

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 008460
Process: Section 39 of the *Real Estate Act*
Industry Member: Donald Joseph Burton
Authorization: Real Estate Broker
Registration: Strathallen Property Management Inc.
Document: LETTER OF REPRIMAND

TO: Donald Joseph Burton

The Executive Director of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 32(g) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 32– A brokerage must immediately notify the executive director in writing of:

(g) a change in the directors, officers or shareholders of a corporation if the brokerage is a corporation.

Particulars of the contravention(s):

1. In or around January, and May, 2018, you failed to notify the executive director in writing of changes to the shareholders and directors for the corporation, contrary to section 32(g) of the *Real Estate Act Rules*:
 - a) On January 1, 2018, January 22, 2018, and May 15, 2018, Strathallen Property Management Inc. had a change in shareholders, directors, and office structure. You were the broker at the time and were responsible for ensuring the brokerage met its notification obligations.
 - b) On August 10, 2018, you notified RECA of the shareholder and director changes. This was a failure to immediately notify RECA of the change.

The Executive Director considered the following aggravating and mitigating factors:

Mitigating Factors

- You took responsibility for your actions

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 November 19, 2018.

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