

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Andy Verhagen
c/o Re/Max Andy Verhagen Realty
668 Estate Drive
Sherwood Park, AB
T8B 1M4

In accordance with s. 39 and 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 there is sufficient evidence of conduct deserving of sanction in regard to Andy Verhagen, Broker registered with Re/Max Andy Verhagen Realty, to assess an Administrative Penalty. The evidence giving rise to the Executive Director's decision is as follows:

On or about April 25, 2005, you were convicted of the offense of income tax evasion. You did not report this conviction to the Executive Director, who was ultimately informed of it from an article posted in the Edmonton Journal which was referred to the Real Estate Council of Alberta by an employee on or about April 29, 2005.

The Executive Director believes your conduct is in contravention of Rule 15(3)(f) made pursuant to the Act, which states:

15(3) A licensee must immediately notify, in writing, the Executive Director when

(f) the licensee is convicted of any criminal offence or any other offence under any law of any country, province or state, excluding provincial or municipal highway traffic offences resulting in monetary fines only.

In accordance with s. 39 and s. 83 of the Act and Part 5 of the Bylaws of the Act, an Administrative Penalty in the amount of **\$1000.00** has been assessed against you for your contravention of Rule 15(3)(f). 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.

This sum 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. 35 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, RECA Legal Services, at the Real Estate Council of Alberta.

DATED this 13th day of December, 2006.

REAL ESTATE COUNCIL OF ALBERTA

Per: "Bob Myroniuk"
Bob Myroniuk
Executive Director