

THE REAL ESTATE COUNCIL OF ALBERTA
IN THE MATTER OF Section 83.1 of the *REAL ESTATE ACT*, R.S.A. 2000, c.R-5
(the "Act")

AND IN THE MATTER OF a Hearing regarding the conduct of GAGANDEEP
SINGH, currently unregistered

Case Number: 011951.002

Hearing Panel Members: [C.W] Chair (Public Member)
[J.L], Panel Member (Licensee Member)
[J.P], Panel Member (Licensee Member)

Appearances: Gagandeep Singh, Self-Represented
Christopher Davison, for the Registrar of the Real Estate
Council of Alberta

Hearing Date(s): January 12, 2023 and January 23, 2023, both virtual
hearing

DECISION OF HEARING PANEL

A. INTRODUCTION

1. This is an Appeal filed by Gagandeep SINGH (the "Appellant") under section 83.1 of the *Real Estate Act*, RSA 2000, c.R-5 (the "Act") of six (6) administrative penalties imposed by the Registrar on February 4, 2022. The *Notice of Intent to Appeal Administrative Penalty*, dated February 23, 2022, was marked as **Exhibit 1**. The *Notice of Hearing*, dated December 12, 2022, was marked as **Exhibit 2** (the "Notice of Hearing"). The Notice of Hearing included copies of the six (6) administrative penalties.
2. The administrative penalties alleged that the Appellant contravened the following:
 - a. Section 17(a) of the Act in relation to a property located at [ADDRESS 1];
 - b. Section 17(a) and Section 17(b) of the Act in relation to a property located at [ADDRESS 2];
 - c. Section 17(a) and 17(b) of the Act in relation to a property located at [ADDRESS 3]; and
 - d. Section 17(a) of the Act in relation to a property located [ADDRESS 4].
3. This appeal to the Real Estate Council of Alberta Hearing Panel ("Panel") proceeded as a *de novo* hearing. Under Section 83.1(5)(a) of the Act, the Panel may "*quash*,

vary or confirm the administrative penalty". The appeal was heard on January 12, 2023 and January 23, 2023, and proceeded in two (2) phases.

4. The parties did not object to the composition of the Panel.
5. Phase 1 considered whether the Registrar had established a breach of the relevant legislation for one or more of the administrative penalties. The onus of proving the misconduct allegations is on the Registrar. The Panel must decide whether or not there is a breach of the Act as outlined in the administrative penalty. The standard of proof is on a balance of probabilities. **During this phase the parties submitted an "Agreed Facts and Joint Submission on Sanction"**, pursuant to Part 3 Section M of the *RECA Hearing and Appeal Practice & Procedure Guidelines, July 2022*. This document was marked as **Exhibit 3**. In this decision, Exhibit 3 will be referred to as either the "Agreed Facts", or the "Joint Submission on Sanction", depending on the context.
6. Phase 2 considered the appropriate remedy in accordance with the legislation. During this phase the parties also relied upon Exhibit 3.
7. This decision relates to Phase 1 and 2 of the hearing process. After reviewing Exhibits 1, 2 and 3, and after hearing submissions by counsel for the Registrar and submissions by the Appellant, the Panel finds:

PHASE 1 – BREACH OF THE ACT

- a. The Appellant breached sections 17(a) and 17(b) of the Act in relation to the property located at [ADDRESS 2].
- b. No evidence was led by the Registrar in relation to the remaining four administrative penalties. Accordingly, pursuant to section 83.1(5)(a) of the Act, and as requested jointly by the parties, the administrative penalties in relation to [ADDRESS 1], [ADDRESS 3] and [ADDRESS 4], are quashed.

PHASE 2 – ADMINISTRATIVE PENALTY & COSTS

- c. The administrative penalty imposed for the breach of section 17(a) of the Act in relation to [ADDRESS 2] is **confirmed** as **\$25,000**, as requested jointly by the parties.
- d. The administrative penalty imposed for the breach of section 17(b) of the Act in relation to [ADDRESS 2] is **varied** by reducing it from \$25,000 to **\$15,000**, as requested jointly by the parties.
- e. The Panel imposes \$0 costs on the Appellant.

