

THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: 015072.001
Name on Licence: Megan Margaret Tiiu McCormick
Licence Type & Class: Real Estate Associate
Brokerage Name on Licence: Century 21 All Stars Realty Ltd.
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY
Penalty: \$1,500.00

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 Part 6 of the *Real Estate Act* and may suspend your licence under section 38.1 of the Rules.

If you pay 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 the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

TO: Megan Margaret Tiiu McCormick

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

Rule 41 – *Licensees must:*

(d) fulfill their fiduciary obligations to their clients

Particulars of the contravention(s):

1. In or around April 2022, you failed to fulfill your fiduciary duty to your client, contrary to section 41(d) of the *Real Estate Act* Rules:
 - a) April 24, 2022, you listed the property located at [ADDRESS]. You listed the property as having a titled parking stall, number 279, as well as a storage unit, number 353.
 - b) The condo plan for this complex indicates both number 279 and 353 are storage units. There was no titled parking stall included with this unit. You failed to adequately review the condominium plan and determine both units were storage areas.
 - c) Your seller client entered a purchase contract where the seller client agreed to sell a titled parking stall when a titled parking stall did not exist. You failed to look out for your seller's best interests and ensure the purchase contract reflected what property was being sold.

The Registrar considered the following aggravating and mitigating factors:

Aggravating Factors:

- This misconduct impacted your seller client and exposed them to litigation from the buyers.

Mitigating Factors:

- The buyer's agent also contributed to this issue by failing to adequately review the condominium plan prior to drafting the offer.

Appeal

You have the right to appeal this Administrative Penalty to a Hearing Panel. See **section 83.1 of the *Real Estate Act*** for what you must do to appeal.

In an appeal you will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel in relation to the contraventions alleged.

Your written notice of appeal must comply with section 83.1 and must be received by the Registrar **within 30 days** of you receiving this Administrative Penalty.

If you appeal, payment of the Penalty will not be required until an order to pay a penalty is issued by the Hearing Panel. If you have any questions regarding particulars or the appeal process, please contact:

Name: [C.S], Investigator
Email: [EMAIL]
Phone: 403.228.2954; Toll Free: 1.888.425.2754
Fax: 403.228.3065
Address: Real Estate Council of Alberta
Suite 202, 1506 11 Avenue SW
Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on November 14, 2024.

"Signature"

Warren Martinson, Registrar
Real Estate Council of Alberta

cc [J.S], Real Estate Broker
Century 21 All Stars Realty Ltd.