

## REAL ESTATE COUNCIL OF ALBERTA

### NOTICE OF ADMINISTRATIVE PENALTY

To: **William Armstrong**  
**Excellence Real Estate Edmonton Ltd. o/a Re/Max Excellence**  
**17718 – 64 Avenue**  
**Edmonton, AB T5T 4J5**

In accordance with s. 39 and s. 83 of the *Real Estate Act*, R.S.A. 2000 c. R-5 (the "**Act**") and the Bylaws of the Act, the Executive Director of the Real Estate Council of Alberta has determined that there is sufficient evidence of conduct deserving of sanction in regard to you, William Armstrong (hereinafter "**Mr. Armstrong**"), associate, registered at all relevant times with Excellence Real Estate Edmonton Ltd. o/a Re/Max Excellence, to assess an Administrative Penalty in the amount of **\$1,000.00**. The evidence giving rise to the Executive Director's decision is as follows:

On or about September 6, 2006, Mr. Armstrong was the subject of a disciplinary hearing by a hearing panel of the Professional Standards Committee at the Edmonton Real Estate Board (hereinafter "**EREB**"). On or about September 18, 2006, the hearing panel in the matter issued its decision and found Mr. Armstrong had contravened CREA's Code of Ethics and Standards of Business Practice. Mr. Armstrong did not immediately notify the Executive Director in writing of the EREB decision.

The Executive Director is of the opinion that the above noted conduct is in contravention of section 40(1)(b) of the *Rules* made pursuant to the *Real Estate Act*, R.S.A. 2000 c. R-5 (hereinafter "**Rules**") which sets out that:

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

- (b) the industry member is disciplined by any real estate board, real estate association, mortgage broker association, appraiser association, or any professional, occupational or regulatory body;

The Executive Director believes that this is conduct deserving of sanction.

In accordance with s. 39 and s. 83 of the Act and Part 4 of the Act's Bylaws, an Administrative Penalty in the amount of **\$1,000.00** has been assessed against you, William Armstrong, 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. A person who pays an Administrative Penalty may not be charged under the Act with an offense in respect of those contraventions.

This sum of **\$1,000.00** is payable to the Real Estate Council of Alberta 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 the Real Estate Council of Alberta.

If you dispute this Notice of Administrative Penalty in accordance with s. 33 of the Bylaws, 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 Victoria Woodworth-Lynas, Case Officer, at the Real Estate Council of Alberta.

DATED this 24<sup>th</sup> day of November, 2008.

**REAL ESTATE COUNCIL OF ALBERTA**

Per: "Bob Myroniuk"  
Bob Myroniuk  
Executive Director

Cc: Fran Grimm, Broker  
Re/Max Excellence