



October 19, 2011

To: Kenneth Moore

RE: WITHDRAWAL APPLICATION – s.54 *REAL ESTATE ACT*

Please be advised that on October 19, 2011 your application to withdraw from industry membership pursuant to s.54 of the *Real Estate Act* was approved by the Real Estate Council of Alberta.

At the time of your application, you were the subject of conduct proceedings to determine whether you:

- failed to practice in strict accordance with the *Real Estate Act*, Regulations, Rules, made pursuant to the Act, bylaws, and any other laws governing trading in real estate, dealing in mortgages, or acting as an appraiser in Alberta;
- engaged in conduct that undermines public confidence in the industry, harms the integrity of the industry or brings the industry into disrepute;
- failed to review all mortgage agreements in a timely manner;
- failed to ensure that all documents and records related to deals in mortgages required under the Act and the Rules were obtained and maintained by the brokerage;
- failed to adequately supervise the activities of a mortgage associate;
- failed to adequately review the brokerage file to ensure compliance with brokerage policies;
- failed to disclose in writing to the parties to the mortgage deal what steps, if any, were taken to verify the information obtained or supplied by the brokerage to the parties, including information contained in the mortgage application and other representations made by the borrower or lender and the identity of the parties to the deal in mortgages.

At the time of the withdrawal application approval, there had been no disciplinary hearing, admissions of conduct or findings of fact.

By virtue of operation of Part Three of the *Real Estate Act*, conduct proceedings are discontinued. As you are aware, this approval of your application results in your lifetime ban from industry membership.

If you have questions regarding this matter, please contact Jean Flanagan, Director of Legal Services.

Yours truly,

Wayne McAlister
Chair, Special Meeting of the Real Estate Council of Alberta