

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011536
Name on Licence: Heather Dawn Ryan
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: Rose Country Realty Ltd. O/A Royal LePage Rose
Country Realty
Process: Section 39 & 83 of the *Real Estate Act*
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 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: Heather Dawn Ryan

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 53(c)(i) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

Rule 53(c)(i) – *A real estate associate broker and associate must: provide to the broker in a timely manner all original documentation and copies of original documents provided to the parties or maintained by other brokerages: related to a trade in real estate*

Particulars of the contravention(s):

In or around March 2021, you failed to provide to your broker, in a timely manner, all original documentation and copies of original documents provided to the parties related to a trade in real estate, contrary to section 53(c)(i) of the *Real Estate Act* Rules:

- a) During March 2021, you listed the property located at [ADDRESS]. This was a property that you owned.
- b) March 30, 2021, a Residential Purchase Contract was presented to you by the Buyers. You accepted the offer.
- c) Your brokerage had a policy that all documents for a trade, whether personal or not, were to be submitted to the brokerage. You stated you were unaware that you were required to provide the brokerage with this documentation for a personal trade.
- d) The documentation has not been provided to the brokerage to date.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- You failed to follow brokerage policy stating that all transaction documents are to be provided to the brokerage. This applied to personal trades.

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 September 13, 2021.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta

cc [A.C], Real Estate Broker
Royal LePage Rose Country Realty