

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Parmjit Singh Sandhu
Realty Executives Polaris
4107 - 99 Street
Edmonton, Alberta
T6E 3N4

In accordance with section 83 and the Bylaws of the *Real Estate Act* R.S.A. 2000 c. R-5, (Act), the Executive Director of the Real Estate Council of Alberta (RECA) has determined that there is sufficient evidence of conduct deserving of sanction in regard to you, Parmjit Singh Sandhu, at all relevant times a Real Estate Associate, registered with Polaris Realty (1995) Ltd. O/A Realty Executives Polaris, to assess an Administrative Penalty. The evidence giving rise to the Executive Director's decision is as follows:

During your real estate associate license renewal in 2012 you were required to answer suitability questions and disclose when applicable. Specifically, you were required to answer the question "*If you or any corporations for which you are or were a shareholder, director or officer or for any partnerships in which you are or were a partner have been or are the subject of a judgment or order related to misrepresentation, theft, fraud, breach of trust or the provision of products and services*". In your case, you had a judgment against your company, which you did not report and therefore falsely answered the above noted question.

The Executive Director is of the opinion that the above noted conduct is in violation of section 42(a) of the Act / Rules made pursuant to the Act which sets out that:

42 Industry members must not:

(a) make representations or carry on conduct that is reckless or intentional and the misleads or deceives any person or is likely to do so;

In accordance with section 39 and section 83 of the Act and Part 4 of the Act's Bylaws, an Administrative Penalty in the amount of **\$1,500** has been assessed against you for this contravention.

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

Aggravating Factors

- You did not seek the advice of RECA or your Real Estate Broker at the time of disclosure in 2012
- You have been a Real Estate Associate since 1997 and should have known annual licensing requirements

Mitigating Factors

- You voluntarily disclosed the judgment in 2013

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. 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 **\$1,500** 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 section 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 in relation to the contravention.

If you have any questions in regard to this Notice of Administrative Penalty, please contact Allison Baillie, Professional Conduct Review Officer, at RECA.

DATED this 13 day of November, 2013.

REAL ESTATE COUNCIL OF ALBERTA

Per: *Charles Stevenson*, for

Bob Myroniuk
Executive Director

cc: William Tarrabain, Real Estate Broker
Polaris Realty (1995) Ltd. O/A Realty Executives Polaris