

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

To: Christopher D. Sinclair  
35 Woodford Dr. SW  
Calgary, AB T2W 4C2

In accordance with s. 39 and 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 there is sufficient evidence of conduct deserving of sanction in regard to you, Christopher D. Sinclair (hereinafter 'Mr. Sinclair'), at all relevant times, mortgage associate, registered with CMAC Mortgages (Alberta) Inc. o/a CMAC Mortgages (hereafter 'CMAC Mortgages'), to assess an Administrative Penalty. The evidence giving rise to the Executive Director's decision is as follows:

On April 14, 2009, you became licensed with CMAC Mortgages as a mortgage associate. On September 30, 2009, you failed to renew your registration. On October 9, 2009, you executed on behalf of M.K. a Mortgage Borrower Disclosure and Consent Form. On November 12, 2009, you uploaded M.K.'s application to Filogix. On December 15, 2009, you became registered with CMAC Mortgages as a mortgage associate.

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

*No person shall*

*(b) deal as a mortgage broker,*

*(d) advertise himself or herself as, or in any way hold himself or herself out as, a mortgage broker or real estate appraiser.*

*unless that person holds the appropriate authorization for that purpose issued by the Council.*

In accordance with s. 39 and s. 83 of the Act and Part 4 of the Act's Bylaws, an Administrative Penalty in the amount of **\$1,000.00** has been assessed against you for this contravention.

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 offense in respect of those contraventions.

This sum of **\$1,000.00** 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 Veronica Rosito, investigator, at the Real Estate Council of Alberta.

DATED this 15<sup>th</sup> day of October, 2010

**REAL ESTATE COUNCIL OF ALBERTA**

Per:

*Bob Myroniuk*  
Executive Director

- c. Stuart Pocock, Conduct Broker  
CMAC Mortgages