

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 008396
Process: Section 39 & 83 of the *Real Estate Act*
Industry Member: Mr. Ben Edward Maize
Authorization: Real Estate Associate
Registration: 901047 Alberta Ltd. O/A Century 21 Nordic Realty
Document: ADMINISTRATIVE PENALTY
Penalty: \$1000.00 (see Schedule 2 of the Bylaws)

Payment

This Penalty must be paid **within 30 days** of the date this Notice was issued.

If you fail to pay the Penalty the Executive Director may commence collection under Part 6 of the *Real Estate Act* and may suspend your authorization under section 38.1 of the Rules.

If you pay the Penalty

- You will have satisfied the Administrative Penalty and no further proceedings under Part 6 will be taken against you.
- You cannot be charged under the *Real Estate Act* with an offence for the contravention(s) in this Administrative Penalty.

TO: Ben Edward Maize

The Executive Director of the Real Estate Council of Alberta (RECA) has determined there is sufficient evidence you have contravened **section 40(1)(g) of the *Real Estate Act Rules*** and this is conduct deserving of sanction.

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

(g) proceedings pursuant to the Criminal Code are commenced against the industry member; or

Particulars of the contravention(s):

1. In or around July 27, 2017, you failed to immediately notify the executive director, in writing, of proceedings pursuant to the Criminal Code being commenced against you, contrary to section 40(1)(g) of the Real Estate Act Rules:

- a) On July 27, 2017 proceedings pursuant to the Criminal Code of Canada were commenced against you.
- b) On August 21, 2018 you notified RECA of these proceedings.

The Executive Director considered the following aggravating factor:

Aggravating Factor

- You failed to declare these criminal proceedings when asked in a licensing renewal application.

You must immediately notify the executive director when proceedings pursuant to the Criminal Code are commenced against you.

Appeal

You have the right to appeal this Administrative Penalty to a Hearing Panel. See **section 83.1 of the *Real Estate Act*** for what you must do to appeal.

In an appeal you will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel in relation to the contraventions alleged.

Your written notice of appeal must comply with section 83.1 and must be received by the Executive Director **within 30 days** of you receiving this Administrative Penalty.

If you appeal, payment of the Penalty will not be required until an order to pay a penalty is issued by the Hearing Panel.

If you have any questions regarding particulars or the appeal process, please contact:

Name: SSC, Professional Conduct Review Officer
Phone: 403.228.2954; Toll Free: 1.888.425.2754
Fax: 403.228.3065
Address: Real Estate Council of Alberta
Suite 202, 1506 11 Avenue SW
Calgary, Alberta, T3C 0M9

Issued at Calgary, Alberta, on __September 24, 2018__.

Charles Stevenson, for
Bob Myroniuk, Executive Director
of the Real Estate Council of Alberta

cc: Mary-Anne Kamenka, Real Estate Broker
901047 Alberta Ltd. O/A Century 21 Nordic Realty