

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: MMS-03608
Name on License: Mark Barron Wilbert
License Sector and Class: Real Estate Associate
Current Brokerage: Canadian Independent Realty Ltd. O/A CIR Realty
Conduct Brokerage: Canadian Independent Realty Ltd. O/A CIR Realty
Process: A Hearing under Part 3 of the *Real Estate Act*

NOTICE OF HEARING

TO: Mark Barron Wilbert

A hearing is set for your appeal. Read this entire document to see what you must do.

Hearing Information

Date: October 27-28, 2026
Time: 9:30 a.m.
Venue: Virtual Hearing
Hearing Panel: [A.T]
[M.K]
[D.T]
(Alternates: [J.G], [R.B], [A.S])

Counsel to the Panel: Rita Aggarwala

The Administrative Penalty issued to you is attached.

Virtual Hearings

Hearings at RECA are conducted virtually using Microsoft Teams. The Hearing Administrator will provide you with the Guide to Virtual Hearings and you will receive assistance to participate in the virtual process.

Why You Should Attend the Hearing

The hearing is your opportunity to respond to the allegations and state your side of the case in front of the Panel.

Learn About the Hearing Process

Please read these guides on the RECA website:

- *Hearing and Appeal Practice and Procedures Guidelines and;* [Hearing-and-Appeal-Practice-and-Procedures-1.pdf](#)
- *How to Represent Yourself at a Real Estate Council of Alberta Hearing or Appeal* [Guide-for-How-to-represent-Yourself-at-a-Hearing-or-Appeal.pdf](#)

Before the Hearing

You will receive full disclosure of all evidence gathered by the Registrar relevant to the allegations in this Notice of Hearing for your review. This disclosure is for use in the conduct proceedings only and you may not use it for any other purpose.

You are also invited to meeting with Counsel for the Registrar prior to the hearing to consider entering agreement on non-contested matters such as:

- An admission of conduct deserving of sanction
- An agreement on facts
- An agreement on breaches
- An agreement on a finding of conduct deserving of sanction
- An agreement on sanction and/or costs.

Admissions or agreements can reduce the time and costs of the hearing.

What You Should Bring to the Hearing

Bring any witnesses and evidence you want the Panel to consider, with you to the hearing.

What Will Happen If You Don't Attend

If you do not attend the Panel may proceed to make a decision without you.

What Will Happen At the Hearing

If the Panel finds a breach has been proven the Panel may do one or more of the things listed in **section 83.1(5)** of the *Real Estate Act*:

- Quash, vary or confirm the administrative penalty
- Order you to pay the costs of the investigation and the hearing.

Making Oral and Written Arguments to the Hearing Panel

The Hearing Panel may accept oral and/or written arguments as part of the hearing. If the Hearing Panel accepts written arguments, it will set dates for the written arguments to be exchanged before accepting them.

You Can Get Legal Advice

You may get legal advice and may be represented by legal counsel at the hearing. If you do not have a representative please read information for unrepresented Licensees here: [Guide-for-How-to-represent-Yourself-at-a-Hearing-or-Appeal.pdf](#)

If You Object to a Panel Member

Please review who is on the Panel. If you object to any of the people being on the Panel, you must advise the Hearings Administrator **who you object to and why within 14 days** of receiving this Notice. If you do not object to the Panel within 14 days, this Panel will conduct the hearing.

Postponing the Hearing

If you are not available on the date set for the hearing you can apply to the Panel for a new date. Contact the lawyer for the Registrar and the Hearings Administrator as soon as possible if you need a new date.

