

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 010107
Person: David Michael Storoschuk
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: Northern Lights Realty Ltd. o/a Royal LePage
Northern Lights Realty
Process: Section 83 of the *Real Estate Act*
Document: ADMINISTRATIVE PENALTY
Penalty: \$2500.00

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: David Michael Storoschuk

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***.

Rule at time of conduct:

Section 17 – Authorization Required

17 *No person shall*

*(a : trade in real estate as a real estate broker, unless that person has the appropriate
/ authorization for that purpose issued by Council*

Particulars of the contravention(s):

1. From January 20, 2020 through February 26, 2020, you were dealing in commercial real estate without a licence, contrary to section 17(a) of the *Real Estate Act*.

- a) In and around the week of January 2020, you contacted [U.S] ("the Buyer"), to arrange to show her a "pocket listing" that would meet her needs in opening a day care.
- b) In and around the week of January 2020, you drove the Buyer and her assistant to a commercial property, the [ADDRESS] ("the Property").
- c) In and around the week of January 2020, you contacted Matthew Lorree, RE/MAX Bonnyville Realty ("Loree") via telephone in the property parking lot, as you believed he would be listing the property. You were advised that the property was not listed at this time; however Loree was already dealing with a potential purchaser.
- d) In and around the week of January 2020, you entered the property and spoke with the secretary. You arranged to have her show the property to the buyers. You advised the Secretary you were in contact with Lorree and he told you that the property might be for sale.
- e) From January 2020, through February 2020, you were in contact with the Buyer to discuss and provide commercial listings for them.
- f) At the time of conduct, you were a real estate associate with license sectors of residential and rural. You were not licensed to practice commercial real estate.

Aggravating Factors

- You had taken the commercial real estate course. You ought to have known what activities required a commercial real estate license.
- The need for general deterrence is high. Unlicensed activity puts consumers at risk

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: [H.C], 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 June 23, 2021.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta

cc. [G.S], Real Estate Broker
Royal LePage Northern Lights Realty