

THE REAL ESTATE COUNCIL OF ALBERTA

Process: Section 34 Rules - Licence Refusal

Document: Summary

The individual applying for a real estate licence provided false and misleading information in support of their licensing application. The applicant stated that they had never been the subject of a criminal investigation or criminal proceedings, or charged with a criminal offence, or participated in the Alternative Measure Program, or found guilty or convicted of any offence under any law of any jurisdiction. The applicant had been charged under the Criminal Code of Canada with sexual assault – victim under 16 years of age, and sexual interference with child under 16 years. The applicant pled guilty to assault and was given a conditional discharge.

The Registrar found that the applicant was not of good character. The applicant's actions indicate moral turpitude in that a serious act committed upon a vulnerable minor is contrary to community standards of good morals. The nature of the allegations and resulting criminal charges and conviction indicate serious concerns with the applicant's ability to exercise reasonable judgment while in a position of authority.

The review also led the Registrar to conclude that the applicant has not demonstrated evidence of rehabilitation and consistent character after the offence, as probation was only recently completed. The applicant also downplayed the severity of the incident in their communications with Registration Services.

The Registrar refused the licence application to protect the public interest and the integrity of the real estate profession.