

## THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: MMS-2652  
Licence Type & Class: Real Estate Associate  
Process: Section 39 of the *Real Estate Act*

Document: LETTER OF REPRIMAND

TO: [R.S]

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

Rule 41 – *Licensees must:*

(e) ensure the role of the licensee is clearly understood by their clients and third parties.

### Particulars of the contravention(s):

1. In or around April 2023 you failed to ensure your role as a licensee was clearly understood by your client, [G.S], contrary to section 41(e) of the *Real Estate Act Rules*:
  - a) In April 2023, [G.S] approached you for assistance in selling his three properties located on 17<sup>th</sup> Avenue SW, Calgary Alberta. The properties had tenants and lease agreements in place.
  - b) You approached an investor buyer to purchase the properties. The investor was interested and agreed to purchase the properties.
  - c) Your seller client completed representation agreements with you as their representative. In the package you provided to the seller you also included an Agreement to Represent Both Seller and Buyer document. The seller also agreed to this and signed the document.
  - d) You provided the Agreement to Represent Both Seller and Buyer document to the buyer, but he did not sign or agree to have you represent both parties in the transaction. Alternatively, you provided the buyer with a Customer Acknowledgement document which he signed.
  - e) You prepared three purchase contracts for each of the properties in those contracts you were listed as the representative for both seller and buyer.

- f) Your seller client stated he believed you were representing both him and the buyer in the transaction. There were no documents or communications showing you advised the seller that you were not representing the buyer. You stated you did so verbally, however the seller stated he was under the belief you were representing both parties.

The Registrar considered the following aggravating and mitigating factors:

### ***Aggravating Factors***

- You failed to document with the seller that you were not representing the buyer. Your client was confused about your role in the transaction.

### ***Mitigating Factors***

- You brought the matter to the attention of your broker and eventually completed the proper paperwork.

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:

Name: [R.B], Investigator  
Email: [EMAIL]  
Phone: 403.228.2954; Toll Free: 1.888.425.2754  
Fax: 403.228.3065

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Issued at Calgary, Alberta, on July 24, 2025.

**"Signature"**

Warren Martinson, Registrar  
Real Estate Council of Alberta

cc. Real Estate Broker