

## Payment of Administrative Penalty

### Online

You may make the payment online through your [myRECA](#) account. Once logged in, go to:

1. the "Payments" tab at the top
2. click "Make a Payment" from the drop down menu
3. choose "Sanction Payment"
4. select "Click to Pay"

### By mail

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

1. payable to: **The Real Estate Council of Alberta**
2. write on the cheque it is **payment of an Administrative Penalty**
3. send it to RECA and add: **Attention: 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  
tollfree: 1-888-425-2754  
address: Real Estate Council  
202-1506 11 Ave SW  
Calgary, AB 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:

- Your name and contact information
- The date of the Administrative Penalty issued against you
- What you are appealing: the breach, the amount, both or another issue
- 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  
fax:               403-228-3065  
phone:           403-685-7044  
tollfree:         1-888-425-2754  
address:         Real Estate Council  
                      202-1506 11 Ave SW  
                      Calgary, AB 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 Board, 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 Board shall refer the matter to a Hearing Panel, which shall hold a hearing.
  - (4) Sections 41, 41.1 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 Hearing Panel shall serve a copy of the Hearing Panel's decision on the appellant and the registrar.