

REAL ESTATE COUNCIL OF ALBERTA

NOTICE OF ADMINISTRATIVE PENALTY

To: Keith Anderson, Agent
Calgary Independent Realty Ltd.
o/a C.I.R.
1935 32 Ave. NE Ste 144
Calgary, AB T2E 7C8

In accordance with Section 83 and the Bylaws of the *Real Estate Act* (hereinafter the "Act"), the Executive Director of the Real Estate Council of Alberta is of the opinion that Keith Anderson (hereafter "Anderson"), agent registered with Calgary Independent Realty Ltd., has contravened s. 15 of the Rules made pursuant to the Act and hereby assesses an Administrative Penalty in the amount of **\$1000.00**. The evidence giving rise to the Executive Director's decision is as follows:

On September 24, 1999, Anderson filed an assignment in bankruptcy. Anderson was discharged from bankruptcy on July 19, 2000. Anderson did not report the bankruptcy proceedings to his broker or report the bankruptcy proceedings in writing to the Executive Director until 2003 or 2004.

Rule 15(3)(d) provides:

(3) A licensee must **immediately** notify, in writing, the Executive Director when

(d) the licensee is the subject of any bankruptcy proceedings;

Rule 15(5) provides:

(5) In the case of an associate broker or agent, a copy of the notice shall be provided by the licensee to the broker.

In accordance with section 39 and 83 of the Act and Part 4 of the Bylaws of the Act the Executive Director believes Anderson contravened Rule 15(3)(d) and Rule 15(5) of the Act and hereby assesses an Administrative Penalty in the amount of **\$1000.00**.

Payment of this Administrative Penalty shall be accepted by the Executive Director as complete satisfaction of the amount of the penalty and no further proceedings under Part 6 of the Act will be taken against you in respect of the contravention. A person who pays an Administrative Penalty may not be charged under the Act with an offence in respect of those contraventions.

This sum of **\$1000.00** is payable to the Real Estate Council of Alberta within thirty (30) days of the date of issuance of this Notice of Administrative Penalty. If you fail to pay the amount set out in this notice, the Executive Director may commence legal action against you to recover the amount owing in respect of the Administrative Penalty as a debt due to the Real Estate Council of Alberta.

If you dispute this Notice of Administrative Penalty, in accordance with section 35 of the Bylaws, 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 Notice of Administrative Penalty, please contact Susan Cavanagh, Case Officer at the Real Estate Council of Alberta 1-888-425-2754.

DATED this 10th day of November, 2004.

REAL ESTATE COUNCIL OF ALBERTA

Per: "Bob Myroniuk"
Bob Myroniuk
Executive Director

cc. R.S. , Broker, C.I.R.