

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 012119  
Name on Licence: Kile George Meiklejohn  
Licence Type & Class: Real Estate Associate  
Brokerage Name on Licence: EXP REALTY OF CANADA INC O/A EXP 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: Kile George Meiklejohn**

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 41(b) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

Rule 41 – *Licensees must:*

*(b) provide competent service*

## Particulars of the contravention(s):

1. In or around September 2021, you failed provide competent service, contrary to section 41(b) of the *Real Estate Act* Rules:
  - a) You were representing buyers interested in viewing the property located at [ADDRESS].
  - b) The listing associate told you masks were to be worn by all parties as part of the protocols.
  - c) On September 22, 2021, you had permission to bring your buyers to view the property.
  - d) Nobody wore masks when you entered the property. You forgot your mask and the Buyers did not have masks with them. You were aware that masks were required but proceeded to enter the property anyway. This was a failure to exercise reasonable care and skill when a property was under your care and control.
  - e) The tenant residing in the property notified the listing associate you weren't wearing a mask. The listing associate contacted you and asked you to leave the property and then came to the property to provide you with masks so you could complete the showing.

The Registrar considered the following aggravating and mitigating factors:

### *Aggravating Factors*

- RECA has received multiple complaints from sellers about licensees failing to follow seller requirements or brokerage expectations when accessing or viewing a property. We must deter this conduct.

### **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 November 25, 2021.

“Signature”

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Charles Stevenson, Registrar  
Real Estate Council of Alberta

cc [W.I], Real Estate Broker  
EXP Realty