

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011827
Name on Licence: Tracy Lyn Little-Beaulieu
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: Royal LePage Network Realty Corp.
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1,500.00 (see Schedule 2 of the Bylaws)

Payment

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

If you fail to pay the Penalty the Registrar may commence collection under Part 6 of the *Real Estate Act* and may suspend your licence 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.

TO: Tracy Lyn Little-Beaulieu

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 41(b) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 41 – *Licensees must:*
(b) provide competent service

Particulars of the contravention(s):

1. In or around June 2021 you failed to provide competent service, contrary to section 41(b) of the *Real Estate Act* Rules:
 - a) On June 11, 2021 you requested access to 2 properties, owned by the same individual, to conduct showings with potential buyer clients later the same day.
 - b) The seller's representative was unavailable to grant permission to access the property. You called his brokerage, and were told that he may not be available all weekend.
 - c) You stated your potential clients were in town from BC and were particularly interested in these properties.
 - d) You confirmed on MLS that one of the properties was occupied and one was vacant. You decided to enter and view the vacant property with your clients. You did not have permission to access the property.
 - e) You left your business card on the counter to inform the owners that you had been there. When this card was discovered by the occupants it made them uncomfortable as they were not aware anyone would have been in their home.

Licensees must have specific permission to access a property, including vacant properties.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- RECA has received multiple complaints from sellers about buyer agents failing to follow permissions or guidelines around showings. We must deter this conduct.
- You knew you didn't have permission to access the property at the time you entered the property.

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 in relation to the contraventions alleged.

Your written notice of appeal must comply with section 83.1 and must be received by the Registrar **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:

Name: [A.L], Professional Conduct Review Officer
Email: [EMAIL]
Phone: 403.228.2954; Toll Free: 1.888.425.2754
Fax: 403.228.3065
Address: Real Estate Council of Alberta
Suite 202, 1506 11 Avenue SW
Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on October 25, 2021.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta