

## THE REAL ESTATE COUNCIL OF ALBERTA

File No	MMS-02532
Process	Disposition by Registrar section 39 & 83 of the Real Estate Act
Name	FirstService Residential Alberta Ltd.
License	Condominium Management Brokerage
Industry Council	Residential Property Manager
Document	ADMINISTRATIVE PENALTY
Penalty	\$2,500
Decision Date	December 16, 2025

### TO: FirstService Residential Alberta Ltd

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence of a contravention of **section 41(b) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

Rule 41 – *Licensees must:*

*(b) provide competent service*

### Particulars of the contravention(s):

1. In or around January–February 2024 the brokerage failed to provide competent service to their client, [CONDO CORP], contrary to section 41(b) of the *Real Estate Act* Rules:
  - a) FirstService Residential entered into a management agreement with [CONDO CORP]. FirstService Residential was to manage [CONDO CORP] located at [ADDRESS].
  - b) FirstService Residential was notified by the Condominium Board that they would not be renewing their management agreement when the current one expired on April 1, 2024.
  - c) FirstService Residential advised the Condominium Board that they would be ending the agreement on December 1, 2023. This decision would

require all documents and funds to be transferred to [CONDO CORP]'s incoming condominium manager within 30 days.

- d) FirstService Residential did not provide the funds to the incoming brokerage until February 7, 2024.
- e) FirstService Residential also failed to respond to communications sent by the Condominium Board in a timely manner. Requests from the Condominium Board regarding fines and warnings to unit owners went unanswered. Other requests for information from the Condominium Board were not responded to in a reasonable time period.

The Registrar considered the following aggravating and mitigating factors:

#### ***Aggravating Factors***

- The failure to return the Corporation's funds on time exposed the Corporation to risk that they could not meet their financial obligations.
- The failure to provide responses to the Condominium Board's request about bylaw fines and warnings collected and sent caused delays in dealing with issues identified by the Condominium Board.

#### ***Mitigating Factors***

- FirstService Residential have since altered their accounting procedures to reduce the risk of future similar incidents occurring.
- There was a large number of communications from the Condominium Board which increased the risk that responses were slow or missed.

#### **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 December 16, 2025, at Calgary, Alberta.

**"Signature"**

Warren Martinson, Registrar  
Real Estate Council of Alberta