



# MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

## महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No: -53 /2024

No. MahaRERA/Secy/File No. 27/208 /2024

Date: 29.04.2024

**Subject:** In the matter of promoters providing names and address of real estate agents in the application submitted for registration of real estate projects.

Whereas, Government of India has enacted the Real Estate (Regulation and Development) Act,2016 (the Act) and all sections of the Act have come into force with effect from 01.05.2017.

And whereas, the Government of Maharashtra, vide Notification No. 23, dated 08.03.2017, has established the Maharashtra Real Estate Regulatory Authority, hereinafter referred to as "MahaRERA" or as "the Authority".

And whereas, the Government of Maharashtra has notified the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules,2017 (the Rules) for carrying out the provisions of the Act.

And whereas, the Authority has notified the Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017 (the Regulations) to carry out the purposes of the Act.

And whereas, the Authority under Section 37 of the Act and Regulation 38 of the Regulations is vested with the powers to issue directions to the promoters, real estate agents and allottees from time to time as it may consider necessary.

And whereas, Chairperson, MahaRERA is vested with the powers of general superintendence and directions in the conduct of the affairs of MahaRERA under Section 25 of the Act.

And whereas, the Act was enacted to bring professionalism, accountability, and competency in real estate sector.

And whereas, real estate agents are an integral part of the real estate sector, who connect home buyers / allottees and promoters and as such facilitate most of the real estate transactions.

And whereas, Section 33 (3) of the Act, empowers the Authority to take suitable measures for the promotion of advocacy, creating awareness and imparting training about laws relating to real estate sector and policies.

And whereas, under Section 34 of the Act, one of the function of the Authority is to register and regulate real estate projects and real estate agents registered under the Act.

### **MAHARERA HEADQUARTERS**

Housefin Bhavan, Plot No.C-21, E-Block, Bandra-Kurla-Complex, Bandra (E), Mumbai 400051

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### **महारेरा मुख्यालय**

हाउसफिन भवन, प्लॉट नं. सी-21, ई ब्लॉक, वांद्रे-कुर्ला-कॉम्प्लेक्स, वांद्रे (पूर्व), मुंबई - ४०००५१.

दूरध्वनी. क्रमांक. ०२२-६८१११६०० ई-मेल : [helpdesk@maharera.mahaonline.gov.in](mailto:helpdesk@maharera.mahaonline.gov.in)

And whereas, considering the above and in order to bring about certain level of consistency in the practices of real estate agents, enhance knowledge and awareness of the regulatory, the legal framework and practices, enforcement of code of conduct and with a view to ensure that real estate agents are professionally qualified to help / assist home buyers / allottees, MahaRERA has introduced basic real estate agent training and certification course for real estate agents across the State of Maharashtra.

And whereas, MahaRERA by Order No 41 /2023, dated 10.01.2023, fixed timelines the matter of submission of MahaRERA Real Estate Agent Certificate of Competency and promoters of real estate projects were informed to ensure that the names and addresses of real estate agents if any to be given in compliance of Section 4 (2) (j) of the Act shall be only of such real estate agents who have cleared real estate agent training and certificate course and have secured MahaRERA Real Estate Agent Certificate of Competency.

And whereas, the timelines given in the above-referred MahaRERA Order were extended by MahaRERA Order No. 41A/2023, dated 20.09.2023, and thereafter the timeline was finally extended by MahaRERA Order No. 41B/2023, dated 13.12.2023, under which promoters of real estate projects were directed to ensure that with effect from 01.01.2024, the names and addresses of the real estate agents if any to be given in compliance of Section 4 (2) (j) of the Act shall be of only such real estate agents who have MahaRERA Real Estate Agent Certificate of Competency.

And whereas, it has been noticed by the Authority that promoters of real estate projects are not complying with the directions issued under MahaRERA Order No. 41B/2023, dated 13.12.2023.

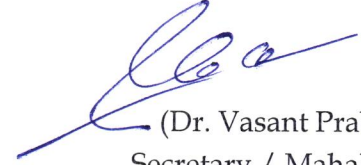
In view of the above the following further directions are issued:

- a) **the names and addresses of real estate agents if any, to be given by promoters in compliance of Section 4 (2) (j) of the Act shall be of only such real estate agents who have a valid and subsisting MahaRERA real estate agents registration as well as a valid MahaRERA Real Estate Agent Certificate of Competency;**
- b) **applications received for registration of real estate projects shall be scrutinized for compliance of the directions issued in clause (a) above;**
- c) **scrutiny for compliance of the directions issued in clause (a) above shall be undertaken any time during the life cycle of the registered real estate project;**
- d) **failure to comply with the directions issued in clause (a) above shall be considered as violation / contravention of the provisions of the Act, the Rules and the Regulations made thereunder, and appropriate action as deemed fit**

shall be taken by the Authority including summary rejection of the application submitted for registration or revocation of the registration granted as the case may be, and / or imposition of penalty.

This Order shall come into force with immediate effect.

*(As approved by Authority)*



(Dr. Vasant Prabhu)  
Secretary / MahaRERA