

REAL ESTATE COUNCIL OF ALBERTA

NOTICE OF ADMINISTRATIVE PENALTY

To: Marjorie McKay, Real Estate Broker
Re/Max Real Estate Advocates
202-124 East Chestermere Drive
Chestermere, Alberta T1X 1M1

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 Marjorie McKay has contravened section 40(1)(b) 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:

Pursuant to s.40(1)(b) of the Rules of the *Real Estate Act* an industry member must immediately notify, in writing, the Executive Director when the industry member is disciplined by a real estate board, real estate association, mortgage broker association, appraiser association or another professional, occupational or regulatory body.

According to information provided to the Real Estate Council of Alberta on July 5, 2011, you were disciplined by the Calgary Real Estate Board on March 22, 2011, for contravening CREB's Realtor Code Article 19, the Rules and Regulations 13(1)(a) and (2)(A) and the Guidelines for Advertising section 2 (iii). As you were actively registered as a real estate broker, authorized to trade in real estate with Re/Max Real Estate Advocates, at that time, in accordance with s.40(1)(b) of the Rules you were required to immediately notify, in writing, the Executive Director.

You failed to immediately notify, in writing, the Executive Director of the discipline you received from the Calgary Real Estate Board on March 22, 2011, for contravening CREB's Realtor Code Article 19, the Rules and Regulations 13(1)(a) and (2)(A) and the Guidelines for Advertising section 2(iii). This is a contravention of s.40(1)(b) 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 Risdon, Information and Licensing Coordinator, at the Real Estate Council of Alberta.

DATED this 3rd, day of November, 2011.

REAL ESTATE COUNCIL OF ALBERTA

Per:

Bob Myroniuk
Executive Director