

## THE REAL ESTATE COUNCIL OF ALBERTA

File No	MMS-03958
Process	Disposition by Registrar section 39 & 83 of the Real Estate Act
Name	Lee Fulton Berger
License	Real Estate Broker
Industry Council	Residential Real Estate Broker
Conduct Brokerage	2570972 Alberta Ltd. o/a Square 1 Property Management
Current Brokerage	2570972 Alberta Ltd. o/a Square 1 Property Management
Document	ADMINISTRATIVE PENALTY
Penalty	\$1,500
Decision Date	November 27, 2025

TO: Lee Fulton Berger

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 94(1) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

*Rule 91(4)– A brokerage's accounting shall be filed with the Council not later than 3 months after the end of the brokerage's fiscal year*

### Particulars of the contravention(s):

1. In or around March 2025, you failed to file your brokerage's fiscal year end accounting reports contrary to section 94(1) of the *Real Estate Act Rules*:
  - a) Your brokerage fiscal year end was December 31, 2024. The brokerage accounting forms were due on March 31, 2025. As broker, it was your responsibility to ensure the brokerage accounting forms were filed on time.
  - b) You were sent several reminders about the requirement to file the brokerage accounting forms and the deadline. Those reminders included clear instructions on what forms were required, a link to RECA's website that explained how to access the forms, and a warning that a failure to complete the forms by the deadline could result in an Administrative Penalty.
  - c) Your fiscal year end reports were received on November 14, 2025.

The Registrar considered the following aggravating factors:

### ***Aggravating Factors***

- You were sent several reminders that your reports were due.
- The reporting delay was several months.

### **Appeal**

You have the right to appeal this Administrative Penalty to a Hearing Panel. Make sure to read the following important information if you intend to appeal

- **Section 83.1 of the *Real Estate Act***
- The attached Information Sheet and
- *The Hearing and Appeals Practice and Procedure Guidelines*

The Hearing and Appeals Practice and Procedure Guidelines are posted here:

<https://www.reca.ca/wp-content/uploads/2018/07/Hearing-and-Appeal-Practice-and-Procedures.pdf>

Read the following sections of the Guidelines relating to specific appeals:

- Part 8 for Penalty appeals

**If you fail to take steps to initiate your appeal required by section 83.1, within 30 days of receiving this penalty you will lose your right to appeal.**

### **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 section 56 of the *Real Estate Act* and may suspend your licence under section 38.1 of the Rules.

### **On Payment of 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 section 81 of the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

Dated November 27, 2025, at Calgary, Alberta.

**“Signature”**

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Warren Martinson, Registrar  
Real Estate Council of Alberta