



**Private and Confidential**

12 December 2011

**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, [{"Industry member"}], at all material times, a real estate associate registered with [{"the Brokerage"}], presently registered with [{"the Brokerage"}], to issue a letter of reprimand. The evidence giving rise to the Executive Director's decision is as follows.

Information obtained indicates that on or about June 1, 2009, you listed the property located at 101 Glamorgan Drive, Sherwood Park, AB T8A 2Y7 for the seller R.M.

The MLS listing information provided details of the subject property including figures concerning the garages square footage. In particular the information provided detailed the size of the garage as measuring 28 feet X 30 feet; 840 square feet. The subject property was successfully marketed and sold to the buyer T.S. on June 1, 2009. The buyer relied on the information as being accurate in relation to the property size. It was later determined that the size of the garage should have been detailed as being 24 feet x 26 feet; 624 square feet.

Information provided by you indicates that you have full knowledge on how to measure properties and that you did measure this structure.

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 Robyn Baran, Professional Conduct Review Officer at 403-685-7936

**REAL ESTATE COUNCIL OF ALBERTA**

*Charles Stevenson*, for  
Bob Myroniuk  
Executive Director