

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 010257
Process: Section 39 of the *Real Estate Act*
Industry Member: Gregory Donald Kemp
Authorization: Real Estate Associate
Registration: 1800086 Alberta Ltd. o/a First Place Realty. Currently registered to Your Way Real Estate Inc.
Document: LETTER OF REPRIMAND

TO: Gregory Donald Kemp

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

Section 53: A real estate associate broker and associate must:

(a) trade in real estate only in the name that appears on that individual's licence and in the name of the brokerage with which that individual is registered.

Particulars of the contravention(s):

1. In or around April 2020, you failed to advertise in the name of the brokerage you were registered with, contrary to section 53(a) of the *Real Estate Act Rules*:
 - a) Your website www.yourwayrealestategroup.com did not clearly identify the name of your brokerage. The website had your team name at the top of the page, and the brokerage name at the bottom of the page. A reasonable consumer would not be able to immediately identify the brokerage when visiting the website.
 - b) When you were made aware of these errors, you amended your advertisements to ensure the brokerage name was clearly identified.

Industry professionals must ensure their advertising clearly displays the name appearing on their licence and the brokerage they are registered with. The public must be able to identify an industry professional's name and brokerage so the public can verify they are dealing with is a licensed associate.

If an industry professional is unsure about whether their advertising is compliant with the legislation, they should seek direction from their broker.

The Executive Director considered the following aggravating and mitigating factors:

Mitigating Factors

- You took immediate action to make amendments

The Executive Director 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 Executive Director **within 30 days** of you receiving this Letter of Reprimand. 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 November 5, 2020.

[C.S]

Charles Stevenson, Acting Executive Director
of the Real Estate Council of Alberta

cc [R.G], Broker
First Place Realty