

THE REAL ESTATE COUNCIL OF ALBERTA

Case: 006395
Process: Section 39 & 83 of the *Real Estate Act*
Industry Member: William Wayne Haldane
Authorization: Real Estate Appraiser
Document: ADMINISTRATIVE PENALTY

TO: Mr. William Haldane

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

Penalty: \$1000.00

Particulars of the contravention(s):

1. In or around April 2016 you failed to notify RECA of disciplinary action taken against you by the Appraisers Institute of Canada (AIC) contrary to section 40(1)(b) of the *Real Estate Act* Rules:
 - a) On April 19, 2016 you were disciplined by the AIC for failing to meet the regulations set out in the Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP).
 - b) On or about September 5, 2016 you submitted a license renewal application to RECA showing an affirmative answer to the question regarding discipline. This was the first time you notified RECA in writing of the action against you.
 - c) On October 24, 2016 you stated that you do not recall the reason for the delay of notification.

The circumstances of this matter indicate the following factors were considered:

Aggravating Factors

- You had been informed of the requirement to notify RECA in writing by mail on February 23, 2016.
- You have been a Real Estate Appraiser for over 10 years and ought to have known better.

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.

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: Sherry Hillis, Professional Conduct Review Officer
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Phone: 403.228.2954; Toll Free: 1.888.425.2754
Fax: 403.228.3065
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Issued at Calgary, Alberta, on December 2, 2016

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