

April 16, 2014

To: Jeremiah Divall

RE: WITHDRAWAL APPLICATION – s.54 REAL ESTATE ACT

Please be advised that on April 16, 2014, your application to withdraw from industry membership, pursuant to s.54 of the *Real Estate Act* was approved by the Real Estate Council of Alberta.

At the time of your application, you were the subject of conduct proceedings to determine whether or not you:

- masterminded and/or participated in a scheme to obtain mortgage(s) through deceit.
- made representations or carried on conduct that is reckless or intentional and that misleads or deceives any person or is likely to do so.
- engaged in conduct that undermines public confidence in the industry, harms the integrity of the industry or brings the industry into disrepute.
- failed to obtain consent in a verifiable way to pull credit bureau reports.
- failed to disclose in writing how you would be paid for your services.
- failed to ensure your role in the transaction was clear and to discuss and present the applicable agency form in the mortgage transaction.
- failed to disclose in writing to the parties what steps, if any, were taken to verify the information obtained or supplied to the brokerage to the parties, including information contained in the mortgage application, other representations made by the borrower or lender and the identity of the parties to deal in mortgage(s).
- failed to act competently.
- failed to act honestly.

- failed to cooperate fully with, and provide any information requested to, any representative of the council carrying out their duties and responsibilities under the Act.
- failed to practice in strict accordance with the Act, Regulations, Rules, Bylaws and any other laws that govern trading in real estate, mortgage transactions or appraisals in Alberta.
- failed to report a judgment against yourself in relation to the provision of services or sale of goods to consumers.
- failed to report a judgment rendered against a business in which you were the director.
- engaged in unauthorized property management by Mika Property Management Ltd. In which you were a director and 50% shareholder.

At the time of the withdrawal application approval, there had been no disciplinary hearing, admissions or findings of fact.

By virtue of operation of Part Three of the *Real Estate Act*, conduct proceedings have been discontinued. As you are aware, this approval of your application results in your lifetime ban from industry membership.

If you have questions regarding this matter, please contact Charles Stevenson, Director of Professional Standards.

Yours truly,

Bill Buterman

Chair, Special Meeting of the Real Estate Council of Alberta