

THE REAL ESTATE COUNCIL OF ALBERTA

Process: Section 39 of the *Real Estate Act*
Authorization: Real Estate Broker
Document: LETTER OF REPRIMAND

The Executive Director of the Real Estate Council of Alberta (RECA) is of the opinion that you have contravened the following section(s) and this is conduct deserving of sanction.

Contravention(s): Section 42(a) of the Rules

Particulars of the contravention(s):

1. During November, 2015, and February, 2016, you made reckless representations contrary to section 42(a) of the *Real Estate Act* Rules:
 - a) You represented that the property located at [{"address"}], reference [{"number"}], had a registered condominium size of 53 m².
 - b) The condominium plan states the property has a registered condominium size of 46.6 m².
 - c) You represented that the property located at [{"address"}], reference [{"number"}], had a registered condominium size of 75.67 m².
 - d) The condominium plan states the property has a registered condominium size of 69 m².

The circumstances of this matter indicate the following aggravating and mitigating factors were considered:

Aggravating Factors

- You were the real estate broker, and ought to have known better
- Your brokerage did not have a proper policy in place for arriving at registered size.

Appeal

You have the right to appeal this Letter of Reprimand to a Hearing Panel under **section 40.1(2) of the *Real Estate Act***. Please refer to Guides on RECA's website for more information on the appeal process.

In an appeal you will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel and make representations in relation to the contraventions alleged.

Your written notice of appeal must comply with section 83.1 and must be received by a delegate of the Executive Director **within 30** days of you receiving this Letter of Reprimand.

If you have any questions regarding particulars or the appeal process, please contact:

Carla Sasley, Professional Conduct Review Officer
Email: csasley@reca.ca
Phone: 403.228.2954; Toll Free: 1.800.425.2754
Fax: 403.228.3065
Address: Real Estate Council of Alberta
350 4954 Richard Road SW
Calgary, Alberta, T3E 6L1

Issued at Calgary, Alberta, on November 21, 2016.

Charles Stevenson, for
Bob Myroniuk, Executive Director
of the Real Estate Council of Alberta