

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 010778
Name on Licence: Kerry John Ross
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: 2142595 Alberta Ltd. o/a Royal LePage Integrity.
Currently registered with Real Estate Professionals Inc.
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1,500.00

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: Kerry John Ross

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 53(c) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 53 – *A real estate associate broker and associate must:*

(c) provide to the broker in a timely manner all original documentation and copies of original documents provided to the parties or maintained by other brokerages:

(i) related to a trade in real estate

Particulars of the contravention(s):

1. In June 2020, you failed to provide transaction documentation to your brokerage in a timely manner contrary to section 53(c) of the *Real Estate Act* Rules:
 - a) On June 10, 2020, your Buyer clients entered a Residential Purchase Contract while you were still registered with Royal LePage Integrity. This was for the property located at [ADDRESS]. You did not submit any documentation related to this transaction to Royal LePage Integrity. This was a failure to provide transaction documentation to your brokerage in a timely manner.
 - b) On June 25, 2020, you transferred brokerages. You handed in the transaction documentation to your new brokerage, Real Estate Professionals Inc.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- Your brokerage had a policy that clearly explained expectations of when transaction documentation was to be submitted to the brokerage.

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: [C.S], 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 May 7, 2021.

“Signature”

Charles Stevenson, Registrar
Real Estate Council of Alberta

Cc [K.L], Real Estate Broker
Real Estate Professionals Inc.