B. BRIEF PROCEDURAL HISTORY

8. Before addressing the Appeal, the Panel will provide a brief procedural history. Pursuant to the *Notice of Hearing* an eight (8) day hearing was set for the Appeal between January 12 and January 25, 2023.
9. On January 10, 2023, the Appellant requested by email an adjournment of the hearing (the "Adjournment Application"). On January 11, 2023, the Adjournment Application was heard orally by the Panel. The Appellant advised the Panel that due to a misunderstanding his legal counsel of choice was unavailable for the hearing. The Appellant had not actually retained legal counsel, but advised the Panel that he wished to do so for his appeal. He requested an adjournment to a date when his desired counsel was available. The Registrar opposed the Application. After hearing submissions the Panel reserved its decision.
10. On January 11, 2023 at around 3:30pm, the Panel was advised that the Appellant and the Registrar had resolved the matter. An oral hearing was convened at 5:30pm for the parties to simply confirm their intention to provide the Panel with an agreed statement of facts and a joint submission on sanction. The Panel was asked not to rule on the Adjournment Application. The Panel did not, and will not do so. The appeal hearing was adjourned to January 12, 2023.
11. At the commencement of proceedings on January 12, 2023, Mr. Singh advised that he was experiencing technical difficulties stating that his video feed was not working, and that his audio volume was too low. The hearing was adjourned for one (1) hour for Mr. Singh to attend a location that had appropriate video and audio capabilities. When the hearing re-commenced it appeared to the Panel that Mr. Singh was sitting in a vehicle. The Panel confirmed that Mr. Singh was prepared to proceed. The Panel explained in detail the process for the hearing, and confirmed Mr. Singh's understanding.
12. The Panel confirmed that Mr. Singh had read the *Notice of Hearing* in which it states that, "*You may get legal advice and may be represented by legal counsel at the hearing*". The Panel thoroughly canvassed with Mr. Singh whether he wished to proceed with the hearing without legal counsel. Mr. Singh confirmed that he wanted to represent himself, and that this decision was entirely voluntary, and free of any pressure or duress.
13. The Panel was advised by Counsel for the Registrar that the *Agreed Facts and Joint Submission on Sanction* (Exhibit 3) was emailed to Mr. Singh sometime on January 11, 2023 after the Adjournment Application had been adjourned for decision. Mr. Singh confirmed he had read Exhibit 3, and that the facts within were agreed. Neither party had any preliminary issues. Exhibits 1, 2 and 3 were marked, and the hearing entered Phase 1.

14. Counsel for the Registrar commenced his submissions by addressing the Agreed Facts within Exhibit 3. When Counsel had reached paragraph 2 it became evident to the Panel that Mr. Singh had left the vehicle and was walking somewhere. The Panel adjourned the matter until Mr. Singh had reached a suitable location to continue with the hearing.
15. The hearing resumed after Mr. Singh had reached an office. The Panel confirmed that Mr. Singh was ready to continue, and reinforced the importance of focussing on the hearing without distraction. Counsel for the Registrar completed his submissions and review of the Agreed Facts. The Panel then invited Mr. Singh to make submissions.
16. Before Mr. Singh commenced his submissions the Panel explained again what Phase 1 of the hearing process entailed. Mr. Singh confirmed he had read the Agreed Facts at about 6:00pm or 7:00pm on January 11, 2023. The Panel was concerned about this statement, because the Panel received the agreement at around 5:00pm on January 11 and would have expected both parties to have reviewed the document before jointly submitting it to the Panel. Further, while Mr. Singh confirmed on the record that he understood and agreed with the facts alleged, he disputed three discrete factual allegations within the Agreed Facts. It is not necessary to explain in this decision what was disputed. It is enough to say that the Panel decided to adjourn the hearing until January 23, 2023, to give Mr. Singh an opportunity to further review the Agreed Facts, as well as the Joint Submission on Sanction, and to seek independent legal counsel should he wish to do so.
17. The hearing resumed on January 23, 2023. The Panel reminded Mr. Singh of the procedure to be followed. Mr. Singh confirmed that he had received legal advice between January 12 and January 23, and that he was prepared to proceed with the hearing without legal counsel. Mr. Singh confirmed that this decision was free and voluntary, made without any pressure, duress or compulsion. He confirmed having reviewed the Agreed Facts and Joint Submission on Sanction, and had done so more than once between January 12 and January 23. He confirmed that he did not require an interpreter.
18. As a result of an agreement between Counsel for the Registrar and the Appellant, the Agreed Facts and Joint Submission on Sanction were amended to vary and delete certain factual allegations. The Appellant confirmed his agreement to the amendments. He confirmed that there were no further disputes between the parties regarding the facts alleged. When asked by the Panel what he could do if he didn't agree with certain factual allegations Mr. Singh correctly confirmed his recourse would be to proceed to a full oral hearing.

