

# Case Summaries January 11 -24 2011

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## Letters of Reprimand

- [s.41(b) of the *Real Estate Act Rules*] an industry member must provide competent service (1)
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## Administrative Penalties

DMG Asset Management and Realty Ltd.

- The brokerage failed to submit to the Real Estate Council of Alberta the required accounting documents not later than three months after the end of the brokerage's fiscal year. [s.91 (4) of the *Real Estate Act Rules*]
- \$1,500

Redline Real Estate Group Inc.

- The brokerage failed to submit to the Real Estate Council of Alberta the required accounting documents not later than three months after the end of the brokerage's fiscal year. [s.91 (4) of the *Real Estate Act Rules*]
- \$1,500

Prosperity Financial Mortgage Services Inc. o/a Sovereign Mortgage Services

- The brokerage failed to submit to the Real Estate Council of Alberta the required accounting documents not later than three months after the end of the brokerage's fiscal year. [s.92(1) of the *Real Estate Act Rules*]
- \$1,500

John E Swift Real Estate o/a Sure Realty

- The brokerage failed to submit to the Real Estate Council of Alberta the required accounting documents not later than three months after the end of the brokerage's fiscal year. [s.92 (1) of the *Real Estate Act Rules*]
- \$1,500

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## Consent Agreements

**John McNeill, real estate associate  
Royal LePage Foothills**

Issues:

- Failed to act in accordance with his client's lawful instructions [s.2(b) of the Code of Conduct]
- Failed to disclose all relevant information to a client [s.2(e) of the Code of Conduct]

Facts:

- Mr. McNeill made a statement concerning the condition of a home based on a previous inspection report which he did not verify to be true and which he ought to have known would be relied upon.
- Mr. McNeill did not make sufficient efforts to secure a copy of the prior home inspection report despite representing that he would do so and despite his client's request.
- Mr. McNeill failed to advise his client to obtain an independent home inspection once he learned he was unable to provide his client with a copy of the prior home inspection report.

Results:

By way of a Consent Agreement that was ratified by a Hearing Panel, John McNeill was ordered to pay a fine of \$1,800, costs of \$200 and to complete an educational requirement as a condition of his authorization to trade in real estate.

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## **Council Members 2010-2011**

**BILL BUTERMAN**

Appointed from non-AREA industry members

**KEVIN CLARK**

Appointed from residential real estate industry members

**CINDY DUBRAY**

Appointed from the property management sector

**GORDON GRAYDON**

Appointed from the public

**CONNIE LECLAIR**

Appointed from the public

**WAYNE MCALISTER, CHAIR-ELECT**

Appointed from the Calgary Real Estate Board

**KEN MCCOY**

Appointed from the Edmonton Real Estate Board

**WENDY ROBSON**

Appointed from boards outside of Calgary and Edmonton

**RALPH SALOMONS, PAST CHAIR**

Appointed from commercial real estate sector

**CHERYL SCHINDEL**

Appointed from boards outside of Calgary and Edmonton

**GARY SIEGLE**

Appointed from the mortgage brokerage sector

**ROBERT TELFORD, CHAIR**

Appointed from the real estate appraisal sector

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## Contact RECA

Case Summaries is published by the Real Estate Council of Alberta. Please forward your comments and suggestions to [communications@reca.ca](mailto:communications@reca.ca).

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