

May 8, 2018

June 4, 2018

Case Summaries

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Suspension



Case Summaries

Welcome to the Case Summaries monthly magazine - available on the first Monday of every month.

Inside you will find the summaries for all disciplinary decisions occurring at the Real Estate Council of Alberta (RECA) since the previous newsletter, including any suspensions and approved lifetime withdrawals from the industry.

RECA is authorized to carry out conduct proceedings under [Part 3](#) of the *Real Estate Act*.

To review RECA's Publication Guidelines, click [here](#).

For more information about the cases summarized in this publication, please click on the underlined blue heading at the start of each summary.

Letters of Reprimand

Khuin-Hoa "Ken" Wong,

Real estate associate, conduct occurred while registered with Canadian Royal Realty, Web-Pro Realty Ltd. & Residential One Real Estate. Currently registered with Urban-Realty.ca

- traded in real estate using a name that did not appear on that individual's licence and/or in the name of the brokerage with which the individual is registered (s. 53(a) of the *Real Estate Act Rules*)
- from June 1998 to September 2017, Mr. Wong traded in real estate using the name "Ken Wong", this name did not appear on Mr. Wong's licence
- in March 2018, Mr. Wong joined a new brokerage which made him aware that he could not trade using the name "Ken Wong"
- Mr. Wong made an application to RECA to use the name "Ken Wong"
- on March 21, 2018, RECA approved the use of "Ken Wong" when trading in real estate

Industry professionals must ensure that when they are trading in real estate that they are trading in the name that appears on their licence. A key aspect of consumer protection is consumers having the ability to search whether an industry professional is licensed. When an industry professional trades in real estate under a different name, consumers can't verify their licence status.

Letters of Reprimand

[Sharlene Loraine McKillop](#)

Real estate broker registered with Dream Industrial Management Corp.

- failure to immediately notify, in writing, the executive director [s.32 of the *Real Estate Act Rules*]

[Sarah Elizabeth Norton](#)

Real Estate Associate, conduct occurred while registered with Len T. Wong & Associates Inc. O/A Re/Max Len T. Wong & Associates Real Estate. Currently registered with Twin Oakes Real Estate 1993 Inc. O/A Re/Max House Of Real Estate

- failure to immediately notify, in writing, the executive director [s.40 of the *Real Estate Act Rules*]

Industry professionals, including brokerages, must immediately notify the executive director, in writing, when certain events occur. RECA defines immediately as “without delay,” and in the absence of extraordinary circumstances, written notification to the executive director should occur not more than five (5) days after the event in question.

Administrative Penalties

Prem Sagar Dave,

Real estate broker registered to Grey Power PD Realty Inc.

- failed to file brokerage accounting within three months of the fiscal year end [s. 91(4) of the *Real Estate Act Rules*]
- the brokerage year end was due on March 31, 2018
- RECA sent Mr. Dave six reminders to file the appropriate forms by March 31, 2018
- Mr. Dave filed the fiscal year end on April 4, 2018
- \$1,500

Aaron Winsor,

Real estate broker registered with Aaron Winsor o/a Race Real Estate

- failed to file brokerage accounting within three months of the fiscal year end [s. 91(4) of the *Real Estate Act Rules*]
- the brokerage year end was due on March 31, 2018
- RECA sent Mr. Winsor multiple email reminders to file the appropriate forms by March 31, 2018
- Mr. Winsor filed the fiscal year end on April 9, 2018
- \$1,500

A brokerage must file its accounting with Council no later than three months after the end of the brokerage's fiscal year. The brokers in these cases filed the forms after the deadline despite RECA sending numerous email reminders of the deadline.

Administrative Penalties

Yan Gong,

Real estate associate registered with Twin Oakes Real Estate 1993 Inc. o/a Re/Max House of Real Estate

- failed to immediately notify the Executive Director, in writing, of discipline issued against him by the local real estate board [s.40(1)(b) of the *Real Estate Act Rules*]
- the discipline was issued January 8, 2018 and the executive director was not notified until April 6, 2018
- \$1,000

Industry members must immediately notify, in writing, the executive director when certain events occur. In this case, the industry professional had a situation requiring notification occur four months before they notified the executive director. Immediately is defined as "without delay," and in the absence of extraordinary circumstances, written notification to the executive director should occur not more than five days after the event in question.

Diane Elaine Drew,

Not authorized

This administrative penalty has been withdrawn

- traded in real estate without a licence by way of advertising properties for rent, and offering property management services [s. 17(a) of the *Real Estate Act*]
- Ms. Drew is the director of Strategic Property Management Ltd.
- Ms. Drew advertised properties for rent on behalf of the property owners
- Ms. Drew sent a Request for Proposal & Management Proposal letter to a company's board of directors stating she collected monthly contributions, maintained operating and reserve fund bank accounts and reserve fund investments. Offering these services was trading in real estate and required a licence.
- Ms. Drew failed to co-operate with an investigation
- \$5,000

Unlicensed persons who provide services that require a licence put consumers at serious risk. Unlicensed persons do not have the required education or errors and omissions insurance, and consumers working with unlicensed persons do not receive protection under the Real Estate Assurance Fund.

Thomas Darrol Cowley – Real Estate Licence Suspended

On May 14, 2018, the Chair of the Real Estate Council of Alberta (RECA) suspended Thomas Darrol Cowley, real estate broker of Residential One Real Estate in Calgary.

RECA determined it is in the public interest to temporarily suspend Mr. Cowley. The suspension will continue until the conclusion of RECA disciplinary proceedings against him.

Mr. Cowley was most recently the real estate broker for Castlewealth Real Estate Corp. o/a Residential One Real Estate in Calgary.

2017-2018 Council Members

KRISTA BOLTON

Appointed from the public

BONNY CLARKE, CHAIR-ELECT

Appointed from non-AREA industry members

BOBBI DAWSON

Appointed from the boards outside of Calgary and Edmonton

AMINA DEIAB

Appointed from the public

RAMEY DEMIAN

Appointed from the industrial, commercial and investment real estate sector

BILL KIRK

Appointed from the Calgary Real Estate Board

BRIAN KLINGSPON, CHAIR

Appointed from the REALTORS® Association of Edmonton

PHIL MCDOWELL

Appointed from the mortgage brokerage sector

STAN MILLS

Appointed from the boards outside of Calgary and Edmonton

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Appointed from residential real estate industry members

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Case Summaries are published by the Real Estate Council of Alberta.

Please forward any questions regarding the content of Case Summaries, or any questions regarding licensing or mandatory education, to info@reca.ca



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