THE REAL ESTATE COUNCIL OF ALBERTA

Case Number:	MMS-03373
Name on Licence:	Du Phuoc Chau
Licence Sector and Class:	Real Estate Associate
Current Brokerage	Currently not registered
Conduct Brokerage:	1981305 Alberta Ltd. o/a Century 21 Alta.
Process:	A Hearing under Part 3 of the *Real Estate Act*

NOTICE OF HEARING

TO: Du Phuoc Chau

A hearing is set to review allegations about your conduct. Read this entire document to see what you must do.

Hearing Information

Date:	Wednesday, December 2, 2026
Time:	9:30 a.m.
Venue:	Virtual Hearing via MS TEAMS
Hearing Panel:	[J.G] [C.R] [A.S] (Alternates: [M.B], [M.D])
Counsel to the Panel:	Rita Aggarwala

It is alleged that the following conduct is deserving of sanction:

1. Between August 3, 2023 and March 8, 2024, while registered as a real estate associate with 1981305 Alberta Ltd. o/a Century 21 Alta, you participated in fraudulent activities in connection with the provision of services, contrary to *Rule 42(b)* of the Real Estate Act Rules.

    a. You submitted, or caused to be submitted, ten commission advance applications to Capital Growth Financial Corporation containing false information.

    b. In the applications, you falsely represented that:

        i. the identified properties were the subject of real estate transactions in which you were acting as the licensee;
        ii. you were entitled to receive commissions from the transactions;
        iii. Century 21 Alta had approved the commission advances and authorized the commissions to be assigned to Capital Growth Financial Corporation; and
        iv. the brokerage approvals, signatures and supporting transaction documents provided with the applications were genuine and authorized.

    c. Capital Growth Financial Corporation relied on the false representations and advanced funds in relation to the following applications:

        i. on August 3, 2023, you submitted, or caused to be submitted, an application concerning [ADDRESS 1], resulting in an advance of $8,500;
        ii. on August 21, 2023, you submitted, or caused to be submitted, an application concerning [ADDRESS 2], resulting in an advance of $10,000;
        iii. on September 7, 2023, you submitted, or caused to be submitted, an application concerning [ADDRESS 3], resulting in an advance of $10,000;

iv. on October 2, 2023, you submitted, or caused to be submitted, an application concerning [ADDRESS 4], resulting in an advance of $10,000;
v. on October 30, 2023, you submitted, or caused to be submitted, an application concerning [ADDRESS 5], resulting in an advance of $11,908;
vi. on December 11, 2023, you submitted, or caused to be submitted, an application concerning [ADDRESS 6], resulting in an advance of $10,000;
vii. on January 23, 2024, you submitted, or caused to be submitted, an application concerning [ADDRESS 7], resulting in an advance of $9,000;
viii. on February 5, 2024, you submitted, or caused to be submitted, an application concerning [ADDRESS 8], resulting in an advance of $10,000;
ix. on February 23, 2024, you submitted, or caused to be submitted, an application concerning [ADDRESS 9], resulting in an advance of $11,500; and
x. on March 8, 2024, you submitted, or caused to be submitted, an application concerning [ADDRESS 10], resulting in an advance of $7,000.

d. The representations were false because you were not entitled to the commissions claimed, Century 21 Alta had not approved or authorized the commission advances, and the brokerage approvals and supporting transaction information were not genuine.

e. As a result of the false representations, Capital Growth Financial Corporation advanced a total of $97,908.

Virtual Hearings

Hearings at RECA are conducted virtually. The Hearing Administrator will provide you with the Guide to Virtual Hearings and you will receive help in participating in the virtual process.

Why You Should Attend the Hearing

The hearing is your opportunity to respond to the allegations and state your side of the case in front of the Panel.

Learn About the Hearing Process

Please read these guides on the RECA website:

- *Hearing and Appeal Practice and Procedures Guidelines and;* Hearing-and-Appeal-Practice-and-Procedures-1.pdf
- *How to Represent Yourself at a Real Estate Council of Alberta Hearing or Appeal* Guide-for-How-to-represent-Yourself-at-a-Hearing-or-Appeal.pdf

Before the Hearing

You will receive full disclosure of all evidence gathered by the Registrar relevant to the allegations in this Notice of Hearing for your review. This disclosure is for use in the conduct proceedings only and you may not use it for any other purpose.

You are also invited to meeting with Counsel for the Registrar prior to the hearing to consider entering agreement on non-contested matters such as:

- An admission of conduct deserving of sanction
- An agreement on facts
- An agreement on breaches
- An agreement on a finding of conduct deserving of sanction
- An agreement on sanction and/or costs.

Admissions or agreements can reduce the time and costs of the hearing.

What You Should Bring to the Hearing

Bring any witnesses and evidence you want the Panel to consider, with you to the hearing.

What Will Happen If You Don't Attend

If you do not attend the Panel may proceed to make a decision without you.

What Will Happen At the Hearing

After hearing all evidence and argument the Panel will decide whether the Registrar has proven any of the breaches. If no breach is proven you will face no sanction.

If the Panel finds a breach is proven the Panel may do one or more of the things listed in **section 43** of the *Real Estate Act*:

- Cancel or suspend your authorization
- Order you to pay a fine for each breach
- Order you to pay the cost of the investigation and the hearing
- Order you to complete an education course

Submitting Written Arguments After the Evidence

You can ask the Panel to allow you to provide written arguments at the end of presentation of evidence. The Panel will give directions on how this may be done.

You Can Get Legal Advice

You may get legal advice and may be represented by legal counsel at the hearing. If you do not have a representative, please read information for unrepresented Licensees here: Guide-for-How-to-represent-Yourself-at-a-Hearing-or-Appeal.pdf

If You Object to a Panel Member

Please review who is on the Panel. If you object to any of the people being on the Panel, you must advise the Hearings Administrator **who you object to and why within 14 days** of receiving this Notice. If you do not object to the Panel within 14 days, this Panel will conduct the hearing.

Postponing the Hearing

If you are not available on the date set for the hearing you can apply to the Panel for a new date. Contact the lawyer for the Registrar and the Hearings Administrator as soon as possible if you need a new date.

Dated at Calgary, Alberta, on October 5, 2026

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta

Contact Information:

Hearings Administrator:		Administrator for Counsel for the Registrar:	
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