

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Andre Michaud
AGM Valuations Group Ltd.
#118, 10118 101 Avenue BOX 21183
Grande Prairie, Alberta T8V 6W7

In accordance with section 83 and the Bylaws of the *Real Estate Act* (RSA 2000 c R-5, hereinafter the “**Act**”), the Executive Director of the Real Estate Council of Alberta (hereinafter “**RECA**”) is of the opinion that you, Andre Michaud (hereinafter “**Mr. Michaud**”), contravened section 17(c) of the Act and hereby assesses an Administrative Penalty in the amount of **\$4,000.00**. The evidence giving rise to the Executive Director’s decision is as follows:

Mr. Michaud was first authorized as a real estate appraiser on or about November 4, 2005. On October 1, 2007, Mr. Michaud failed to renew his authorization. Between October 1, 2007 and January 8, 2009, Mr. Michaud acted as a licensed real estate appraiser. Mr. Michaud provided a list of files for which he conducted appraisal work between October 1, 2007 and December 18, 2008, totaling 50 commercial valuations and 17 residential valuations. During this period, Mr. Michaud was not licensed as a real estate appraiser by RECA and as such, Mr. Michaud was not authorized to act as a real estate appraiser and perform appraisals.

The Executive Director is of the opinion that the above noted conduct is in violation of section 17(c) of the Act which sets out that:

- 17 No person shall
- (c) act as a real estate appraiser,
- unless that person holds the appropriate authorization for that purpose issued by the Council.

In accordance with section 83 of the Act and Part 4 of the Act’s Bylaws, the Executive Director hereby assesses an Administrative Penalty in the amount of **\$4,000.00** against you.

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 **\$4,000.00** 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 11th day of June, 2010.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director