Case:	010094
Process:	Section 39 & 83 of the *Real Estate Act*
Industry Member:	Khaleel Ur Bhatti
Authorization:	Real Estate Associate
Registration:	Premiere Realty Ltd O/A Premiere Realty Direct
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: Khaleel Ur Bhatti

The Executive Director of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 54(1)(d) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

54(1)   A real estate broker, associate broker or associate, as the case may be, must not:

(d) directly or indirectly, advertise, communicate or offer to any person an incentive except an incentive that is provided by and on behalf of the brokerage with which he is registered;

Particulars of the contravention(s):

1. In or around February 2020, you advertised a personal incentive contrary to section 54(1)(d) of the *Real Estate Act* Rules:
    a) You posted an advertisement to a private Chestermere group and on your Facebook page which stated: "Save Thousands. List Your Property For Just $999." This was a personal incentive. It was not a brokerage offered incentive. This was a breach of the legislation.
    b) Your brokerage policy states: "All advertising must be approved by the Company before your placement or use." This advertisement was not compliant with your brokerage policy.

Only a brokerage can advertise incentives to the public. Industry professionals must not directly or indirectly, advertise, communicate or offer to any person their own incentives whose sole purpose is to attract business to them personally. An "incentive" is anything a brokerage advertises, communicates or offers to the public to attract business. Examples of incentives include travel miles, gifts, contests, gift certificates, games of chance or anything else of value. A brokerage incentive must be available to all clients or potential clients of a brokerage.

The Executive Director considered the following aggravating and mitigating factors:

Aggravating Factors

-   You failed to follow brokerage policy that specifically prohibits a personal incentive and failed to get brokerage approval for the advertising.

-   RECA has received numerous complaints about personal incentives. RECA must send a message to deter this misconduct.

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 October 30, 2020.

_____[C.S]_____
Charles Stevenson, Acting Executive Director
of the Real Estate Council of Alberta

cc [W.T], Broker
   Premiere Realty Direct