19. The Panel then reviewed with the Appellant each factual allegation within the Agreed Facts, specifically paragraphs 25 to 37 reproduced in the section below, "Findings of Fact". The Panel read each paragraph to the Appellant, and asked if he agreed to the facts alleged, and if there was anything with which he disagreed. For each paragraph the Appellant confirmed his agreement, and confirmed that nothing was disagreed.
20. The following comments are not intended to be critical of the evidence presented to the Panel with respect to the Agreed Facts. The comments are simply intended as a guide to the parties on what this Panel would have found more beneficial.
21. Any party, whether represented by legal counsel or not, must be given a full opportunity to present evidence before the Panel in relation to the alleged breaches, and any sanction, consistent with procedural fairness and natural justice. If a litigant chooses to proceed without legal counsel, a Panel must be cognisant that the degree of understanding of the proceedings will vary greatly between litigants.
22. A litigant must be given sufficient time to prepare. In particular, if there is an Agreed Statement of Facts, an Admission of Conduct Deserving Sanction and/or an Agreement on Sanction, the litigant must be given sufficient time to carefully review and understand (1) what is being admitted to, and (2) the potential consequences of any impugned conduct that may be established. Further, a litigant must be given a reasonable opportunity to obtain independent legal representation, or at least advice. What is a reasonable opportunity in a given situation will be contextual.
23. Until January 11, Mr. Singh had clearly expressed a desire to obtain legal representation. Such a desire apparently changed after certain negotiations led to the Agreed Facts and Joint Submission on Sanction. The Panel's decision to adjourn the hearing from January 12 to January 23 was motivated by this sudden change. The adjournment gave the Appellant a reasonable opportunity to consider the Agreed Facts and Joint Submission on Sanction, and to obtain legal representation and/or advice, should he have desired so. In the circumstances of this case, the Panel is confident that the Appellant had sufficient time to review and understand the Agreed Facts and Joint Submission on Sanction, and accordingly the principles of fairness, due process and procedural justice were upheld.

C. FINDINGS OF FACT

24. As stated above, this was not a contested hearing. Instead, the parties submitted an unsigned document titled, "Agreed Facts and Joint Submission on Sanction". However, during the hearing the parties, by agreement, amended the Agreed Facts. Below are the facts alleged by the Registrar that were accepted by the Appellant during the hearing, and which the Panel makes as its findings of fact.

Alleged Breach of Section 17(a) – [ADDRESS 2]

25. In or around August of 2021, Mr. Singh traded in real estate as a real estate broker without holding the appropriate licence, contrary to s. 17(a) of the *Real Estate Act*.

26. On November 30, 2020, Mr. Singh's license was suspended by order of the Administrator of the Real Estate Council of Alberta.

27. In or around August of 2021 Mr. Singh represented the buyers in a purchase of a property located at [ADDRESS 2].

28. Activities performed in relation to this transaction were showing clients properties for sale, negotiating the terms of a contract, communicating with the builder's representative that was selling the property on behalf of the clients and sending transaction documents via DocuSign and directing these clients to sign them.

29. While providing services to these buyers, documentation was in place to make it appear a different individual who was a licensed associate was representing the buyers.

30. At no time did Mr. Singh inform the buyers that his license to trade in real estate had been suspended.

Alleged Breach of Section 17(b) – [ADDRESS 2]

31. In or around September 2021, Mr. Singh traded in mortgages as a mortgage broker without holding the appropriate licence, contrary to s. 17(b) of the *Real Estate Act*.

32. On November 30, 2020, Mr. Singh's license was suspended by order of the Administrator of the Real Estate Council of Alberta.

33. In or around September 2021, Mr. Singh represented the buyers of a property located at [ADDRESS 2].

34. During this transaction Mr. Singh sent a No Fee Fiduciary Agreement and a client consent form to these clients via DocuSign and directed them to sign the

document in order to enter into a client relationship for the purpose of obtaining a mortgage for these clients.

35. Mr. Singh was provided with a mortgage approval letter by his clients, and in turn, provided that mortgage approval letter to the builder on behalf of these clients.

