

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Grant Schell, Real Estate Broker
Skycap Commercial Real Estate Ltd.
319 Leighton View
Calgary, Alberta T3Z 0A2

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 Grant Schell has contravened s.40(1)(d) 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 40(1)(d) of the *Real Estate Act* Rules states in part that an industry member must immediately notify, in writing, the Executive Director when any business the industry member owns or has participated in as a partner, director or officer in the past three years, has any judgment(s) rendered against the business.

According to information you provided to the Real Estate Council of Alberta on March 28, 2011, the Executive Director was notified that a business you have participated in as an officer, in the past three years, had a judgment rendered against the business on March 3, 2011. As you were actively registered as a real estate broker, authorized to trade in real estate on behalf of Skycap Commercial Real Estate Ltd. at that time, in accordance with s.40(1)(d) of the Rules, you were required to immediately notify, in writing, the Executive Director.

You failed to immediately notify, in writing, the Executive Director when a business you have participated in as an officer, in the past three years, had a judgment rendered against the business on March 3, 2011. This is a contravention of s.40(1)(d) of the Rules and subject to an Administrative Penalty in the amount of **\$1,000.00**.

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 12th day of July, 2011.

REAL ESTATE COUNCIL OF ALBERTA

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