

## REAL ESTATE COUNCIL OF ALBERTA

### NOTICE OF ADMINISTRATIVE PENALTY

To: Valerie Gall  
985144 Alberta Ltd.  
Royal LePage Country Realty  
413 Main Street  
Three Hills, Alberta  
T0M 2A0

In accordance with Section 82 of the Real Estate Act c. 4.5 1995, and currently Section 83 RSA c. 5 2000, 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 Valerie Gall has contravened section 17 of the Act and hereby assesses an Administrative Penalty in the amount of **\$1,000**. The evidence giving rise to the Executive Director's opinion is as follows:

In or around August 30, 2000, Valerie Gall completed an Associate Broker License Application for Executive Real Estate Canada Ltd. o/a Realty Executives Apex (hereinafter Realty Executives Apex") On or about September 6, 2000, an advertisement was placed in a news flier, *The Capital*, welcoming Valerie Gall to Realty Executives Apex as an Associate Broker. This same advertisement was placed in *The Capital* on September 13, 2000. On Monday September 18, 2000 an advertisement was placed in a real estate news flier under the caption Acreages. The advertisement stated "New Listing-Under \$100,00.00. Many improvements in this 3 bedroom bungalow east of 3 Hills. Must be seen but hurry, won't last long. Contact Valerie Gall @433-2988" During the same period Valerie Gall co-listed one property with B.R. , on behalf of Realty Executives Apex.

From September 6 2000 to September 19, 2000, Valerie Gall, in contravention of s. 17 of the Act, held herself out as a real estate broker and traded in real estate as a real estate broker on behalf of Realty Executives Apex with out the appropriate authorization for that purpose issued by the Council. The holding out consisted of the use of advertising material and written representations to the public in *The Capital* and other news fliers as aforesaid.

The Executive Director believes Valerie Gall contravened section 17 of the Act. In accordance with Section 82 (currently 83) and Part 4 of the Bylaws of the Act, an Administrative Penalty in the amount of **\$1000** has been assessed against Valerie Gall.

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 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 Section 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 Jocelyne J. Caldwell, Assistant Legal Counsel.

DATED this 19<sup>th</sup> day of July 2002.

**REAL ESTATE COUNCIL OF ALBERTA**

Per: "Bob Myroniuk"  
Bob Myroniuk  
Executive Director

cc: C.B. , Realty Executives Apex