

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: John McLaughlin, Real Estate Associate
c/o 1739731 Alberta Ltd. o/a Maxwell Capital Realty
#4, 12110 - 40 St SE
Calgary, Alberta T2Z 2K6

In accordance with s.83 and the Bylaws of the *Real Estate Act*, R.S.A. 2000 c.R-5 (the "Act"), the Executive Director of the Real Estate Council of Alberta has determined that John McLaughlin has contravened s.40(1)(e) of the Rules made pursuant to the *Act* (the Rules) and as such an Administrative Penalty is warranted. The evidence giving rise to the Executive Director's decision is as follows.

According to information you provided to the Real Estate Council of Alberta (RECA) on May 6, 2013, you became the subject of bankruptcy proceeding on December 21, 2012.

At the time you became the subject of bankruptcy proceedings you were authorized as a real estate associate and were required to immediately notify the Executive Director in writing in accordance with s.40(1)(e) of the Rules.

Section 40(1)(e) of the Rules provides:

An industry member must immediately notify, in writing, the executive director when:

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

You failed to immediately notify, in writing, the Executive Director when you became the subject of bankruptcy proceedings on December 21, 2012.

In accordance with section 83 of the Act and Part 4 of the Act's Bylaws, an Administrative Penalty in the amount of **\$1,000** has been assessed against you for this contravention.

Payment of this Administrative Penalty shall be accepted by the Executive Director as complete satisfaction of the amount of the penalty and no further proceedings under Part 6 of the *Act* will be taken against you in respect of the contravention herein. A

person who pays an Administrative Penalty may not be charged under the Act with an offence in respect of those contraventions.

This sum of **\$1,000** is payable to RECA within thirty (30) days of the date of issuance of this Notice of Administrative Penalty. If you fail to pay the amount set out in this notice, the Executive Director may commence legal action against you to recover the amount owing in respect of the Administrative Penalty as a debt due to RECA.

If you dispute this Notice of Administrative Penalty in accordance with s.83.1 of the Act, you may appeal it to a Hearing Panel. You will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel and make representations to the contravention.

If you have any questions in regard to this Notice of Administrative Penalty, please contact Sara Witzke, Licensing Compliance Officer, at 403-228-2954 (or toll-free within Alberta at 1-888-425-2754).

DATED this 15th day of November, 2013.

REAL ESTATE COUNCIL OF ALBERTA

Per: *Charles Stevenson*, for

Bob Myroniuk
Executive Director

cc: William Macdougall, Broker
1739731 Alberta Ltd. o/a Maxwell Capital Realty

Stan Kushner, Associate Broker
1739731 Alberta Ltd. o/a Maxwell Capital Realty