

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 009419
Process: Section 39 & 83 of the *Real Estate Act*
Industry Member: Shamon Kureshi
Authorization: Real Estate Broker
Registration: Hope Street Real Estate Corp.
Document: ADMINISTRATIVE PENALTY
Penalty: \$1,500.00

Payment

This Penalty must be paid **within 30 days** of the date this Notice was issued.

If you fail to pay the Penalty the Executive Director may commence collection under Part 6 of the *Real Estate Act* and may suspend your authorization under section 38.1 of the Rules.

If you pay the Penalty

- You will have satisfied the Administrative Penalty and no further proceedings under Part 6 will be taken against you.
- You cannot be charged under the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

TO: Shamon Kureshi

The Executive Director of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 46(2) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 46(2) – An industry member must not delegate, assign, request, direct or in any way allow an unlicensed or unregistered assistant to perform tasks that must only be performed by an industry member.

Particulars of the contravention(s):

1. In or around August 2019, you allowed an unlicensed assistant to perform tasks that can only be performed by an industry member, contrary to section 46(d) of the *Real Estate Act Rules*:

- (a) In August 2019, DD, an unlicensed assistant for Hope Street Real Estate Corp., was showing properties to prospective tenants at the property located at [{"Address"}], Cochrane. Showing properties to prospective tenants requires a real estate licence.
- (b) You did not believe this was a task which required authorization.

The Executive Director considered the following aggravating and mitigating factors:

Aggravating Factors

- Brokers play an important leadership role in the brokerage and must understand what activities require a licence.

Appeal

You have the right to appeal this Administrative Penalty to a Hearing Panel. See **section 83.1 of the *Real Estate Act*** for what you must do to appeal.

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 comply with section 83.1 and must be received by the Executive Director **within 30 days** of you receiving this Administrative Penalty.

If you appeal, payment of the Penalty will not be required until an order to pay a penalty is issued by the Hearing Panel.

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 March 16, 2020.

Charles Stevenson for
Warren Martinson, Acting Executive Director
of the Real Estate Council of Alberta