36. Mr. Singh advised these clients that he could obtain a mortgage for them.

37. At no time did Mr. Singh inform the clients his license to deal in mortgages had been suspended.

D. DECISION OF THE PANEL ON PHASE 1

Section 17(a) – Unauthorised Trading in Real Estate

38. Section 17(a) of the Act prohibits trading in real estate while unauthorised. It states:

Licence required

17 No person shall

(a) trade in real estate as a real estate broker,

....

unless that person holds the appropriate licence for that purpose issued by the Industry Council relating to that industry.

39. The Act defines "trade" in section 1(1)(x):

Interpretation

1(1) In this Act,

(x) "trade" includes any of the following:

....

(iii) an offering, advertisement, listing or showing of real estate for purchase or sale;

....

(v) holding oneself out as trading in real estate;

(vi) the solicitation, negotiation or obtaining of a contact, agreement or any arrangement or any arrangement for an activity referred to in subclauses (i) or (v);

....

(viii) any conduct or act in furtherance of attempted furtherance of an activity referred to in subclauses (i) to (vi).

40. The Panel is satisfied that the findings of fact outlined above in paragraphs 25 to 30 above meet the essential elements for a breach of section 17(a) of the Act. The Panel finds that the Appellant's conduct constituted trading in real estate as a real

estate broker, as defined under sections 1(1)(x)(iii), (v), (vi) and (viii). Mr. Singh showed a property to prospective purchasers (iii); held himself out as someone trading in real estate through his actions (v); negotiated the terms of the purchase contract (vi); and performed various functions in furtherance of these activities, including communicating with the builder, transferring documents via DocuSign and directing that they be signed (viii). At the relevant time the Appellant was suspended by Order of the Administrator, and therefore traded without holding the appropriate licence for that purpose. Therefore, the Appellant was in breach of section 17(a) of the Act.

Section 17(b) – Unauthorised Dealing as a Mortgage Broker

41. Section 17(b) of the Act prohibits dealing as a mortgage broker while unauthorised. It states:

Licence required

17. No person shall:

(a)...

(b) deal as a mortgage broker,

....

unless that person holds the appropriate licence for that purpose issued by the Industry Council relating to that industry.

42. The Act defines “dealing” in section 1(1)(j), and defines “mortgage broker” in section 1(1)(r):

Interpretation

1(1) In this Act,

(j) “dealing” means all of any of the activities of a mortgage broker referred to in clause (r),

....

(r) “mortgage broker” means

(i) a person who on behalf of another person for consideration or other compensation

(A) solicits a person to borrow or lend money to be secured by a mortgage,

(B) negotiates a mortgage transaction,

(C) collects mortgage payments and otherwise administers mortgages, or

(D) buys, sells or exchanges mortgages or offers to do so.

or

(ii) a person who holds out that the person is a person referred to in subclause (i);

43. The Panel is satisfied that the findings of fact outlined above in paragraphs 31 to 37 above meet the essential elements for a breach of section 17(b) of the Act. The Panel finds that the Appellant's conduct constituted dealing as a mortgage broker, as defined under sections 1(1)(j) and 1(1)(r). Mr. Singh solicited the purchasers to secure a mortgage by advising them he could secure a mortgage and sending them documents via DocuSign and directing for them to be signed (A); he negotiated the transaction between the purchasers and the developer (B); he administered the mortgage by relaying documents between the purchasers and the builder (C); and he offered to obtain a mortgage for the purchasers through all of these actions (D). At the relevant time the Appellant was suspended by Order of the Administrator, and therefore dealt as a mortgage broker without holding the appropriate licence for that purpose. Therefore, the Appellant was in breach of section 17(b) of the Act.

E. JOINT SUBMISSION ON APPROPRIATE PENALTY

44. The Panel's finding that the Appellant breached sections 17(a) and 17(b) of the Act concludes Phase 1 of the Hearing. The Panel will now consider the appropriate penalty for the breaches of the legislation. The Registrar and the Appellant proposed the following penalties:

Breach	Fine
Section 17(a)	\$25,000
Section 17(b)	\$15,000
TOTAL	\$40,000

45. Further, the parties proposed that zero costs be paid by the Appellant.

46. Section 83.1(5) of the Act gives the Panel the discretionary authority to "quash, vary or confirm the administrative penalty". It states:

83.1(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.

47. The Panel must consider the individual circumstances of the breaches, the circumstances of the Appellant, and supporting case law when deciding on the appropriate penalty.

