

**IN THE MATTER OF The Real Estate Act, S.A. 1996, c. R-4.5 ("the Act")****AND IN THE MATTER OF Louise A. Johnson****INTRODUCTION**

1. The Executive Director of the Real Estate Council of Alberta conducted an investigation into whether the conduct of Louise A. Johnson is deserving of sanction and/or whether she breached the requirements of the Act or Rules prescribed pursuant to the Act.
2. The Executive Director and Louise A. Johnson have agreed to resolve the allegations against Louise A. Johnson on the terms and conditions set out below.

**AGREED STATEMENT OF FACTS**

3. Louise A. Johnson became authorized as a salesperson with Century 21 Sancroft Realty Ltd. on January 2, 1991. Louise A. Johnson has been continuously registered as a salesperson since that date.
4. There is no history of discipline on file for Louise A. Johnson.
5. Louise A. Johnson was at all material times employed as a salesperson by Jayd Realty (1994) Ltd. o/a Century 21 Jayd Realty.

**Re: Louise A. Johnson - 1998 Salesperson Registration Form**

6. On September 2, 1998, Louise A. Johnson completed a Real Estate Salesperson Registration form, including an affidavit, pursuant to the *Real Estate Act*. By the said affidavit, Louise A. Johnson solemnly swore that she had read and understood all of the questions and statements contained in the form and that all of her answers were true and correct to the best of her knowledge, information and belief.
7. Question 3 in the said form was:
  3. In the past FIVE years, have you or has any business you owned, or participated in as a director or officer, had any judgment(s) rendered against you or the business in relation to a trade in real estate, fraud or breach of trust?

8. Louise A. Johnson answered "no" to question 3 although the true answer to the question was "yes" as such a judgment had been rendered against Jayd Realty Ltd. and Louise A. Johnson personally on September 4, 1997.
9. Louise A. Johnson, as a party to the action in which the said judgment was obtained, knew of its existence and now states that the correct response to question 3 was "yes".

**Re: Louise A. Johnson - Transfer Salesperson's Certificate**

10. On or about May 19, 1999, Louise A. Johnson submitted to Real Estate Council of Alberta a Transfer Salesperson's Certificate.
11. Question 3 in the said certificate was:
  3. In the past FIVE years, have you or has any business you owned, or participated in as a director or officer, had any judgment(s) rendered against you or the business in relation to a trade in real estate, fraud or breach of trust?
12. Louise A. Johnson answered "no" to question 3 although the true answer to the question was "yes" as such a judgment had been rendered against Jayd Realty Ltd. and Louise A. Johnson personally on September 4, 1997.
13. Louise A. Johnson, as a party to the action in which the said judgment was obtained, knew of its existence and now states that the correct response to question 3 was "yes".
14. Louise A. Johnson knew of the existence of the said judgment and now states that the correct response to question 3 was "yes".
15. In answering "no" to question 3, Louise A. Johnson did not meet the requirement to answer all questions completely and truthfully. Further, such incorrect answer constituted the making of a false statement on an affidavit.
16. By reason of the matters described herein, Louise A. Johnson's conduct is deserving of sanction.

**SETTLEMENT TERMS**

1. In settlement of these issues Louise A. Johnson agrees to:
  - a. immediately pay a fine in the amount of \$1,000 to the Real Estate Council of Alberta; and
  - b. immediately pay costs in the amount of \$200 to the Real Estate Council of Alberta.

2. Louise A. Johnson is aware that a copy of this Consent Agreement will be placed in her file and may be reviewed and considered in any future disciplinary proceedings.
3. Louise A. Johnson is aware that the contents of this Consent Agreement may be published by the Real Estate Council of Alberta.
4. Louise A. Johnson acknowledges that she has been given the opportunity to seek the advice of legal counsel and acknowledges that she is agreeing to the terms of the settlement of her own free will.
5. Louise A. Johnson hereby waives any rights that she may have under the Act or otherwise to any review, appeal or other judicial proceeding involving the matters referred to herein.
6. These settlement terms are intended to resolve all matters described herein and subject to the approval of the Hearing Panel, the Executive Director will take no further steps in these matters against Louise A. Johnson including the initiation of any proceedings before the Real Estate Council of Alberta or the courts in this regard.

**IN WITNESS WHEREOF** the undersigned agrees and accepts the terms and conditions of this settlement this 23 day of September, 1999.

Signed and delivered  
in the presence of

"R.T."

Witness to the signature  
Of Louise A. Johnson

"Louise A. Johnson"

**LOUISE A. JOHNSON**

*The Executive Director recommends to the Hearing Panel the proposed terms of settlement based on the Agreed Statement of Facts.*

**Real Estate Council of Alberta**

"J.P."

Witness to the signature  
of Bob Myroniuk

Per:

"Bob Myroniuk"

BOB MYRONIUK  
Executive Director

Recommendation Approved



Recommendation Denied

DATED at the City of Calgary, in the Province of Alberta this 3<sup>rd</sup> day  
of November, 1999.

**Real Estate Council of Alberta**

Per:

"Graham Downey"

Hearing Panel Chairperson

# AFFIDAVIT OF EXECUTION

CANADA ) I, R.T.  
 ) (name of witness),  
 PROVINCE OF ALBERTA ) of the City of COLD LAKE  
 ) in the Province of Alberta  
 TO WIT: ) MAKE OATH AND SAY:

1. THAT I was personally present and did see Louise A. Johnson named in the annexed instrument, who is personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.
2. THAT the same was executed at the City of COLD LAKE in the Province of Alberta, and that I am the subscribing witness thereto.
3. THAT I know the said Louise A. Johnson and she is in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City )  
 of Cold Lake )  
 in the Province of Alberta this 27 )  
 day of Sept., 1999 )  
 ) "R.T."  
 ) (signature of witness)  
 )  
 )  
 "L.D." )  
 )  
 A Commissioner for Oaths in and )  
 for the Province of Alberta )