

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Darrol Cowley, Broker
Residential One Real Estate
Bay G 464 Woodbine Blvd. SW
Calgary, Alberta T2W 5H7

In accordance with 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 Darrol Cowley has contravened section 51(1)(j) of the Rules made pursuant to the *Act* and as such an Administrative Penalty is warranted. The Executive Director's reasons for this decision are as follows:

Section 51(1)(j) of the Rules made pursuant to the *Act* states a real estate broker must ensure proper management and control of documents or records related to licensing, registrations and related regulatory requirements.

On April 15, 2011, according to the RECA Online activity log, you terminated the registration for C.A. at the brokerage.

On April 18, 2011, you contacted RECA and spoke to Charles Stevenson, Director of Industry Standards. You informed Mr. Stevenson that you had inadvertently terminated the associate and indicated you would send a summary of the events that led to you terminating the registration for C.A. on April 15, 2011.

On April 25, 2011, RECA sent you a request for information detailing your actions on April 15, 2011. This request was sent as a reminder for the summary clarifying the termination of C.A. on the same date as RECA had reinstated his registration.

On April 27, 2011, RECA received your detailed explanation pertaining to your termination of C.A. without completing the 2010/2011 associate/associate broker registration cancellation.

This is a contravention of s.51(1)(j) of the Rules and subject to an Administrative Penalty in the amount of **\$1,500.00**.

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 herein.

The penalty 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 the penalty is not paid in accordance with 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 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 to the contravention.

If you have any questions in regard to this Notice of Administrative Penalty, please contact Shawna Douglas, Information and Licensing Coordinator, at the Real Estate Council of Alberta.

DATED this 17th day of June, 2011.

REAL ESTATE COUNCIL OF ALBERTA

Per: *Kirk Bacon*, for
Bob Myroniuk
Executive Director