

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

To: **Donna Van Lier**  
**#3011 MacNeil Way**  
**Edmonton AB T6R 3V1**

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, Donna Van Lier (hereinafter “**Ms Van Lier**”), at all relevant times, mortgage broker, registered with Stellar Mortgage Corp. o/a Dominion Lending Centres – Stellar Mortgage) (hereafter “**Stellar Mortgage Corp.**”), currently registered as a real estate associate broker, registered with Re/Max Real Estate (Edmonton) Ltd. o/a Re/Max Real Estate, to assess an Administrative Penalty. The evidence giving rise to the Executive Director’s decision is as follows:

On or about November 18, 2009, the matter of Wilshire West Capital Corp and A.B. Edie Equities Inc. (Plaintiffs) and Stellar Mortgage Corp. (Defendant) was heard and a default judgment was rendered. The judgment ordered Stellar Mortgage Corp. to pay the Plaintiffs monies relating to rent relating to an unexpired lease agreement between the Plaintiffs and the Stellar Mortgage Corp. Ms Van Lier failed to notify to the Executive Director of the judgment rendered against Stellar Mortgage Corp.

The Executive Director is of the opinion that the above noted conduct is in violation of section 40(1)(d) of the *Rules* made pursuant to the *Real Estate Act*, R.S.A. 2000 c. R-5 which sets out that:

- 40 (1) An industry member must immediately notify, in writing, the executive director when:
- (d) 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;

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 Victoria Woodworth-Lynas, Case Presenter, or Flora Fok, Legal Services Administrator, at the Real Estate Council of Alberta.

DATED this 30<sup>th</sup> day of August, 2010.

**REAL ESTATE COUNCIL OF ALBERTA**

Per:

*Bob Myroniuk*  
Executive Director

Cc: Patrick Rudiger, Broker  
Re/Max Real Estate