

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 010121
Process: Section 39 & 83 of the *Real Estate Act*
Industry Member: Alexandre Sazanovitch
Authorization: Real Estate Associate
Registration: Canadian Independent Realty Ltd O/A CIR
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: Alexandre Sazanovitch

The Executive Director of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 42(g) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 42 – *Industry members must not:*

(g) engage in conduct that undermines public confidence in the industry, harms the integrity of the industry, or brings the industry into disrepute.

Particulars of the contravention(s):

1. In November 2019, you engaged in conduct that undermined public confidence in the industry, harmed the integrity of the industry, or brought the industry into disrepute, contrary to section 42(g) of the *Real Estate Act Rules*:

- a) November 30, 2019, you attended the property located at [ADDRESS], Calgary, to view it. The property was vacant.
- b) During the viewing, you recorded a video of the property and made negative remarks about it. You posted the video on your Youtube channel.
- c) You did not have the property owner's permission to video and advertise the property in this manner. This conduct was not professional and undermined public confidence in the industry.

RECA's Good Character Policy defines professionalism as a standard expected of industry professionals. Appraisers may attend properties unsupervised to perform an appraisal. Consumers must trust that their property and belongings will be treated with respect and all inspection of property and belongings is consistent with the scope of services being provided.

The Executive Director considered the following aggravating and mitigating factors:

Aggravating Factors

- There is a need for general deterrence of this conduct. Consumers are vulnerable when industry professionals are in their property unsupervised
- This conduct could have negatively impacted the home owner.

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: [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 November 4, 2020.

[C.S]

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

cc [S.P], Broker
CIR Realty