his licence without further notice to him pursuant to section 43(3) and 43(4) of the *Real Estate Services Act*.
- B. As a basis for this Order, Mr. Gill acknowledges and agrees that the facts set forth herein are correct:
1. Ms. Gill was at all relevant times licensed as a representative with Fraseridge Realty Ltd. dba Amex-Fraseridge Realty.
 2. Mr. Gill’s licensing history is as follows:

Jun.4/02 – Dec.23/03	Representative, Trading, Par Excellence Management Inc. dba Sutton Group-Killarney Realty
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Dec.23/03 – Dec.3/08	Representative, Trading, Fraseridge Realty Ltd. dba Amex-Fraseridge Realty
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3. In or about July 2008, Mr. Gill assisted his wife in initiating two mortgage applications to the Royal Bank of Canada (the “Royal Bank”).
4. Mr. Gill told staff at the Royal Bank that he wanted the mortgages for both a principle residence purchase and for purchase of an investment property and that he wished to make the applications in the name of his wife only.
5. In support of the application, Mr. Gill provided information and documents to the Royal Bank revealing that his wife had \$60,000 on deposit at CIBC and \$175,116.00 on deposit at VanCity.
6. In reviewing the applications, the Royal Bank confirmed that neither Mr. Gill nor his wife had the deposits at CIBC or VanCity and that the information and documents provided to the Royal Bank were false.
7. As a result of the false information provided to the Royal Bank, the mortgage applications were approved and the funds were advanced in respect of the mortgage for the principle residence property, but the false information was discovered before the funds were advanced in respect of the mortgage for the investment property purchase.
8. The Royal Bank advises that since the mortgage for the principle residence is not in default, they have taken no further action regarding it.
9. In response to inquiry from Council staff, Mr. Gill admitted that the documents he submitted in support of his wife’s mortgage applications were false.

C. Proposed Acceptance of Findings and Waiver

1. Based on the Agreed Statement of Facts as outlined herein, and without making any admissions of liability, Munjinder Singh Gill is prepared to accept the following findings if made against him by the Council’s Consent Order Review Committee:

- (a) Munjinder Singh Gill, while licensed as a representative with Fraseridge Realty Ltd. dba Amex-Fraseridge Realty, committed professional misconduct within the meaning of section 35(1)(a) of the *Real Estate Services Act* by contravening section 35(2) of the *Real Estate Services Act* by engaging in conduct unbecoming a licensee by providing information and documents to the Royal Bank of Canada Financial Group in support of two mortgage applications in the name of his wife, which he knew were false and misleading.
2. Mr. Gill hereby waives his right to appeal pursuant to section 54 of the *Real Estate Services Act*.
3. Mr. Gill acknowledges that he has a right to seek independent legal advice before signing this Agreed Statement of Facts, Proposed Acceptance of Findings and Waiver.
4. Mr. Gill acknowledges and is aware that the Council will publish the Consent Order and penalty herein in its Report from Council newsletter and on the Council's website.
5. Mr. Gill acknowledges and is 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.

"Carolyn S. Gulabsingh"
Carolyn S. Gulabsingh, Legal Counsel

"Munjinder Singh Gill"
Munjinder Singh Gill

Real Estate Council of British Columbia

As to Part B only (Agreed Statement of Facts)

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

Dated 18 day of March, 2010

Dated 15 day of March, 2010