

## THE REAL ESTATE COUNCIL OF ALBERTA

Case number: 012368.001

Process: Licence Refusal

Document: Summary

The Registrar initially granted a licence to the Applicant. Upon becoming aware and reviewing the Applicant's criminal conviction, the Registrar reconsidered the decision to grant a licence, and refused to licence the Applicant.

The Applicant intentionally provided false and misleading information to the Registrar when applying for their licence on two separate applications. The Applicant did not correct this false information with the Registrar for a period of approximately three years after becoming aware of the criminal charges, conviction, and sentencing, despite being under an obligation to do so.

The Applicant committed a significant intentional and deceptive financial crime against a vulnerable victim. The Applicant then engaged in deception towards the regulator for a period of three years. This period of time included providing intentionally false information on applications on two occasions, and being licensed while serving a criminal sentence. The Applicant thereby brought the industry into disrepute, demonstrated a lack of honesty, and demonstrated an unwillingness to abide by the rules of the profession. The Applicant demonstrated they are not trustworthy to the high degree required of a real estate professional. The public deserves to have confidence that any member RECA licences is of unquestioned integrity and the applicant is not of unquestioned integrity. The Registrar therefore found that to licence the Applicant would bring the industry into disrepute, harm the integrity of the industry, and not be in the public interest. The evidence and submissions provided by the Applicant were insufficient to displace this finding.

The Registrar also found that the Applicant was not of good character. The Applicant's criminal conduct and subsequent protracted dishonesty demonstrate a lack of good character. Most of the evidence provided by the Applicant which demonstrated rehabilitation and good character occurred during the time period when the Applicant was still being dishonest with the regulator; the Applicant cannot show good character and rehabilitation for dishonesty while still being dishonest. The Applicant's conduct did not demonstrate a respect for the rule of law, honesty, or integrity. The Applicant's character reference and history of good character was insufficient to displace this finding. Insufficient time had passed since the Applicant's conduct to demonstrate good character going forward.