

HARYANA RERA GUIDELINES FOR REAL ESTATE AGENTS

REGISTRATION GUIDELINES:

(1) Every real estate agent shall make an application in writing to the Authority in Form REA-I, in triplicate, for registration along with following documents, namely:-

(a) the brief details of his enterprise including its name, registered address, type of enterprise (proprietorship, society, partnership, company etc.);

(b) the particulars of registration (whether as a proprietorship, partnership, company, society etc.) including the bye-laws, memorandum of association, articles of association, etc. as the case may be;

(c) name, address, contact details and photograph of the real estate agent, if it is an individual and the name, address, contact details and photograph of the partners, directors etc. in case of other entities;

(d) the authenticated copy of the PAN card of the real estate agent;

(e) the authenticated copy of the address proof of the place of business;

(f) such other information and documents, as may be specified by regulations.

(2) The real estate agent shall pay a registration fee at the time of application for registration by way of a demand draft or a bankers cheque in favour of "Haryana Real Estate Regulatory Authority" drawn on any Scheduled bank or through online payment, as the case may be, for a sum calculated at the rate mentioned in Schedule II.

Application for registration by real estate agent

2. (1) On receipt of the application under rule 9, the Authority shall within a period of thirty days either grant registration to the real estate agent or reject the application, as the case may be: Provided that, the Authority may grant an opportunity of being heard to the real estate agent to rectify the defects, if any, within a period of thirty days from the date of issuance of communication regarding such defects.

(2) Upon the registration of a real estate agent, the Authority shall issue a registration certificate with a registration number in Form REA-II to the real estate agent. Grant of registration to real estate agent. section 9 3334 HARYANA GOVT. GAZ. (EXTRA.), JULY 28, 2017 (SRVN. 5, 1939 SAKA)

(3) In case of rejection of the application, the Authority shall inform the applicant in Form REA-III.

(4) The registration granted under this rule shall be valid for a period of five years.

Renewal of registration of real estate agent under Section 9

3. (1) The registration granted to a real estate agent under the Act, may be renewed, on an application made by the real estate agent in Form REA-IV, in triplicate, within three months prior to the expiry of the registration granted.

(2) The application for renewal of registration shall be accompanied with a demand draft or a bankers cheque in favour of "Haryana Real Estate Regulatory Authority" drawn on any Scheduled bank or through online payment, as the case may be, for a sum calculated at the rate mentioned in Schedule II.

(3) The real estate agent shall also submit all the updated documents set out in clauses (a) to (f) of sub-rule (1) of rule 9 at the time of application for renewal.

(4) In case of renewal of registration, the Authority shall inform the real estate agent about the same in Form REA-V and in case of rejection of the application for renewal of registration, the Authority shall inform the real estate agent in Form REA-III: Provided that no application for renewal of registration shall be rejected, unless the real estate agent has been given an opportunity of being heard: Provided further that the Authority may grant an opportunity to the real estate agent to rectify the defects, if any, within a period of thirty days from the date of issuance of communication regarding such defects.

(5) The renewal granted under this rule shall be valid for a period of five years.

Revocation of registration of real estate agent under section 9

4. The Authority may revoke the registration granted to the real estate agent or renewal thereof, as the case may be, shall intimate the real estate agent of such revocation in Form REA-III.

Books of accounts, records and documents

5. The real estate agent shall maintain and preserve its books of account, records and documents in accordance with the provisions of the Income Tax Act, 1961 (43 of 1961) and the rules made there under.

Guidelines for practice

6. This registration is granted to real estate agent subject to the following conditions, namely:-

(i) The real estate agent shall not facilitate the sale or purchase of any plot, apartment or building, as the case may be, in a real estate project or part of it, being sold by the promoter which is required but not registered with the Authority;

(ii) The real estate agent shall maintain and preserve such books of account, records and documents as provided under rule 12;

(iii) The real estate agent shall not involve himself in any unfair trade practices as specified under clause (c) of section 10;

(iv) The real estate agent shall facilitate the possession of all information and documents, as the allottee is entitled to, at the time of booking of any plot, apartment or building, as the case may be;

(v) The real estate agent shall provide assistance to enable the allottee and promoter to exercise their respective rights and fulfil their respective obligations at the time of booking and sale of any plot, apartment or building, as the case may be.

(vi) The real estate agent shall comply with the provisions of the Act and the rules and regulations made thereunder;

(vii) The real estate agent shall not contravene the provisions of any other law for the time being in force as applicable to him;

(viii) The real estate agent shall discharge such other functions as may be specified by the Authority by regulations;

7. The registration is valid for a period of five years unless renewed by the Authority in accordance with the provisions of the Act or the rules and regulations made thereunder.

8. If the above mentioned conditions are not fulfilled by the real estate agent, the Authority may take necessary action against the real estate agent including revoking the registration granted herein, as per the Act and the rules and regulations made thereunder.