

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 03696
Name on Licence: John William Wade
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: License Cancelled
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$5000 (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* 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: John William Wade

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **38(4)(a) of the *Real Estate Act***.

Section 38 – Investigation

38 (2) *A person conducting an investigation may by notice in writing demand that any person produce to the investigator any*

(a) books, documents, records and other things in that person's possession or under that persons' control that are relevant to the investigation.

(b) demand that any person answer any questions that are relevant to the investigation

38 (4) *A person who is required under subsection (2) to answer the questions of a person conducting an investigation*

(a) shall co-operate with the investigator and promptly respond to the questions.

Particulars of the contravention(s):

- a) RECA received a complaint that raised concerns about your conduct as a licensee. An investigator was assigned to investigate your conduct.
- b) On March 28, 2025, the investigator sent you a Notification of Investigation that requested information and documents. A response was required by April 21, 2025.
- c) On April 14, 2025, you responded that you were "not well" and could not respond as required.
- d) On April 16, 2025, the investigator asked you to provide clarification and supporting information as to why you could not answer the questions asked. To date you have not provided that information.
- e) On April 23, 2025, the investigator sent you a Notification of Failure to Cooperate with an Investigation that explained you had failed to cooperate with an investigation. This letter demanded you provide all outstanding information and documentation. This letter also provided the legislative authority of an investigator to demand this information and that you could be issued an Administrative Penalty for failing to cooperate. The response to this letter was due May 09, 2025.
- f) On May 09, 2025, you responded, however, you did not provide all requested information and documentation.
- g) On June 10, 2025, a Demand for Information was emailed to you, requesting further information. You had a deadline of June 24, 2025, to provide this information.
- h) On June 24, 2025, you responded, however you failed to provide requested information and documentation.
- i) On July 02, 2025, the investigator sent you a Notification of Failure to Cooperate with an Investigation that explained you had failed to cooperate with an investigation. This letter also provided the legislative authority of an investigator to demand this information and that you could be issued an Administrative Penalty for failing to cooperate. The response to this letter was due July 18, 2025.
- j) On July 18, 2025, you responded, however you did not provide the required information or documentation.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors

- The investigation involves serious allegations of misconduct. The investigation has been delayed as a result of your failure to provide critical information.

- There must be general deterrence of this type of conduct, RECA's ability to effectively investigate complaints depends on co-operation.
- You were provided with information regarding RECA's authority and obligation to co-operate, despite this, you failed to co-operate.

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: [H.C], Senior 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 14, 2025.

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta