

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 008369
Process: Section 39 of the *Real Estate Act*
Industry Member: Donald Stewart Leard
Authorization: Real Estate Associate
Registration: Greater Calgary Real Estate Services Inc.
Document: LETTER OF REPRIMAND

TO: Donald Stewart Leard

The Executive Director of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 41(b) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 41 – *Industry members must:*

(b) provide competent service

Particulars of the contravention(s):

1. In or around March, 2018, you failed to provide competent service, contrary to section 41(b) of the *Real Estate Act Rules*:
 - a) You represented that the property located at [{"address"}], had an above ground size of 1075 ft².
 - b) You measured the property, but failed to record the measurements accurately.
 - c) You failed to represent the property according to RMS guidelines.

The Executive Director considered the following mitigating factors:

Mitigating Factors

- You took responsibility for your actions

You must competently measure properties according to RMS guidelines. The Executive Director 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 Executive Director **within 30 days** of you receiving this Letter of Reprimand. If you have any questions regarding particulars or the appeal process, please contact:

Name: CS, Professional Conduct Review Officer
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 11, 2018.

Charles Stevenson, for
Bob Myroniuk, Executive Director
of the Real Estate Council of Alberta

cc: Sandra Rafferty, Broker
Greater Calgary Real Estate Services Inc.