



## Payment of Administrative Penalty

### Payment

MyRECA:

1. go to your MyRECA page
2. log in, click on the "Payments" tab at the top
3. click "Make a Payment" from the drop down menu
4. choose "Sanction Payment"
5. select "Click to Pay"

Payment can also be made by cheque, money orders or cash.

Cheques or money orders:

1. make payable to "The Real Estate Council of Alberta"
2. write on the cheque it is payment of an Administrative Penalty
3. send it to the attention of the *Hearings Administrator*

### Payment Plan

If you cannot pay the full amount within 30 days of receiving the Notice, contact the *Hearings Administrator* to discuss a payment plan.

**Hearings Administrator:** Carolyn Thompson

Email: cthompson@reca.ca  
Fax: 403 228 3065  
Phone: 403 228 2954  
Toll Free: 1 888 425 2754  
Address: Real Estate Council  
Suite 202, 1506 11 Ave SW  
Calgary, Alberta, T3C 0M9

## Appealing the Administrative Penalty

### There is a Deadline for Your Appeal

If you decide to appeal the Administrative Penalty, you must submit a written notice that you are appealing the Administrative Penalty **within 30 days of receiving the Penalty**.

Send this notice to the *Conduct Proceedings Administrator*. It must be in writing. It can be sent by fax, email or mail.

### Contents of Your Notice of Appeal

Your notice must comply with **section 83.1** of the Real Estate Act.

Include:

1. Your name and contact information
2. The date of the Administrative Penalty issued against you
3. What you are appealing: the breach, the amount, both or another issue
4. Why you are appealing the breach, the amount, both, or other issue

### Including Security for Costs with your Appeal

Section 83.1 of the Real Estate Act requires you to **include \$1000** with your notice of appeal. This can be paid by cheque or credit card. Cheques should be made payable to "The Real Estate Council of Alberta".

This money will be held in trust until there is an outcome of the appeal. If you are successful in your appeal the money will be returned to you.

If you are unsuccessful the Hearing Panel may order you to pay the costs of the investigation and the appeal hearing. This money will then be applied to those costs.

#### Conduct Proceedings Administrator:

Email: [conductadmin@reca.ca](mailto:conductadmin@reca.ca)  
Fax: 403 228 3065  
Phone: 403 685 7944  
Toll Free: 1 888 425 2754  
Address: Real Estate Council  
Suite 202, 1506 11 Ave SW  
Calgary, Alberta, T3C 0M9

**Part 6 - General**

**Section 83.1 - Appeal of Administrative Penalty**

- 83.1(1) A person to whom a notice to pay an administrative penalty is given under section 83(1) may, within 30 days after receipt of the notice, by notice of appeal in writing to the executive director, appeal the decision to a Hearing Panel.
- (2) A notice of appeal under subsection (1)
- (a) must
    - (i) describe the administrative penalty appealed from, and
    - (ii) state the reason for the appeal,
- and
- (b) must be accompanied with security for costs in an amount that is the lesser of 3 times the administrative penalty imposed and \$1000.
- (3) On receipt of a notice of appeal and security for costs, the executive director shall refer the matter to a Hearing Panel, which shall hold a hearing.
- (4) Sections 41 and 42, but not sections 43 to 47, apply to the hearing of an appeal under this section.
- (5) The Hearing Panel on an appeal may
- (a) quash, vary or confirm the administrative penalty, and
  - (b) make an award as to costs of the investigation that resulted in the administrative penalty and of the appeal in an amount determined in accordance with the bylaws.
- (6) The Hearing Panel's decision under this section is final.
- (7) The executive director shall serve a copy of the Hearing Panel's decision on the appellant.