

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 003507-CM  
Name on Licence: Anna Trojanowicz  
Licence Sector and Class: Real Estate Associate  
Current Brokerage: Century 21 All Stars Realty Ltd  
Conduct Brokerage: Century 21 Platinum Realty Inc. o/a Century 21  
Platinum Realty, 1572162 Alberta Ltd. o/a  
Century 21 Platinum Realty; 921325 Alberta  
Limited o/a Century 21 Platinum Realty  
Process: A Hearing under Part 3 of the *Real Estate Act*

NOTICE OF HEARING

TO: Anna Trojanowicz

A hearing is set to review allegations about your conduct. Read this entire document to see what you must do.

Hearing Information

Date: Tuesday, December 20, 2022  
Time: 9:30 a.m.  
Venue: Virtual Hearing  
Hearing Panel: [A.B]  
[J.M]  
[L.M]  
(Alternates: [K.K], [G.P], [W.R])  
Counsel to the Panel – N/A

It is alleged that your conduct is deserving of sanction for breaching sections of the *Act* or Rules. Here are the details:

1. Ms. Trojanowicz did not provide competent service, contrary to s. 41(b) of the Real Estate Act Rules:
  - a. She involved herself in the creation of trade records by filling in parts of the forms and allowing [W.B] to add to the forms she partially filled in.
  - b. She faxed forms she knew or should have known were filled with errors and omissions to [M.C] with no explanation or instructions.
  - c. She faxed forms which were confusing, not legally binding and not applicable to a sale between [W.B] and [M.C] without any explanation.
  - d. She faxed an Individual Identification form to [M.C] seeking her date of birth and driver license number without justification.
  
2. Ms. Trojanowicz failed to ensure her role was clearly understood by third parties, contrary to s. 41(e) of the Real Estate Act Rules:
  - a. She communicated with her long-time friend advising that units were available from [W.B].
  - b. She represented the purchase price for the units were a "great deal".
  - c. She faxed trade forms to [M.C] for the purpose of purchasing of units in the property.
  - d. She faxed trade forms to [M.C] which related to agency by a brokerage which were confusing and not applicable.
  - e. This conduct misled [M.C] to believe that Ms. Trojanowicz was acting as her agent.
  - f. Ms. Trojanowicz never clearly explained to [M.C] that she was not her agent, that she was assisting [W.B] and that she was also interested in purchasing units in the property

## Virtual Hearings

Hearings at RECA are conducted virtually. The Hearing Administrator will provide you with the Guide to Virtual Hearings and you will receive help in participating in the virtual process.

## Why You Should Attend the Hearing

The hearing is your opportunity to respond to the allegations and state your side of the case in front of the Panel.

## Learn About the Hearing Process

Please read these guides on the RECA website <https://www.reca.ca/complaints-discipline/hearings-information-procedures/>

- *Hearing and Appeal Practice and Procedures Guidelines and*
- *How to Represent Yourself at a Real Estate Council of Alberta Hearing or Appeal*
- *RECA Self-Represented Program*

## Before the Hearing

You will receive full disclosure of all evidence gathered by the Registrar relevant to the allegations in this Notice of Hearing for your review. This disclosure is for use in the conduct proceedings only and you may not use it for any other purpose.

You are also invited to meeting with Counsel for the Registrar prior to the hearing to consider entering agreement on non-contested matters such as:

- An admission of conduct deserving of sanction
- An agreement on facts
- An agreement on breaches
- An agreement on a finding of conduct deserving of sanction
- An agreement on sanction and/or costs.

Admissions or agreements can reduce the time and costs of the hearing.

### **What You Should Bring to the Hearing**

Bring any witnesses and evidence you want the Panel to consider, with you to the hearing.

### **What Will Happen If You Don't Attend**

If you do not attend the Panel may proceed to make a decision without you.

### **What Will Happen At the Hearing**

After hearing all evidence and argument the Panel will decide whether the Registrar has proven any of the breaches. If no breach is proven you will face no sanction.

If the Panel finds a breach is proven the Panel may do one or more of the things listed in **section 43** of the *Real Estate Act*:

- Cancel or suspend your authorization
- Order you to pay a fine for each breach
- Order you to pay the cost of the investigation and the hearing
- Order you to complete an education course

### **Submitting Written Arguments After the Evidence**

You can ask the Panel to allow you to provide written arguments at the end of presentation of evidence. The Panel will give directions on how this may be done.

### **You Can Get Legal Advice**

You may get legal advice and may be represented by legal counsel at the hearing. If you do not have a representative please read information for unrepresented Licensees here:

<https://www.reca.ca/complaints-discipline/hearings-information-procedures/>

### If You Object to a Panel Member

Please review who is on the Panel. If you object to any of the people being on the Panel, you must advise the Hearings Administrator **who you object to and why within 14 days** of receiving this Notice.

If you do not object to the Panel within 14 days, this Panel will conduct the hearing.

### Postponing the Hearing

If you are not available on the date set for the hearing you can apply to the Panel for a new date. Contact the lawyer for the Registrar and the Hearings Administrator as soon as possible if you need a new date.

Dated at Calgary, Alberta, on November 28, 2022.  
(date)

### "Signature"

Warren Martinson, Registrar  
Real Estate Council of Alberta

### Contact Information:

Hearings Administrator:	Administrator for Counsel for the Registrar:
Email: <a href="mailto:hearingsadmin@reca.ca">hearingsadmin@reca.ca</a>	Email: <a href="mailto:conductadmin@reca.ca">conductadmin@reca.ca</a>
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