

## THE REAL ESTATE COUNCIL OF ALBERTA

Case: 009910  
Process: Section 39 & 83 of the *Real Estate Act*  
Industry Member: Robert Harry Lennard  
Authorization: Real Estate Associate  
Registration: The Real Estate Company Ltd. o/a The Real Estate Company  
Document: ADMINISTRATIVE PENALTY  
Penalty: \$1,000.00

### 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: Robert Harry Lennard**

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

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

*(e) the industry member is the subject of any bankruptcy proceedings;*

### Particulars of the contravention(s):

1. In or around May 2018, you failed to immediately notify, in writing, the executive director when you became the subject of bankruptcy proceedings, contrary to section 40(1)(e) of the *Real Estate Act* Rules:
  - a) On or about May 4, 2018, you became the subject of bankruptcy proceedings.
  - b) October 1, 2019, you notified the executive director of the bankruptcy proceedings.

The Executive Director considered the following aggravating and mitigating factors:

### *Aggravating Factors*

- You failed to declare these bankruptcy proceedings in your renewal application you completed on September 24, 2018.

### **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: CS, 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 April 3, 2020.

*Charles Stevenson for*  
Warren Martinson, Acting Executive Director  
of the Real Estate Council of Alberta