

THE REAL ESTATE COUNCIL OF ALBERTA

Licence Type & Class: Real Estate Associate
Process: Section 39 of the Real Estate Act
Document: LETTER OF REPRIMAND

TO: [C.H]

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 44(1)(a) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 44(1) – *In addition to the requirements of relevant legislation on the protection of personal information, a licensee must not disclose information regarding a client, property or transaction to another person unless: (a) authorized by the client*

Particulars of the contravention(s):

1. In or around April 2024 you failed to obtain authorization to disclose client information regarding a property contrary to section 44(1)(a) of the *Real Estate Act Rules*:
 - a) In April 2024, a potential buyer contacted you for assistance. The buyer told you she was living in Ontario but wanted to move to Alberta and was inquiring about a specific property listed for sale in Alberta.
 - b) The property was listed with a different brokerage at the time, but your brokerage had previously listed the property with the seller.
 - c) You provided the buyer with client information about the property and raised possible problems with the property. This information about the property was obtained while the seller was a client of the brokerage. That information was confidential and could not be shared without the seller's consent. You did not have the seller's consent to share this information.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- The misuse of the seller's confidential information potentially impacted the seller because the information you provided was outdated and highlighted negative aspects of the property.

Mitigating Factors

- You have taken responsibility for your actions.

The Registrar may not treat further similar instances of this conduct in the same manner.

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 in relation to the contraventions alleged.

Your written notice of appeal must be received by the Registrar **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 June 23, 2025.

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta

cc: [D.P], Real Estate Broker
[T.Y], Real Estate Broker