

## THE REAL ESTATE COUNCIL OF ALBERTA

Case Number: MMS-03278  
Name on Licence: Anson Cheung  
Licence Type & Class: Real Estate Broker  
Brokerage Name on Licence: 178 Real Estate Inc.  
Process: Section 39 & 83 of the *Real Estate Act*

Document: ADMINISTRATIVE PENALTY  
Penalty: \$1500.00

### 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: Anson Cheung**

The Registrar of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 91(4) of the *Real Estate Act* Rules** and this is conduct deserving of sanction.

*Rule 91(4): A brokerage's accounting shall be filed with the Council not later than 3 months after the end of the brokerage's fiscal year and shall cover the fiscal year or, where the brokerage did not carry on business for the entire fiscal year, that part of the fiscal year for which the brokerage carried on business.*

### Particulars of the contravention(s):

1. In or around April 2024 you failed to file the brokerage's accounting within 3 months of the brokerages fiscal year end, contrary to section 91(4) of the *Real Estate Act* Rules:
  - a) December 31, 2023, was brokerage 178 Real Estate Inc.'s, fiscal year end. As broker, it was your responsibility to ensure the brokerages accounting was filed with the Council within 3 months.
  - b) On April 1, 2024, you received an email from RECA advising you the accounting report was due and had not been received.
  - c) On April 17, 2024, you were again emailed advising that the accounting reports had not been received. You stated the brokerage was working on completing them and they would be forwarded as soon as possible.
  - d) On May 6, 2024, you were emailed an inquiry from RECA asking when the records would be made available. You stated they were with the accountants and would be forwarded when completed.
  - e) On June 26, 2024, you advised RECA the final report from the accountants was to be completed any day and would be forwarded at that time.
  - f) On August 27, 2024, you sent the required documents to RECA, nearly 5 months past the required due date.

The Registrar considered the following aggravating and mitigating factors:

#### ***Aggravating Factors***

- RECA sent you several reminders about filing your brokerage accounting report on time and the consequences of failing to do so.
- The delay in reporting was several months.

### 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: [R.B], Senior Investigator  
Email: [EMAIL]  
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Fax: 403.228.3065  
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Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on March 10, 2025.

**"Signature"**

Warren Martinson, Registrar  
Real Estate Council of Alberta