



September 30, 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”)], real estate broker, at all material times registered to trade in real estate with [(the “Brokerage”)], to issue a letter of reprimand. The evidence giving rise to the Executive Director’s decision is as follows:

On October 3, 2008, R.D., real estate associate registered to [(“the Brokerage”)], completed on behalf of M.P., owner of the property with legal description [(“Description”)], a Residential MLS® Listing Contract Exclusive Seller Brokerage Agreement. On November 4, 2008, R.D. completed on behalf of M.P. a Seller Brokerage Extension/Amendment Realty. The amendment was executed by [(the “Brokerage”)] Relocation Services Limited by Power of Attorney” on behalf of M.P. The listing price was also reduced to \$299,900.00. RECA obtained the original brokerage file and a review of the brokerage file has neither an original nor a copy of the Power of Attorney given by M.P.

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

41 Industry members must:

(b) provide competent service;

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