

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 011525
Name on Licence: Brianne Lee Doucet
Licence Type & Class: Former Mortgage Associate
Brokerage Name on Licence: Not currently licensed
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$10,000 (see Schedule 2 of the Bylaws)

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: Brianne Lee Doucet

The Registrar of the Real Estate Council of Alberta (RECA) is of the opinion you have contravened section 38(4)(a) of the *Real Estate Act*:

Section 38 – Investigation

38(2) A person conducting an investigation may by notice in writing demand that any person produce to the investigator any

(a) books, documents, records and other things in that person's possession or under that person's control that are relevant to the investigation,

(b) demand that any person answer any questions that are relevant to the investigation,

38(4) A person who is required under subsection (2) to answer the questions of a person conducting an investigation

(a) shall co-operate with the investigator and promptly respond to the questions

Particulars of the contravention(s):

1. From May 2021 to May 2022, you failed to cooperate with an investigator and answer questions, contrary to section 38(4)(a) of the *Real Estate Act* Rules:
 - a) In May 2020, an investigation was opened into your conduct as a licensee. The allegations raised serious issues of fraud.
 - b) Numerous attempts have been made to contact you by email, phone, and registered mail.
 - c) On May 19, 2022, a demand for information was sent to your business address. That demand made clear that failing to cooperate may lead to an Administrative Penalty. That demand had a deadline of June 10, 2022. You did not provide the requested information.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- The allegations are serious and involve fraud. There must be general deterrence of this type of conduct. RECA's ability to effectively investigate complaints depends on cooperation from witnesses.

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: [J.P], Investigations Manager
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 July 25, 2022.

"Signature"

Charles Stevenson, Registrar
Real Estate Council of Alberta