

## THE REAL ESTATE COUNCIL OF ALBERTA

**Case:** 010762  
**Process:** Section 39 of the *Real Estate Act*  
**Licensee:** Mark Joseph Calvelo  
**Licence:** Real Estate Associate  
**Registration:** Twin Oakes Real Estate 1993 Inc. O/A Re/Max House Of Real Estate  
**Document:** LETTER OF REPRIMAND

**TO:** Mark Joseph Calvelo

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 40(1) (e) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

40 (1) *An industry member must immediately notify, in writing, the executive director when:*

*(e) the industry member is the subject of any bankruptcy proceedings;*

### **Particulars of the contravention(s):**

1. On or around May 27 2020, you failed to immediately notify, in writing, the executive director when you became the subject of bankruptcy proceedings, contrary to section 40 (1)(e) of the *Real Estate Act Rules*:
  - a) On May 27, 2020, you were subject to bankruptcy proceedings
  - b) On September 29, 2020, you notified the executive director of the bankruptcy proceedings.

RECA's mandate includes consumer protection. RECA reviews certain events that may affect an industry professional's suitability for licensing and the public's perception of the industry. This is why you must immediately notify the Registrar in writing when any event listed under section 40(1) of the *Real Estate Act* occurs.

The Registrar considered the following aggravating and mitigating factors:

***Mitigating Factors***

- You have admitted to the conduct and have taken steps to educate yourself as to your obligations under Rule 40.

The Registrar will issue a more severe sanction for further similar instances of this conduct.

**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: Bryan Tighe, Professional Conduct Review Officer  
Email: btighe@reca.ca  
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 2 Dec. 2020.

  
\_\_\_\_\_  
Charles Stevenson, Registrar  
of the Real Estate Council of Alberta

cc: David Nicholson, Real Estate Broker  
Re/Max House Of Real Estate