48. *Jaswal v. Medical Board (Nfld.)*, 1996 CanLII 11630 (NL SC) at [35] (“Jaswal”) lists factors relevant to a decision about penalty. The parties addressed these factors, and outlined relevant authorities in the Joint Submission on Sanction. The Panel applies the Jaswal factors as outlined below:

- A. The nature and gravity of the proven allegation.**
- B. The degree to which the offensive conduct that was found to have occurred was clearly regarded, by consensus, as being the type of conduct that would fall outside the range of permitted conduct.**

Mr. Singh knowingly ignored his license suspension, and put his clients at risk by practicing without a licence. He was deceitful and hid his licence status from his clients. The nature of these breaches are extremely serious. The mandate of RECA includes the proper administration of the Act, including proper licensing, and protection of the public. His misconduct strikes at the heart of this mandate, and was well outside of the range of permitted conduct.

C. The age and experience of the Licensee

Mr. Singh was 34 years old. He had been a licensee in real estate since 2013 and mortgages since 2018. He had sufficient industry experience to know his misconduct was unacceptable.

D. The previous character of the Appellant and the presence or absence of prior complaints or convictions

Prior to this offending conduct occurring, Mr. Singh had not previously been sanctioned by RECA.

E. The number of times the offence was proven to have occurred

Mr. Singh committed this breach in relation to two different industry sectors.

F. The role of the Licensee in acknowledging what occurred

Mr. Singh has taken full responsibility for these breaches. He has saved considerable resources by entering into the Agreed Facts and Joint Submission on Sanction. By doing so an eight (8) day hearing was reduced to approximately two (2) days. Further, numerous witnesses were saved the stress of testifying.

G. Whether the Licensee had already suffered serious financial or other penalties because of the allegations having been made

Mr. Singh has not suffered any penalty or financial consequence due to these allegations.

H. Impact of the incident on the victim

As a result of Mr. Singh's conduct, his clients had to change mortgage companies and suffered penalties for doing so. They were also deprived of the proper representation of a licensed agent.

I. Mitigating circumstances

The parties rely on factors D. and F. as mitigating.

J. Aggravating circumstances

The parties rely on factors A, B, C, E, H, K and L as aggravating.

K. The need to promote specific and general deterrence and thereby protect the public and ensure the safe and proper conduct of the profession

The parties submitted that the need for specific deterrence in this case was moderate based on the circumstances of the conduct, and because Mr. Singh admitted his misconduct thereby reducing the likelihood of recidivism. The Panel does not agree that admitting conduct will necessarily reduce the probability of repeat offending. Further, this conduct was committed while under suspension, which in the Panel's view elevates the need for specific deterrence above moderate.

The parties submitted that the need for general deterrence was very high. The Panel agrees. As stated by the parties, *"The public deserves confidence that any person claiming to be a licensee is properly licensed and regulated. The public deserves to have confidence that they will be provided all information which could assist them make informed decisions when buying property. Licensees and indeed any member of the public must be strongly deterred from unlicensed practice."*

L. The need to maintain the public's confidence in the integrity of the profession

In *Law Society of Upper Canada v Lambert*, 2014 ONLSTH 158 at para. 17, the Law Society Hearing Panel stated that a profession's "most valuable asset is its collective reputation." The public expects that any self-regulated profession will take seriously

any attempt to subvert or avoid its regulatory authority. The public have a right to expect that anyone claiming to be licensed is, in fact, licensed, and that someone who is suspended will not trade in real estate or deal as a mortgage broker.

M. The range of sentence in other similar cases.

The parties provided a number of cases. Precedents are not binding on the Panel, but those provided were helpful guidance on sanctions for comparable conduct. After review of the cases, the Panel agrees that the proposed penalties fall within the range of penalties previously imposed in similar cases.

