

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 012993
Name on Licence: Matea Hermana Pratt
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: 1020890 Alberta Ltd o/a Royal LePage Lifestyles 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: Matea Hermana Pratt

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 April 2022 you failed to provide competent service, contrary to section 41(b) of the *Real Estate Act* Rules:
 - a) April 19, 2022, you had permission for a property inspector to access a property and complete an inspection for your Buyer clients. The expectation was you would be present at the property during the inspection.
 - b) The inspector attended the property alone. Shortly after, your Buyer client attended the property and spoke with the inspector about some issues.
 - c) You did not attend the property at all during the inspection. You did not ask the seller or their agent for permission not to attend the inspection and to leave the inspector alone in the property. This was a failure to provide competent service.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- Your brokerage had a clear policy that written consent was required to allow unaccompanied access to a property.

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], 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 October 6, 2022.

“Signature”

Warren Martinson, Registrar
Real Estate Council of Alberta

cc [M.G], Real Estate Broker
Royal LePage Lifestyles Realty