



July 8, 2011

Private and Confidential

**Letter of Reprimand Pursuant to Section 39 of the
*Real Estate Act***

In accordance with section 39 of the *Real Estate Act*, R.S.A. 2000 c. R-5 (Act), the Executive Director of the Real Estate Council of Alberta (RECA) has determined that there is sufficient evidence of conduct deserving of sanction in regard to you, [(“the Industry Member”)], at all material times, a real estate associate registered with [(“the Brokerage”)], presently not registered to a brokerage in Alberta, to issue a letter of reprimand. The evidence giving rise to the Executive Director’s decision is as follows.

Information obtained indicates on or about May 16, 2007, you listed the property located at 204, 12111 51 Ave, Edmonton, AB for the sellers, J.L., T.R. and W.R.

A Feature Sheet for the property was created by you indicating the size at 98.0 square meters. It was later determined the property size should have been detailed as being 90 square meters.

Information provided by you indicates you have full knowledge on how to measure properties and you did measure each individual room with a measurement tape. However, you state you did not measure the overall square footage of the unit and relied upon the builder’s floor plans and square footage calculation as being an accurate description of the property’s size.

The Executive Director believes that this conduct is in contravention of Section 42(a) of the Rules made pursuant to the Act which sets out that:

42 Industry members must not:

(a) make representations or carry on conduct that is reckless or intentional and that misleads or deceives any person or is likely to do so;

The Executive Director believes that this is conduct deserving of sanction but also believes this matter can be dealt with by way of this Letter of Reprimand.

If you dispute this Letter of Reprimand, in accordance with section 40.1(2) of the Act, you may appeal it to a Hearing Panel. You will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel and make representations in relation to the contravention.

If you have any questions in regard to this Letter of Reprimand, please contact Carla Sasley, Investigator at 403-685-7940.

Yours truly,

Bob Myroniuk
Executive Director