



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No: - 41B /2023

No. MahaRERA/Secy/File No. 27/1594/2023

Date: 13/12/2023

Subject: Final extension of timelines for obtaining MahaRERA Real Estate Agent Certificate of Competency.

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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.

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

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

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, under Rule 14(2) of the Rules it is mandatory for every registered real estate agent to quote the registration number on all the documents issued relating to advertisement, marketing, selling or purchase along with the real estate project registration number.

And whereas, Section 9 (3) of the Act enables the Authority to grant registration to real estate agents upon fulfillment of conditions as prescribed.

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.

And whereas, 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. The said aspect has been brought to the knowledge of all concerned vide MahaRERA Order No 41 /2023 dated 10.01.2023.

And whereas, the abovementioned MahaRERA Order had prescribed the timelines and the criteria applicable for every real estate agent in the matter of obtaining and submitting **MahaRERA Real Estate Agent Certificate of Competency** at the time of registration / renewal of registration of real estate agents.

And whereas, considering the request received for extension of the timelines fixed under MahaRERA Order No.41/2023 dated 10.01.2023, MahaRERA by Order No. 41A/2023 dated 20.09.2023 had extended the timelines as more specifically stated in the said MahaRERA Order.

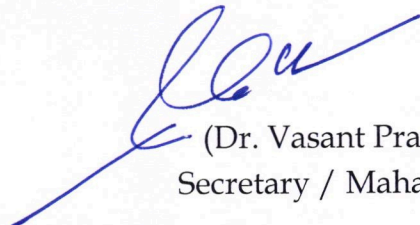
And whereas, further request have been received for grant of additional time period for obtaining and submitting the **MahaRERA Real Estate Certificate of Competency** at the time of registration/ renewal of registration of real estate agents.

And whereas, in view of above as a matter of one last chance and final indulgence the following further directions are issued:

- a) With effect from 01.01.2024, only those real estate agents who have a valid **MahaRERA Real Estate Agent Certificate of Competency** can apply for MahaRERA real estate agent registration / renewal of registration.
- b) Existing registered real estate agents shall obtain **MahaRERA Real Estate Agent Certificate of Competency** before 01.01.2024 and upload the same at their respective web page failing which action as deemed fit shall be initiated by the Authority.
- c) The mandate mentioned in Clause (a) and (b) above shall apply to the following persons:
 - a. All individual real estate agents in case of individuals and authorized signatory (authorized for making application for MahaRERA real estate agent registration) in case of firms / LLP/ companies / organizations (Other than Individuals).
 - b. All employees / staff / officers by whatever designation called working in firms / LLP / companies / organizations of real estate agents, who interact with homebuyers / allottees for effecting transactions in real estate projects.
- d) With effect from 01.01.2024, promoters of real estate project shall ensure that 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**.
- e) The dates mentioned in the directions issued under MahaRERA Order No. 41A/2023 dated 20.09.2023 shall be considered as substituted by the dates prescribed under this MahaRERA Order.

This Order shall come into force with immediate effect.

(As approved by Authority)


(Dr. Vasant Prabhu)
Secretary / MahaRERA