



**Private and Confidential**

June 2, 2011

**Letter of Reprimand Pursuant to Section 39 of the  
*Real Estate Act***

In accordance with section 39 of the *Real Estate Act*, R.S.A. 2000 c. R-5 (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”)], at all material times, a real estate associate registered with [(“the Brokerage”)], presently registered with [(“the Brokerage”)], to issue a letter of reprimand. The evidence giving rise to the Executive Director’s decision is as follows.

On or about June 11, 2010, you listed the property located at 7919 Churchill Dr, SW, Calgary, AB (the property). The Feature Sheet, created by you, indicated the flooring to be: hardwood, carpet and linoleum. There was also indication of a “wet bar” in the basement noted in the comments section detailing the property features.

R.D. and B.D. (the D.’s) were shown the property by you, as G.G., their real estate associate, was not available. They were told there was hardwood flooring and a wet bar. The D.’s were the successful buyers of the property and discovered after the final sale they were provided with incorrect information, and the hardwood floors were, in fact, laminate, and no wet bar existed.

In your response to RECA you acknowledged there was no wet bar and no hardwood flooring, and that you inputted the wrong information on the feature sheet. RECA acknowledges the buyers were compensated in the amount of \$8,163.75.

The Executive Director believes that this conduct is in contravention of Section 42(a) of the Rules made pursuant to the *Act* which sets out that:

42 Industry members must not:

- (a) make representations or carry on conduct that is reckless or intentional and that misleads 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 section 40.1(2) of the 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 Carla Sasley, Investigator at 403-685-7940.

**REAL ESTATE COUNCIL OF ALBERTA**

*Joseph Fernandez, for*  
Bob Myroniuk  
Executive Director