

**REAL ESTATE COUNCIL OF ALBERTA**  
**NOTICE OF ADMINISTRATIVE PENALTY**

**To: Hearthstone Property Management Inc.**  
**#211, 4801 51 Avenue**  
**Red Deer, Alberta T4N 4H2**

In accordance with section 83 and the Bylaws of the *Real Estate Act* (RSA 2000 c R-5, hereinafter the “**Act**”), the Executive Director of the Real Estate Council of Alberta (hereinafter “**RECA**”) is of the opinion that Hearthstone Property Management Inc. (hereinafter “**Hearthstone**”), contravened section 17(a) of the Act and hereby assesses an Administrative Penalty in the amount of **\$500.00**. The evidence giving rise to the Executive Director’s decision is as follows:

Hearthstone was first authorized as a real estate brokerage on or about March 2, 2006. On or about August 17, 2008, the licence fees for the brokerage were paid. The licence for the brokerage was not renewed at that time. On or about October 1, 2008, Hearthstone failed to renew its authorization as a real estate brokerage. Hearthstone became authorized to trade in real estate as a real estate brokerage on October 15, 2008. Between October 1, 2008 and October 15, 2008, Hearthstone traded in real estate by managing various properties including the collection of rent monies and deposits. During this period, Hearthstone was not licensed as a real estate brokerage and was not authorized to trade in real estate.

The Executive Director is of the opinion that the above noted conduct is in violation of section 17(a) of the Act which sets out that:

- 17      No person shall
- (a)      trade in real estate as a real estate broker,
- unless that person holds the appropriate authorization for that purpose issued by the Council.

In accordance with section 83 of the Act and Part 4 of the Act’s Bylaws, the Executive Director hereby assesses an Administrative Penalty in the amount of **\$500.00** against you.

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. A person who pays an Administrative Penalty may not be charged under the *Act* with an offence in respect of those contraventions.

This sum of **\$500.00** 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 you fail to pay the amount set out in 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 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 Notice of Administrative Penalty, please contact Victoria Woodworth-Lynas, Case Presenter, at the Real Estate Council of Alberta.

DATED this 5<sup>th</sup> day of July, 2010.

**REAL ESTATE COUNCIL OF ALBERTA**

Per:

*Bob Myroniuk*  
Executive Director