



March 15, 2010

Private and Confidential

LETTER OF REPRIMAND

Re: Investigation by the Real Estate Council of Alberta – File

In accordance with s. 39 of the *Real Estate Act*, R.S.A. 2000 c. R-5 (the “**Act**”), the Executive Director of the Real Estate Council of Alberta (RECA) has determined that there is sufficient evidence of conduct deserving of sanction in regard to you, [(the “Industry Member”)], mortgage associate, registered to deal in mortgages with [(the “Brokerage”)] at all material times, to issue a letter of reprimand. The evidence giving rise to the Executive Director’s decision is as follows:

On March 10, 2009, you were convicted under the Controlled Drugs and Substances Act. On September 28, 2009, you terminated your registration with [(Brokerage “A”)] and you also notified RECA of your conviction with your application to become registered with [(the “Brokerage”)]. On February 12, 2010, you mentioned that you were unaware of the requirement to immediately inform the executive director about your conviction.

The Executive Director believes that this conduct is in contravention of Section 40(1)(h) of the *Rules* made pursuant to the *Real Estate Act* which sets out that:

- 40(1) Industry member must immediately notify, in writing, the executive director when:
- (h) the industry member is convicted of any criminal offence or any other offence under any law of any country, province or state, excluding provincial or municipal highway traffic offences resulting in only monetary fines and/or demerit points;

The Executive Director believes that this is conduct deserving of sanction but also believes this matter can be dealt with by way of this Letter of Reprimand.

If you dispute this Letter of Reprimand, in accordance with s. 40.1(2) of the *Real Estate 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 Letter of Reprimand, please contact Joseph Fernandez, Director of Audit and Investigations at the Real Estate Council of Alberta.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director