

June 10, 2010

Private and Confidential

LETTER OF REPRIMAND

Re: Investigation by the Real Estate Council of Alberta – File

In accordance with s. 39 of the *Real Estate Act*, R.S.A. 2000 c. R-5 (the “**Act**”), the Executive Director of the Real Estate Council of Alberta (RECA) has determined that there is sufficient evidence of conduct deserving of sanction in regard to you, [(the “Industry Member”)], associate, registered to trade in real estate with [(the “Brokerage”)] at all material times, to issue a letter of reprimand. The evidence giving rise to the Executive Director’s decision is as follows:

You were the listing agent for a property with the legal description [(the “Property”)]. An offer was made and accepted for the property. The lot number on the offer was incorrect. You failed to notice and correct this mistake. The transaction was closed with the wrong legal description.

The Executive Director believes that this conduct is in contravention of Sections 41(b) and 42(a) of Rules made pursuant to the *Real Estate Act* which sets out that:

41 Industry members must:

(b) provide competent service

42 Industry members must not:

(a) Make representations or carry on conduct that is reckless or intentional and that mislead or deceives any person or is likely to do so;

The Executive Director believes that this is conduct deserving of sanction but also believes this matter can be dealt with by way of this Letter of Reprimand.

If you dispute this Letter of Reprimand, in accordance with s. 40.1(2) of the *Real Estate Act*, you may appeal it to a Hearing Panel. You will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel and make representations in relation to the contravention.

If you have any questions in regard to this Letter of Reprimand, please contact Joseph Fernandez, Director of Audits and Investigations at the Real Estate Council of Alberta.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director