

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 December 12, 2008, you were charged with an alleged contravention of Section 253 (1) (b) of the Criminal Code of Canada. On March 19, 2009, you were convicted of the said offence. You failed to notify RECA immediately of the charge and the conviction until September 28, 2009 when you submitted your renewal application.

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

40 (1) An industry member must immediately notify, in writing, the executive director when:

- (g) proceedings pursuant to the Criminal Code are commenced against the industry member;
- (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 Audits and Investigations at the Real Estate Council of Alberta.

REAL ESTATE COUNCIL OF ALBERTA

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

cc. R.S., Broker