

## THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 010970  
Name on Licence: Lindsey Michele Forget  
Licence Type & Class: Real Estate Associate  
Brokerage Name on Licence: Royal LePage Network Realty Corp.  
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY  
Penalty: \$1,500

### Payment

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

**If you fail to pay the Penalty** the Registrar may commence collection under Part 6 of the *Real Estate Act* and may suspend your licence 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: Lindsey Michele Forget**

The Registrar 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 December 2020, you advertised a personal incentive contrary to section 54(1)(d) of the *Real Estate Act* Rules:
  - a) You posted an advertisement on your Facebook account located at lindseyforgetrealestate that stated "There's a New Superhero's in town!! I'm excited to get to announce that I've come together with my friends and fellow business owners Lindsey Forget: Royal Lepage Network Realty & Cornerstone Flooring & Renovations to bring you "Your Purchase Plus Improvements Power Team"!!! Use all three of our services when you Purchase a Home that Needs Improvements & Receive a \$500 Renovation Credit"
  - b) This incentive was not approved or authorized by your Broker.

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 Registrar considered the following aggravating and mitigating factors:

#### ***Aggravating Factors***

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

#### ***Mitigating Factors***

- Once you were alerted to this advertised incentive it was deleted from your Facebook account.

### **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 Registrar **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: [B.T], 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 April 15, 2021.

"Signature"

Charles Stevenson, Registrar  
Real Estate Council of Alberta

cc. [C.J], Real Estate Broker  
Royal LePage Network Realty Corp.