

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 006541
Process: Section 39 and 83 of the *Real Estate Act*
Industry Member: Grewal, Mr. Gurinder Singh
Authorization: Real Estate Associate
Registration: Realty Executives Polaris
Document: ADMINISTRATIVE PENALTY

TO: Grewal, Mr. Gurinder Singh

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 41(b) of the Rules

Penalty: \$1500.00

Particulars of the contravention(s):

1. During September, 2016, you failed to provide competent service, contrary to section 41(b) of the *Real Estate Act* Rules:
 - a) You represented that the property located at [{"address"}], reference [{"number"}], had a registered condominium size of 78 m².
 - b) The condominium plan states the property has a registered condominium size of 74.9 m².
 - c) You did not take any steps to ensure the property was measured using the Residential Measurement Standard (RMS).

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

Aggravating Factors

- You have been an associate for 13 years. You should know the importance of competently measuring a property.
- RECA has issued several communications on the RMS standard and the Information Bulletin: Enforcement of the Residential Measurement Standard (RMS) clearly discusses your obligations to use RMS.

- The size of a property is often a key characteristic that consumers consider when purchasing a property. The RMS is a consistent means of representing a residential property's above grade space. Industry professionals who fail to use RMS undermine this consistency. RECA must deter this type of conduct.

Mitigating Factors

- You corrected the error

Payment

This Penalty must be paid **within 30 days** of the date this Notice was issued.

If you fail to pay the Penalty the Executive Director may commence collection under Part 6 of the *Real Estate Act* and may suspend your authorization under section 38.1 of the Rules.

If you pay the Penalty

- You will have satisfied the Administrative Penalty and no further proceedings under Part 6 will be taken against you.
- You cannot be charged under the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

Appeal

You have the right to appeal this Administrative Penalty to a Hearing Panel. See **section 83.1 of the *Real Estate Act*** for what you must do to appeal.

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 Administrative Penalty.

If you appeal payment of the Penalty will not be required until an order to pay a penalty is issued by the Hearing Panel.

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 15, 2016.

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

cc: William Tarrabain, Broker
Realty Executives Polaris