49. At paragraph 3(c) of the Agreed Facts and Joint Submission on Sanction, the parties submitted as an aggravating factor that, "*Mr. Singh misrepresented his identity to the builders and impersonated another real estate agent*". By analogy to the criminal law, under s.724(3)(e) of the *Criminal Code* the burden of proving aggravating factors is on the Crown beyond a reasonable doubt. The onus of proof in these proceedings with respect to establishing a breach of the legislation lies with the Registrar, and the standard is on the balance of probabilities. The same onus and standard must apply to establishing aggravating factors. Aggravating factors increase the jeopardy faced by an individual. During the hearing the Panel questioned whether the evidence supporting this alleged factor was limited to paragraph 1(e) of the Agreed Facts (that is, the facts found by this Panel in paragraph 29 above), or whether the Registrar wished to lead further evidence. Counsel for the Registrar suggested that the Appellant's conduct went beyond the facts stated in paragraph 29, but declined to lead further evidence.
50. The primary concern in Phase 2 is the availability of accurate information upon which the Panel can rely in determining the appropriate penalty in the particular circumstances of the Appellant. Aggravating factors attract heavier penalties, and so when alleged there must be a sufficient factual basis proven to the requisite standard, not a mere conclusory statement. The mere fact that the statement at paragraph 3(c) was 'agreed to' by the self-represented Appellant by virtue of it being in the agreed document is not sufficient. The Panel must still be satisfied that this aggravating factor has a factual basis proven to the requisite standard. The Panel was not given any information on the 'who, what, when and how' of further alleged misrepresentations and impersonations, other than the facts the Panel found within paragraph 29 above.
51. Accordingly, the Panel finds as an aggravating factor that Mr. Singh misrepresented his identity to the builders and impersonated another real estate agent, but does so to the limited extent found in paragraph 29 above.

The Nature of a Joint Submission

52. A joint submission exists where the Registrar and the Appellant agree to recommend a particular penalty(ies) to the Panel in exchange for the Appellant admitting the alleged breaches. This is what occurred. A Panel may depart from a joint submission, but before doing so a Panel should apply the “public interest” test set out by the Supreme Court of Canada in *R v Anthony-Cook*, 2016 SCC 43 at paragraphs 32 to 34:

[32] But, what does this threshold mean? Two decisions from the Newfoundland and Labrador Court of Appeal are helpful in this regard.

[33] In Druken [R v Druken, 2006 NLCA 67, 215 CCC (3d) 394 [Druken]], at para. 29, the court held that a joint submission will bring the administration of justice into disrepute or be contrary to the public interest if, despite the public interest considerations that support imposing it, it is so “markedly out of line with the expectations of reasonable persons aware of the circumstances of the case that they would view it as a break down in the proper functioning of the criminal justice system”. And, as stated by the same court in R. v. B.O.2, 2010 NLCA 19, at para. 56 (CanLII), when assessing a joint submission, trial judges should “avoid rendering a decision that causes an informed and reasonable public to lose confidence in the institution of the courts”.

[34] In my view, these powerful statements capture the essence of the public interest test developed by the Martin Committee. They emphasize that a joint submission should not be rejected lightly, a conclusion with which I agree. Rejection denotes a submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons, aware of all the relevant circumstances, including the importance of promoting certainty in resolution discussions, to believe that the proper functioning of the justice system had broken down. This is an undeniably high threshold – and for good reason.....

53. The Registrar and the Appellant submit that the proposed penalties are within an appropriate range that the Panel can accept.

F. THE PANEL’S DECISION ON PENALTY

54. The Panel has considered the penalties jointly proposed by the parties and find them appropriate given the circumstances of the conduct and the Appellant. The Panel has considered all the factors to be considered as set out in *Jaswal, supra*. The proposed penalties do not bring the administration of justice into disrepute, and are not otherwise contrary to the public interest. The Panel accepts the joint submission on sanction.

G. CONCLUSION

The Panel's decision is as follows:

- a. The Appellant breached sections 17(a) and 17(b) of the Act in relation to the property located at [ADDRESS 2].
- b. No evidence was led by the Registrar in relation to the remaining four administrative penalties. Accordingly, pursuant to section 83.1(5)(a) of the Act, the administrative penalties in relation to [ADDRESS 1], [ADDRESS 3] and [ADDRESS 4], are quashed, as requested jointly by the parties..
- c. The administrative penalty imposed for the breach of section 17(a) of the Act in relation to [ADDRESS 2], Calgary is **confirmed** as **\$25,000**, as requested jointly by the parties.
- d. The administrative penalty imposed for the breach of section 17(b) of the Act in relation to [ADDRESS 2], Calgary is **varied** by reducing it from \$25,000 to **\$15,000**, as requested jointly by the parties.
- e. The Hearing Panel imposes \$0 costs on the Appellant, as requested jointly by the Registrar and Appellant.

This Decision is dated this 16th day of August, 2023.

"Signature"

[C.W], Hearing Panel Chair