

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Glen Gregory, Broker
Realty Executives Meridian
280, 9731 – 51 Avenue
Edmonton, AB
T6E 4W8

In accordance with s.83 of the *Real Estate Act*, R.S.A. 2000 c.R-5 (the “Act”), the Executive Director of the Real Estate Council of Alberta has determined that Glen Steven Gregory has contravened s.51(1)(j) of the Rules made pursuant to the *Act* and as such an Administrative Penalty is warranted. The Executive Director’s reasons for this decision are as follows:

Section 51(1)(j) of the Rules made pursuant to the *Act*, states that:

51(1) A real estate broker must:

(j) ensure proper management and control of documents or records related to licensing, registrations and related regulatory requirements.

According to information you provided to the Real Estate Council of Alberta on May 25, 2010, you licensed and registered a real estate associate, I.W., using the RECA Online system despite I.W. having indicated a positive response to question 19 on the Associate/Associate Broker Application for Licence and Registration.

This activity was in contravention of s. 51(1)(j) of the Rules made pursuant to the *Act* and the RECA Online Electronic Filer Agreement you entered into with RECA on February 5, 2008, which states in part that the broker agrees to follow the procedures and guidelines established for users of RECA Online, and comply with any applicable legislation.

The RECA Online User Manual states in part that before a broker is to proceed with any online licensing transaction, they are to ensure that the applicant has **not** selected a “yes” answer to any of the suitability questions, and that if they have, the broker is to forward the application to RECA for processing.

Additionally, the 2009/2010 Associate/Associate Broker Application for Licence and Registration states in section C, that if the applicant answered YES to any of the

suitability questions that the broker is to provide copies of all relevant documentation along with the application to RECA.

You failed to adhere to the instructions of the RECA Online User Manual and the terms of the RECA Online Electronic Filer Agreement. This is a contravention of s.51(1)(j) of the Rules and subject to an Administrative Penalty in the amount of **\$1,500.00**.

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 herein.

The penalty 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 the penalty is not paid in accordance with 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 s.83.1 of the *Act*, you may appeal 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 to the contravention.

If you have any questions in regard to this Notice of Administrative Penalty, please contact Shawna Douglas, Information and Licensing Coordinator, at the Real Estate Council of Alberta.

DATED this 12th day of August, 2010.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director