

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: **Amanda Bodson, real estate associate**
Johnson Real Estate Group Ltd.
o/a Realty Executives Johnson Real Estate Group
#148, 10404 99 Avenue
Fort Saskatchewan, AB T8L 3W2

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, Amanda Bodson (hereinafter "**Ms Bodson**"), at all relevant times, real estate associate, registered with Re/Max Real Estate Edmonton Ltd. o/a Re/Max Real Estate (hereinafter "**Re/Max Real Estate**"), currently real estate associate registered with Johnson Real Estate Group Ltd. o/a Realty Executives Johnson Real Estate Group, to assess an Administrative Penalty. The evidence giving rise to the Executive Director's decision is as follows:

On or about April 9, 2008, you listed a property for sale located at 4624 Maria Drive, Smoky Lake, Alberta. The listing was included on MLS. In the description of the property, it stated the hot water tank and furnace "...are only a few years old". The hot water tank was installed in 1994 and the furnace was eight years old at the time you listed the property for sale. This information was relied upon by the purchaser when making an offer to purchase the property and in subsequently purchasing the property.

The Executive Director is of the opinion that the above noted conduct is in violation of section 41(b) of the *Real Estate Act* Rules made pursuant to the *Real Estate Act*, R.S.A. 2000 c. R-5 which sets out that:

- 41 Industry members must:
- (b) provide competent service;

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 **\$1,500.00** 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 **\$1,500.00** 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 or Flora Fok, Legal Services Administrator, at the Real Estate Council of Alberta.

DATED this 21st day of July, 2010.

REAL ESTATE COUNCIL OF ALBERTA

Per: *Kirk Bacon for*
Bob Myroniuk
Executive Director

Cc: Sandra Patricia Johnson, Broker
Johnson Real Estate Group Ltd. o/a Realty Executives Johnson Real Estate Group

Cc: Patrick Rudiger, Broker
Re/Max Real Estate Edmonton Ltd. o/a Re/Max Real Estate