

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: MMS-03278
Name on Licence: Anson Cheung
Licence Type & Class: Real Estate Broker
Brokerage Name on Licence: 178 Real Estate Inc.
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1500.00

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: Anson Cheung

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 51(1)(d) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

Rule 51(1)(d) A real estate broker must ensure the business of the brokerage is carried out competently and in accordance with the Act, Regulations, Rules and Bylaws.

Particulars of the contravention(s):

1. In or around May 2024, you failed to ensure the business of the brokerage was carried out competently in accordance with the Real Estate Act Rules, contrary to section 51(1)(d) of the *Real Estate Act Rules*:
 - a) In May 2023, you were sanctioned by the Registrar for breaching sec 91(4) of the Act, which requires a broker to submit the brokerages accounting records to the Council no later than 3 months after the brokerages fiscal year end.
 - b) On April 1, 2024, you were advised 3 months had passed since the brokerage's fiscal year end and you had failed to provide the accounting records for the brokerage. As broker, you failed to take the necessary steps to prevent the same issue from reoccurring.
 - c) Between April 1, 2024, and June 26, 2024, numerous reminders were sent to you as the broker to provide the accounting records. You failed to submit the required records.
 - d) On August 27, 2024, you submitted the accounting records as per your requirement. This date was 5 months after the brokerage's fiscal year end.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- RECA expects brokers to learn from past misconduct and take appropriate steps to avoid the same misconduct from happening again. Specific deterrence is required to prevent this issue from happening again.

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: [R.B], Senior Investigator
Email: [EMAIL]
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Issued at Calgary, Alberta, on March 10, 2025.

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta