

REAL ESTATE COUNCIL OF ALBERTA

NOTICE OF ADMINISTRATIVE PENALTY

To: Yuin Kim

In accordance with Section 83 (formerly Section 82) and the Bylaws of the Real Estate Act (hereinafter the "Act"), the Executive Director of the Real Estate Council of Alberta is of the opinion that Yuin Kim has contravened section 17 of the Act and hereby assesses an Administrative Penalty in the amount of \$4000.00. The evidence giving rise to the Executive Director's decision is as follows:

On or about April 06, 2000, Yuin Kim, phoned J.A. of Re/max First, advised he had an offer to purchase for unit #101 in Hemisphere on the Bow. During the same conversation Mr. Kim admitted he was a licensed industry member.

Mr. Kim presented an offer to purchase for unit #101, 3412 Parkdale Boulevard NW on behalf of his client to J.A. on or around April 07, 2000.

Zwerver Developments Ltd. has never been licensed to trade in real estate as a real estate brokerage. Mr. Kim has never been licensed to trade in real estate on behalf of Zwerver Developments Ltd.

During April 2000, in contravention of section 17 of the Act, Yuin Kim held himself out as a real estate broker and traded in real estate as a real estate broker on behalf of Zwerver Developments, an unlicensed entity. This holding out occurred when Mr. Kim represented himself to a member of the public as an industry member or an authorized broker and negotiated a contract on behalf of a client. Yuin Kim conducted more than one (1) unlicensed real estate transactions with the D.H.

The Executive Director believes Yuin Kim contravened Section 17 of the Real Estate Act. In accordance with Section 83 (formerly Section 82) of the Act and Part 4 of the Bylaws, an Administrative Penalty in the amount of **\$4000.00** has been assessed against Yuin Kim.

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 Real Estate 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 that contravention.


This sum is payable to the Real Estate Council of Alberta at the above noted address 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 Monica Burman, Case Officer, at the Real Estate Council of Alberta.

DATED this 25 day of July 2002.

REAL ESTATE COUNCIL OF ALBERTA

Per: "A.K." 
Bob Myroniuk
Executive Director