

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011824
Name on Licence: Wendy-lou Unrau
Licence Type & Class: Real Estate Broker
Brokerage Name on Licence: NORTHERN LIGHTS REALTY (2000) LTD.
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1,000.00 (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: Wendy-lou Unrau

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 43(3) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 43 (3) A licensee must deliver to the client a true copy of a service agreement and of any amendment or addition, immediately upon its signature.

Particulars of the contravention(s):

1. In March 2021, you failed to deliver to the client a true copy of a service agreement immediately upon its signature, contrary to section 43(3) of the *Real Estate Act* Rules:
 - a) On August 27, 2020 you became the representative in an existing Exclusive Seller Representation Agreement between [W.B] and Northern Lights Realty (2000) LTD.
 - b) On November 5, 2020 you executed an amendment to the Representation Agreement to lower the price. You did not provide the client with a copy at the time of signing. He handwrote the new price on a previous amendment so he would remember it.
 - c) On March 4, 2021 you executed an Agreement to Represent Both Buyer and Seller. You did not provide a copy to the client at the time of signing.
 - d) On May 14, 2021 your clients were attempting to reconcile the amount they received in relation to this sale. Upon being unable to do so, they requested copies of all paperwork related to this transaction. It was at this time they received a copy of the service agreement, approximately a week after closing.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- There were multiple instances where you failed to provide copies of amendments to the service agreement.

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 15, 2021.

“Signature”

Charles Stevenson, Registrar
Real Estate Council of Alberta