

## REAL ESTATE COUNCIL OF ALBERTA

### NOTICE OF ADMINISTRATIVE PENALTY

**To: Shamon Kureshi, Broker  
c/o Hope Street Real Estate Corp.  
109, 1117 - 1 St. SW  
Calgary AB T2R 0T9**

**And to: Hope Street Real Estate Group Inc.  
c/o Shamon Kureshi  
1010, 1 Ave. NW  
Calgary, Alberta T2N 0A7**

In accordance with s. 39 and s. 83 and the Bylaws 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 there is sufficient evidence of conduct deserving of sanction on the part of you, **Shamon Kureshi**, and Hope Street Real Estate Group Inc. ("**Hope Street**"), to assess an Administrative Penalty to you, jointly and severally, in this matter. The evidence giving rise to the Executive Director's decision is as follows:

1. On or about July 16, 2006, Hope Street was incorporated in Alberta. Hope Street has never been authorized to trade in real estate or applied for authorization to trade in real estate through the Real Estate Council of Alberta, nor has it ever been authorized to advertise or hold itself out as a real estate brokerage. At all material times, you were the controlling mind and acted on behalf of Hope Street.
2. In or about 2006 and 2007, Hope Street maintained a website and advertised for services including property management, tenant services, rental marketing, property assessment and real estate investment.
3. In or about 2006 to 2008, you, on behalf of Hope Street, entered into contracts for property management services in relation to the following properties:
  - 286 Tuscan Drive NW, Calgary, Alberta;
  - 60 Woodmont Drive SW, Calgary, Alberta;
  - 52 Faldale Close NE, Calgary, Alberta;

- 132, 56 Hamlet Road SW, Calgary Alberta.
4. In or about 2006 to 2008, you, on behalf of Hope Street, entered into contracts and provided property management services, which included marketing and advertising, leasing, collection of security deposits and rent monies and holding same in trust, maintenance, and acting on behalf of the owner on all actions with tenants, in relation to the following properties:
    - 63 Patterson Hill SW, Calgary, Alberta; and
    - 505, 1410 1 Street SE, Calgary, Alberta.
  5. Hope Street, through you, accepted fees from the owners for the property management services provided.
  6. You, on behalf of Hope Street, have admitted that Hope Street was unauthorized to provide property management services that Hope Street managed properties for private landlords, that you assisted Hope Street in providing unauthorized property management services and that you did not advise potential clients of Hope Street that Hope Street was unauthorized to provide property management services.

The Executive Director is of the opinion that the above noted conduct is in contravention of Rules 53(a) and 53(d) of the Act which provide as follows:

53 A real estate associate broker and associate must:

- (a) trade in real estate only in the name that appears on that individual's licence and in the name of the brokerage with which that individual is registered;
- (d) keep the broker informed of the activities being performed by the associate broker or associate on behalf of the brokerage

In accordance with s. 83 of the Act, and Part 4 of the Act's Bylaws, the Executive Director hereby assesses an Administrative Penalty in the amount of **\$1,000.00** against you and Hope Street jointly and severally.

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 offense in respect of those contraventions.

This sum of **\$1,000.00** 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 s. 83.1 of the Act, 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 concerning this Notice of Administrative Penalty, please contact Sarah Cudmore of Parlee McLaws LLP by telephone at (403) 294-7069 or by email at [scudmore@parlee.com](mailto:scudmore@parlee.com).

DATED this 19<sup>th</sup> day of October, 2010.

**REAL ESTATE COUNCIL OF ALBERTA**

Per:

*Bob Myroniuk*  
Executive Director

cc: Sarah Cudmore  
Parlee McLaws LLP