



# MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

## महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No: - 51/2024

No. MahaRERA/Secy/File No. 27/206/2024

Date: 29.04.2024

**Subject:** In the matter of de-registration of the registration granted in favour of real estate agents.

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, Section 9(1) of the Act, mandates every real estate agent to be registered with MahaRERA before facilitating the sale or purchase of or act on behalf of any person to facilitate the sale or purchase of any plot, apartment, unit or building as the case may be, in a real estate project or part of it, being sold by a promoter.

And whereas, Rule 12 (4) of the Rules, mandates that the registration granted to real estate agents shall be valid for a period of 5 (five) years.

### **MAHARERA HEADQUARTERS**

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

Tel. No. 022-68111600 • E mail : [helpdesk@maharera.mahaonline.gov.in](mailto:helpdesk@maharera.mahaonline.gov.in)

### **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, 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.

And whereas, applications have been received from registered real estate agents requesting for de-registration of the registration granted in their favour.

And whereas, various reasons are recorded in the applications (illustrations not exhaustive) such as lack of business, have chosen an alternate career, not interested in primary market business, health reasons, retired from business, family member has taken over the business, promoters not registering me / us as an authorized real estate agent for their real estate projects and so on.

And whereas, in the cases mentioned above, keeping such persons / entities registered as real estate agents with MahaRERA, shall serve no fruitful purpose and would not be beneficial to any stakeholders.

In such cases, on receiving an application for de-registration on evaluating / scrutiny of the same, MahaRERA may allow de-registration of the registration granted in favour of such real estate agents, the procedure for which shall be as follows:

**A. Firstly,**

**Who can apply for de-registration of the registration granted in favour of real estate agent(s):**

- i) Real estate agents who have not been listed by promoters as their authorized real estate agents for any real estate projects under section 4 (2) (j) of the Act; or
- ii) Real estate agents who have not facilitated transactions in any real estate projects; or
- iii) Real estate agents who have facilitated transactions but against whom there are no complaints filed with MahaRERA:

Provided that such real estate agents who have facilitated transactions, shall submit yearly reports of the transactions facilitated for the last two (2) years immediately prior to the date of application seeking de-registration or if the period of registration of such real estate agents is less than two (2) years, the transactions facilitated during the validity period of the registration:

Provided further that if real estate agents are unable to submit the yearly reports, than such real estate agents shall on their letterhead provide the reasons for not being able to provide the same.

**B. Secondly,**

**Submission of application for de-registration:**

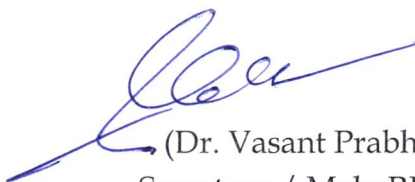
- i) Real estate agents shall submit an application to Director (Registration), MahaRERA, at [dereg.agent@gmail.com](mailto:dereg.agent@gmail.com) until an online procedure is established in the format as prescribed in Annexure 'A' along with Notarized Declaration-Cum-Undertaking in the format as prescribed in Annexure 'B';
- ii) On receipt of such application, Director (Registration), MahaRERA, shall initiate action through Technical Wing, MahaRERA, who shall scrutinize and process the applications for de-registration, prepare necessary reports and place the respective cases before the Authority for appropriate orders.

**C. Thirdly,**

**Filing of complaints:**

- i) Any aggrieved person may file a complaint against real estate agents whose de-registration application is allowed, regarding any past conduct / transactions of such real estate agents;
- ii) Such complaints shall be heard after due notice to the real estate agents and decided by the Authority;
- iii) The terms, conditions and directions as may be imposed / given by the Authority in the order passed in the complaints shall be binding upon the concerned real estate agents.

*(As approved by Authority)*

  
(Dr. Vasant Prabhu)  
Secretary / MahaRERA

**ANNEXURE A**

To  
The Secretary,  
The Maharashtra Real Estate Regulatory Authority

Sir,

I/ We hereby submit my/our application for de-registration of the registration granted in my/our favour to act a real estate agent, the details whereof are as under:

I.	MahaRERA real estate agent registration number:	
II.	Real estate agent details:	
a.	Name:	
b.	Organization type:	
c.	Present address:	
d.	Permanent address:	
e.	Contact Details (Mobile):	
f.	Email:	
III.	Reason for de-registration:	

I / We enclose herewith the following documents:

- 1) Notarized Declaration-cum-Undertaking the format as prescribed in Annexure 'B'.
- 2) Address proof.
- 3) Authority letter authorizing to affirm the Declaration-cum-Undertaking.
- 4) Annexure 'C' listing the transactions facilitated or the reasons why the yearly reports are not submitted.

I/We hereby state and declare that the details furnished above are true and correct.

I/We state and declare that there is no bar to de-register the registration granted to me / us to act as a real estate agent.

I/We state, declare and undertake to submit such statements / declarations as well as documents / additional documents as may be called for by the Authority.

