

## THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011862  
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 July 2021, 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 Facebook page [ACCOUNT] did not clearly identify the name of your brokerage. The "About" section had your branding name, but your brokerage name was not displayed.
  - b) Your website [WEBSITE] did not clearly identify your name or your brokerage name. Your name and brokerage name are found at the bottom of the pages in small font. A reasonable consumer would not be able to easily identify the brokerage on your website page.

Licensees must ensure their advertising clearly displays the name appearing on their licence and the brokerage they are registered with. If a licensee is unsure about whether their advertising is compliant with the legislation, they should seek direction from their broker.

The Registrar considered the following aggravating and mitigating factors:

***Aggravating Factors***

- There is a need to deter this type of advertising in the industry. Consumers must be able to clearly identify a licensee's brokerage in all advertising.

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 October 28, 2021.

"Signature"

Charles Stevenson, Registrar  
Real Estate Council of Alberta

cc [BROKERAGE]