

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 014300
Person: Rahmon Adegbola
Licence Type & Class: Not licensed
Process: Section 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1000.00 (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*.

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: Rahmon Adegbola

The Registrar of the Real Estate Council of Alberta (RECA) is of the opinion you have contravened **section 17(c) of the *Real Estate Act***.

Section 17 - Licence Required

17 No person shall

(a) trade in real estate as a real estate broker,

(b) deal as a mortgage broker,

(c) act as a property manager, or

(d) advertise himself or herself as, or in any way hold himself or herself out as, a mortgage broker, real estate broker or property manager

unless that person holds the appropriate licence for that purpose issued by the Industry Council.

Particulars of the contravention(s):

1. From February 2022 to March 2023, you acted as a property manager without the appropriate licence contrary to section 17(c) of the *Real Estate Act*:
 - a) In February 2022, you entered an agreement with the owner of [ADDRESS]. You agreed to provide services that required a licence for a fee, such as advertising the property for rent, signing rental agreements, and collecting rent. Offering these services to the owner required a licence.
 - b) In March 2022, you signed a lease on behalf of the owner with a tenant. This activity required a licence.
 - c) From March 2022 to February 2023, you collected rent from the tenant. This activity required a licence.
 - d) Around July 2022 you became aware that certain property management activities required a licence and enrolled in education required for licensing. At this point you were aware that the services you were providing the owner required a licence and continued to provide those services.
 - e) Services were terminated in March 2023.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- You became aware that certain property management services required a licence and continued providing those services.
- Unlicensed persons who provide services that require a licence put consumers at risk. Often, unlicensed persons do not have the required education or errors and omissions insurance. There must be general deterrence of unlicensed activity.

Mitigating Factors

- This was an isolated incident and you have ceased providing any services that require a licence.

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]
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Fax: 403.228.3065
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Suite 202, 1506 11 Avenue SW
Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on May 18, 2023.

“Signature”

Warren Martinson, Registrar
Real Estate Council of Alberta