

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 010982
Name on Licence: [LICENSEE]
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: [BROKERAGE]
Process: Section 39 of the Real Estate Act
Document: LETTER OF REPRIMAND

TO: [LICENSEE]

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 53(a) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Section 53: A real estate associate broker and associate must:

(a) trade in real estate only in the name that appears on that individual's licence and in the name of the brokerage with which that individual is registered.

Particulars of the contravention(s):

1. In or around December 2020, you failed to advertise in the name of the brokerage you were registered with, contrary to section 53(a) of the *Real Estate Act Rules*:
 - a) Your Instagram account [ACCOUNT] did not clearly identify the name of your brokerage. The Instagram account had your branding at the top of the landing page. Your full brokerage name did not appear on the screen when you visit the Instagram account. A reasonable consumer would not be able to identify the brokerage when visiting the website.
 - b) When you were made aware of the error, you amended your advertisements to ensure the brokerage name was clearly identified.

Industry professionals must ensure their advertising clearly displays the name appearing on their licence and the brokerage they are registered with. The public must be able to identify an industry professional's name and brokerage so the public can verify they are dealing with is a licensed associate.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- There is a general need to deter this type of advertising in the industry. The public must be able to identify an industry professional's name and brokerage so the public can verify that who they are dealing with is licensed.

The Registrar will issue a more severe sanction for further similar instances of this conduct.

Appeal

You have the right to appeal this Letter of Reprimand to a Hearing Panel under **section 40.1(2) of the *Real Estate Act***. Please refer to Guides on RECA's website for more information on the appeal process.

In an appeal you will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel in relation to the contraventions alleged.

Your written notice of appeal must be received by the Registrar **within 30 days** of you receiving this Letter of Reprimand. If you have any questions regarding particulars or the appeal process, please contact:

Name: [C.S], Professional Conduct Review Officer
Email: [EMAIL]
Phone: 403.228.2954; Toll Free: 1.888.425.2754
Fax: 403.228.3065
Address: Real Estate Council of Alberta
Suite 202, 1506 11 Avenue SW
Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on April 15, 2021.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta

cc [LICENSEE]
[BROKERAGE]