

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 012279  
Name on License: Christopher Michael Jochem  
License Type & Class: Real Estate Associate  
Brokerage Name on License: Braemore Management Ltd.  
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY  
Penalty: \$1,500

**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 license 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: Christopher Michael Jochem**

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 80.7 (3) of the *Real Estate Act Rules***, and this is conduct deserving of sanction.

**Sec 80.7 (3)** *A licensee shall not provide any services to the client or potential client in a property management service in which the licensee has, or will have, a conflict of interest without receiving the written and informed consent of the client.*

## Particulars of the contravention(s):

1. In or around August 2021 you failed to disclose to your client, [B.T], at the earliest practical opportunity, any conflict of interest that you may have in the course of providing Property Management services. contrary to section 80.7 (3) of the *Real Estate Act* Rules:
  - a) You were managing [ADDRESS] (Property) on behalf of your client [B.T].
  - b) In September 2021, you entered into a Residential Lease Agreement for Property to rent the Property to yourself. This was a conflict of interest. You did not disclose this conflict of interest to [B.T].
  - c) The previous rent for this Property had been \$1,400/month. You leased the property to yourself at \$1,325/month for two months.
  - d) You performed the move-in inspection of the Property. At this time [B.T] found out you were renting the Property.

The Registrar considered the following aggravating and mitigating factors:

### *Aggravating Factors*

- This was serious conflict of interest
- You personally benefited at your client's expense by reducing the rent of the Property.

### *Mitigating Factors*

- Prior to being notified of the investigation, you paid [B.T] \$400 to offset his concerns.

### **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.C], Investigator  
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 August 18, 2022.

**"Signature"**

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Charles Stevenson, Registrar  
Real Estate Council of Alberta

cc. [M.H], Real Estate Broker  
Braemore Management Ltd.