

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: **Carolyn Leece, Associate Broker**
4th Street Holdings Ltd. o/a Re/Max Real Estate (Central)
2411 – 4 Street NW, Ste 206
Calgary AB T2M 2Z8

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 in regard to you, Carolyn Leece (hereinafter “**Ms Leece**”), at all relevant times, associate broker, registered with 4th Street Holdings Ltd. o/a Re/Max Real Estate (Central) (hereinafter “**Re/Max Real Estate (Central)**”), to assess an Administrative Penalty. The evidence giving rise to the Executive Director’s decision is as follows:

On or about October 27, 2009, the Calgary Real Estate Board (hereinafter “**CREB**”) held a Consolidated Hearing to deal with possible contraventions levied against Ms Leece and another associate. On or about October 29, 2009, the CREB Consolidated Hearing Panel issued its decision and found that Ms Leece had violated CREB’s Rule and Regulation 5.00 3(a) and CREB’s Standards of Business Practice Article 21. Ms Leece was fined for these violations. Ms Leece did not immediately notify the Executive Director in writing of the CREB decision.

The Executive Director is of the opinion that the above noted conduct is in violation of section 40(1)(b) of the *Rules* made pursuant to the *Real Estate Act*, R.S.A. 2000 c. R-5 which sets out that:

- 40(1) An industry member must immediately notify, in writing, the executive director when:
 - (b) the industry member is disciplined by any real estate board, real estate association, mortgage broker association, appraiser association, or any professional, occupational or regulatory body;

In accordance with s. 39 and s. 83 of the Act and Part 4 of the Act’s Bylaws, an Administrative Penalty in the amount of **\$1,000.00** has been assessed against you for this contravention.

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 in regard to this Notice of Administrative Penalty, please contact Victoria Woodworth-Lynas, Case Presenter, at the Real Estate Council of Alberta.

DATED this 23rd day of August, 2010.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director

Cc: Ian Cooper, Broker
Re/Max Real Estate (Central)