

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Mark Osske
c/o Braemar Valuation Service
3633 41 Avenue
Red Deer, AB T4N 2X7

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, Mark Osske (hereinafter “**Mr. Osske**”), contravened 17(c) of the Act and hereby assesses an Administrative Penalty in the amount of **\$1,000.00**. The evidence giving rise to the Executive Director’s decision is as follows:

Mr. Osske is currently licensed as a real estate appraiser with Braemar Valuation Service. Mr. Osske was licensed as a real estate appraiser with RECA during the years 2004 to 2008. Mr. Osske’s license expired on September 30, 2008. On October 1, 2008, Mr. Osske did not renew his licence as a real estate appraiser with RECA. Mr. Osske became licensed as a real estate appraiser on December 17, 2008. Included with his Real Estate Appraiser/Candidate Licence Application form for the 2008/2009 licensing period, Mr. Osske provided a list of addresses for which he conducted appraisal work between October 1, 2008 and December 15, 2008. The addresses provided totalled 41 separate and distinct addresses.

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 **\$1,000.00** 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 **\$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 25th day of June, 2010.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director