

July 14, 2021

To: Mr. Warren Constantine Phipps
Via Email

Dear Mr. Phipps,

Real Estate Council of Alberta
Suite 202, 1506 11 Avenue SW
Calgary, Alberta T3C 0M9

E info@reca.ca
T (403) 228-2954
TF (888) 425-2754
F (403) 228-3065

RE: WITHDRAWAL APPLICATION APPROVED – s.54 REAL ESTATE ACT

On July 14, 2021, the Residential Property Manager Industry Council of the Real Estate Council of Alberta approved your application dated July 5, 2021, under section 54 of the *Real Estate Act* (the "Act") to permanently withdraw as a licensee under the Act, effective immediately.

As a result of complaints, a number of investigations were commenced into your conduct. The issues currently under investigation are with respect to:

- real estate trust account shortages;
- trust rule violations;
- missing net-rent payments;
- misleading representations;
- failure to provide competent service; and
- practicing without proper authorization.

You were previously formally notified these reviews were opened in accordance with Part 3 of the Act and the corresponding *Real Estate Act* Rules.

At this time, the Part 3 proceedings are not complete and no findings of conduct deserving of sanction have been made.

Section 54(4) of the *Real Estate Act* states the Industry Council must not approve a s.54 application "if, in the opinion of the Industry Council, allegations of fraud or criminal activity have been made against the licensee, and those allegations warrant an investigation.". At the time of your application, based on our investigations to date, the Industry Council is satisfied there is insufficient evidence of fraud or criminal activity.

Accordingly, section 54(4) is not a barrier to the Industry Council approving this application.

Under the Act, the approved withdrawal application results in your lifetime prohibition as a licensee with immediate effect. It also results in the discontinuation of the aforementioned conduct proceedings.

If you have questions, please contact Charles Stevenson, Registrar.

Yours truly,

Don Newell, Chair
Residential Property Manager Industry Council of the
Real Estate Council of Alberta