

**SUO MOTU ADVERTISEMENT
CASE NO. 26 OF 2024**

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

SUO MOTU ADVERTISEMENT CASE NO. 26 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Homesfy Realty Limited

.... Respondent/Promoter

Agent Registration No. A51900000136

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Shashank Mewada appeared for the Respondent.

ORDER

06th March 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 24.11.2023 to the Respondent above named for issuing an advertisement on website namely <https://www.mahim-properties.com/> without incorporating the MahaRERA project registration number and QR code of the project in the said advertisement.
2. The Respondent, through its written submission dated 07.12.2023, stated that they undertake activities for lead generation for various projects undertaken by them to generate information, understand the requirements in a particular vicinity and to engage with prospective customers through various engagement programs. The said website in question was part of one such activity for lead generation and to understand the requirement in Mahim vicinity. The Promoter further stated that the said website was a generic website for providing basic information to prospective buyers with an engagement tool.
3. In this regard, a hearing was scheduled on 23.01.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Respondent could have appeared through its representative and made its submissions.

**SUO MOTU ADVERTISEMENT
CASE NO. 26 OF 2024**

4. However, the Respondent failed to appear and sought an adjournment through a written application.
5. In this regard, a second hearing was scheduled on 06.03.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023.
6. During the aforementioned proceedings, the Respondent submitted that they undertake various offline and online activities to comprehend the customers' requirements and the location. The said website in question was a part of one of the undertaken activities. The said website was a generic website to understand the Mahim as a location and client's requirements and thus no specific project was promoted.
7. After hearing the arguments of the Promoter, the Promoter's say is unacceptable as the said website in question mentions all the details i.e. the location, specifications, cost, floor plans, amenities etc. except for the name of the project and the required MahaRERA project registration number, QR code and also the agent registration number.
8. In this regard, it is necessary to peruse the provisions of Rule 14(2) of 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; MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023 which reads as under:

"14(2) Every registered real estate agent shall quote his number of their registration in all the documents relating to advertisement, marketing, selling or purchase issued by the real estate agent along with the number of registration certificate of the real estate project."

MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/advertisement published in the

**SUO MOTU ADVERTISEMENT
CASE NO. 26 OF 2024**

mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023."

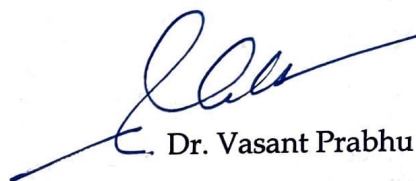
"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides the MahaRERA registration number and the website address. The mandate as mentioned above shall apply to the mediums of promotion/advertisement and in any other medium as may be directed by the Authority."

9. From the plain reading of the above-mentioned sections, the real estate agent is under obligation to mention the agent registration number along with the project registration number and QR code of the said real estate project in the said advertisement issued by it.
10. In the present case, the Respondent had published an advertisement on website namely <https://www.mahim-properties.com/> However, the Respondent failed to publish the agent registration number, MahaRERA project registration number and the QR code in the said advertisement.
11. Consequently, it is evident that the Respondent is in contravention of provisions of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Rates of Interest and Disclosures on Website) Rules, 2017; MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA Order No. 46/2023 dated 29.05.2023.
12. In view of the above a penalty of Rs. 25,000/- is imposed upon the Respondent under Section 65 of the RERA Act for violation of Rule 14(2) of the Rules; MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA Order No. 46/2023 dated 29.05.2023.
13. The said penalty shall be payable by the Respondent within a period of 15 days

**SUO MOTU ADVERTISEMENT
CASE NO. 26 OF 2024**

from the date the penalty is enforced, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.

14. The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty prior to initiating the processing of any applications, including but not limited to extensions, corrections, and change of name, pertaining to the specified project.
15. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA