

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 010250
Name on Licence: Edith Lorraine O'Flaherty
Licence Type & Class: Real Estate Broker
Brokerage Name on Licence: Mayfield Management Group Ltd.
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: Edith Lorraine O'Flaherty

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 at time of conduct:

Rule 41 – *Industry members must:*

(b) provide competent service

Particulars of the contravention(s):

1. In or around January 2020, you failed to provide competent service, contrary to section 41(b) of the *Real Estate Act* Rules:
 - a) January 2018, a Property Management Services Agreement was completed between [CLIENT] and Mayfield Management Group Ltd. for the management of the property located at [ADDRESS], AB.

- b) January 2020, the request was made by [CLIENT] to provide all financial documents related to the management of the property as he was listing the property for sale.
- c) There were numerous errors noted in the financial statements which caused potential buyers to forego making an offer, or substantially reduce their offer.
- d) Your company had implemented a new accounting system in April 2018, which resulted in several errors on owners' financial statements.

The Registrar considered the following aggravating factors:

Aggravating Factors

- The errors in the financial statements contributed to the collapse of a potential deal for the owner.

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 December 31, 2020.

"Signature"
[M.C.S], Registrar
Real Estate Council of Alberta