

July 28, 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”)], associate, at all material times registered to trade in real estate with [(the “Brokerage”)], to issue a letter of reprimand. The evidence giving rise to the Executive Director’s decision is as follows:

On November 24, 2003, you were charged with an alleged contravention of Section 145 (5)(b) of the Criminal Code of Canada. On December 1, 2009, you answered “NO” to question 20 that read, “*Have you been found guilty or convicted of any criminal offence or any offence under any law of any country, province or state, excluding offences for which a pardon has been granted or provincial or municipal highway traffic offences resulting in monetary fines only?*.”

The Executive Director believes that this conduct is in contravention of Section 42(a) of the Rules made pursuant to the *Real Estate Act* which sets out that:

- 42 Industry members must not:
- (a) make representations or carry on conduct that is reckless or intentional and that misleads or deceives any person or is likely to do so;

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 Audits and Investigations at the Real Estate Council of Alberta.

**REAL ESTATE COUNCIL OF ALBERTA**

Per: *K. Bacon* for  
Bob Myroniuk  
Executive Director