Dated at Calgary, Alberta, on September 22, 2026.
(date)

"Signature"

Warren Martinson, Registrar
of the Real Estate Council of Alberta

Contact Information

Hearings Administrator:	Administrator for Counsel for the Registrar:
Email: hearingsadmin@reca.ca	Email: conductadmin@reca.ca
Fax: 403 228 3065	Fax: 403 228 3065
Direct: 403 685 7913	Direct: 403 685 7944
Toll Free: 1 888 425 2754	Toll Free: 1 888 425 2754
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Citation 2026 ABRECA 37
Decision Date June 22, 2026

THE REAL ESTATE COUNCIL OF ALBERTA

File No	MMS-03608
Process	Disposition by Registrar section 39 & 83 of the Real Estate Act
Name	Mark Barron Wilbert
License	Real Estate Associate
Industry Council	Commercial Real Estate Broker & Commercial Property Manager
Conduct Brokerage	Canadian Independent Realty Ltd. O/A CIR Realty
Current Brokerage	Canadian Independent Realty Ltd. O/A CIR Realty
Document	ADMINISTRATIVE PENALTY
Penalty	\$4,000
Decision Date	June 22, 2026

TO: Mark Barron Wilbert

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 42(a) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 42 – *Licensees 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

Particulars of the contravention(s):

1. In or around April 2024, your conduct was reckless and misleading, contrary to section 42(a) of the *Real Estate Act Rules*:
 - a) On February 1st, 2024, you listed the multi-unit property located at [ADDRESS], (Property) on MLS.
 - b) On or around March 18th, 2024, before an offer was submitted, [A.K], a representative of an interested buyer, text messaged you and asked if the Property was a part of Edmonton's Safe Housing program (Safe Housing). You replied and stated the Property was "not part of safe housing."
 - c) You stated at the time you believed the Property was not a part of Safe Housing based on information provided by the Seller.

- d) On April 6th, 2024, a Commercial Purchase Contract was entered between your client and [A.K.]’s buyer client.
- e) On April 17th, 2024, the Buyer emailed a list of questions to [A.K.], including a request for “confirmation that all units are legal and NOT a Safe Housing program property.” [A.K.] forwarded this email directly to you.
- f) The same day, you copied and pasted the list of questions to [C.F.], the property manager at the time. [C.F.] confirmed the Property was a part of Safe Housing.
- g) You stated you contacted [A.K.] over the phone immediately after becoming aware of the program status to inform him of this correction. There was no information provided that confirmed [A.K.] was contacted or informed of the program status.
- h) On April 18th, 2024, you replied to [A.K.]’s email with the list of questions, including the request for confirmation that the Property was not a part of Safe Housing. You confirmed all units were legal suites, however, you did not confirm the Property was part of Safe Housing. This was reckless conduct. At the time you sent this email, you were aware the Property was part of Safe Housing. You had made a previous representation stating the property was not part of Safe Housing which increased the importance of providing an accurate answer. You had an obligation to answer the question accurately and correct the previous inaccurate information you provided.
- i) The Buyer discovered after the transaction was completed the Property was a part of Safe Housing when a program coordinator contacted her to schedule a required inspection.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- You did not take responsibility for your conduct.
- The Buyer indicated they would not have moved forward with the purchase had they been made aware the Property was part of the Safe Housing program.

Appeal

You have the right to appeal this Administrative Penalty to a Hearing Panel. Make sure to read the following important information if you intend to appeal

- **Section 83.1 of the *Real Estate Act***
- The attached Information Sheet and
- The *Hearing and Appeals Practice and Procedure Guidelines*

The Hearing and Appeals Practice and Procedure Guidelines are posted here:

<https://www.reca.ca/wp-content/uploads/2018/07/Hearing-and-Appeal-Practice-and-Procedures.pdf>

Read the following sections of the Guidelines relating to specific appeals:

- Part 8 for Penalty appeals

If you fail to take steps to initiate your appeal required by section 83.1, within 30 days of receiving this penalty you will lose your right to appeal.

Payment

This Penalty must be paid **within 30 days** of the date this Notice was issued.

If you fail to pay the Penalty the Registrar may commence collection under section 56 of the *Real Estate Act* and may suspend your licence under section 38.1 of the Rules.

On Payment of the Penalty

- You will have satisfied the Administrative Penalty and no further proceedings under Part 6 will be taken against you.
- You cannot be charged under section 81 of the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

Dated June 22, 2026, at Calgary, Alberta.

“Signature”

Warren Martinson, Registrar
Real Estate Council of Alberta

cc: [R.S], Real Estate Broker
CIR Realty