

THE REAL ESTATE COUNCIL OF ALBERTA

Process: Section 39 of the *Real Estate Act*
Authorization: Real Estate Associate
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 September, 2016, you made a reckless representation 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 141.8 m².
 - b) The condominium plan states the property has a registered condominium size of 119.1 m².

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

Aggravating Factors

- You have been an associate since 2004. You ought to have known better.
- You did not follow brokerage policy accurately

Mitigating Factors

- You are aware of the new RMS policy and will be following it going forward.

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:

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Issued at Calgary, Alberta, on November 15, 2016.

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