

## THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011435  
Person: Richard Thomson  
Licence Type & Class: Not licensed  
Process: Section 83 of the *Real Estate Act*  
Document: ADMINISTRATIVE PENALTY  
Penalty: \$1,000.00

### Payment

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

**If you fail to pay the Penalty** the Registrar may commence collection under Part 6 of the *Real Estate Act*.

### 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:

The Registrar of the Real Estate Council of Alberta (RECA) is of the opinion you have contravened **section 17(a) of the *Real Estate Act***.

### Section 17 - Licence Required

*17 No person shall*

*(a) trade in real estate as a real estate broker,*

*(b) deal as a mortgage broker,*

*(c) act as a property manager, or*

*(d) advertise himself or herself as, or in any way hold himself or herself out as, a mortgage broker, real estate broker or property manager*

*unless that person holds the appropriate licence or that purpose issued by the Industry Council.*

## Particulars of the contravention(s):

1. In or around January 2021, you held yourself out as a property manager, contrary to section 17(a) of the *Real Estate Act*:
  - a) In January 2021, on your Facebook page, you advertised properties for rent on behalf of owners. You were advertising using the company Forefront Properties Inc. You are a Director of Forefront Properties Inc.
  - b) You collected rents and advertised properties for rent on behalf of an owner. These are activities which required a licence.
  - c) You believed you were licensed to act as a property manager because you completed some RECA education.

The Registrar considered the following aggravating and mitigating factors:

### *Aggravating Factors*

- You commenced taking the licensing program with RECA. The course discussed what the next steps were in the licensing process. There were also instructions on RECA's website on how to become licensed.

The Registrar expects you to take prompt action in removing any current advertising of services that require a licence until such time that you are licensed with RECA.

The Registrar will not treat further similar instances of this conduct leniently.

### **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: [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 April 15, 2021.

“Signature”

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Charles Stevenson, Registrar  
Real Estate Council of Alberta