Thanking you

Yours faithfully,

Signature of the real estate agent

Designation

Seal / Stamp

Place:

Date:

**ANNEXURE B**  
**DECLARATION-CUM-UNDERTAKING**

I, \_\_\_\_\_ name of deponent \_\_\_\_\_ adult, Indian inhabitant, the Proprietor / Partner / Designated Partner / Director / Karta / Chairman / President / Secretary / Treasurer / Trustee of the Proprietary Concern / Partnership Firm / LLP / Company / HUF / Society / Association of Persons / Body of Individuals / Trust, having my office at \_\_\_\_\_ address \_\_\_\_\_ do hereby on solemn affirmation state, declare and undertake as under:

- 1) I say and declare that I am registered with MahaRERA as a real estate agent under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_

**OR**

- 1) I say and declare that I am the proprietor of the proprietary concern, \_\_\_\_\_ name of proprietary concern \_\_\_\_\_, which is registered with MahaRERA as a real estate agent under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_.

**OR**

- 1) I say and declare that I am the \_\_\_\_\_ designation \_\_\_\_\_ and authorized signatory of \_\_\_\_\_ name of legal entity \_\_\_\_\_, which is registered with MahaRERA as a real estate agent under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_. Copy of the authority letter dated \_\_\_\_\_ is attached herewith.

- 2) I say and declare that I have applied for de-registration of the registration granted to me / us to act as a real estate agent having MahaRERA registration No. \_\_\_\_\_ registration No. \_\_\_\_\_.

- 3) I say and declare that real estate agent, \_\_\_\_\_ name of real estate agent / legal entity \_\_\_\_\_ registered with MahaRERA under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_ is not listed by promoters of any real estate projects under Section 4 (2) (j) of the Real Estate (Regulation and Development) Act, 2016.

OR

- 3) I say and declare that real estate agent, \_\_\_\_\_ name of real estate agent /legal entity \_\_\_\_\_ registered with MahaRERA under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_ has / have not facilitated transaction in any MahaRERA registered real estate projects.

OR

- 3) I say and declare that real estate agent, \_\_\_\_\_ name of real estate agent /legal entity \_\_\_\_\_ registered with MahaRERA under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_ has / have facilitated transactions in MahaRERA registered real estate projects, the transaction details of two years immediately preceding the date of application seeking de-registration or during the validity period of the registration is more specifically enumerated in Annexure 'C' submitted along with the application submitted for de-registration and there are no complaints filed in respect of any of the transactions as facilitated.

OR

- 3) I say and declare that real estate agent, \_\_\_\_\_ name of real estate agent /legal entity \_\_\_\_\_ registered with MahaRERA under registration No. \_\_\_\_\_ registration No. \_\_\_\_\_ has / have facilitated transactions in MahaRERA registered real estate projects, however there are no complaints filed in respect of any of the transactions as facilitated and further the yearly reports required to be submitted cannot be submitted for the reasons stated in Annexure 'C' submitted along with the application submitted for de-registration.
- 4) I say, declare and undertake that if any complaint / complaints is / are received by MahaRERA, than I, real estate agent, \_\_\_\_\_ name of real estate agent \_\_\_\_\_ /I, as \_\_\_\_\_ designation \_\_\_\_\_ and authorized signatory of real estate agent, \_\_\_\_\_ name of real estate agent \_\_\_\_\_ registered with MahaRERA under No. \_\_\_\_\_ registration No. \_\_\_\_\_ undertake to settle the dispute as per the order(s) of the Authority passed in the said complaint / complaints.

- 5) I state, declare and undertake to submit such statements / declarations as well as documents / additional documents as may be called for by the Authority.
- 6) I say and declare that the statements made above are true and correct.

I solemnly state, declare and undertake that the contents of this Declaration-cum-Undertaking are true and correct.

Solemnly affirmed at \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Deponent

Signature of the real estate agent

Designation

Seal / Stamp

Before me

Identified by



**ANNEXURE C**

Name: \_\_\_\_\_

MahaRERA real estate agent registration No.: \_\_\_\_\_

Particulars of the transactions facilitated for the last two years or during the validity period of the registration:

A. For the period 1<sup>st</sup> April \_\_\_\_\_ to 31<sup>st</sup> March \_\_\_\_\_

Sr. No.	Name of the project	Project registration number	Number of units	Total agent commission earned *
1.				
2.				
3.				

B. For the year period 1<sup>st</sup> April \_\_\_\_\_ to 31<sup>st</sup> March \_\_\_\_\_

Sr. No.	Name of the project	Project registration number	Number of units	Total agent commission earned *
1.				
2.				
3.				

Reasons for not submitting the above report:

- 1)
- 2)
- 3)

Yours faithfully,

Signature of the real estate agent

Designation

Seal / Stamp

Place:

Date:

**Note: \* to be provided only if the agent commission earned is Rs. 20 lakhs and above.**