

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Gary Hunt
1ST Choice Real Estate Inc.
7119 Argyll Road Edmonton
Alberta T6C 4A5

In accordance with Section 83 (previously s. 82) and the Bylaws of the Real Estate Act (hereinafter the "Act"), R.S.A. 2000 c. 5 the Executive Director of the Real Estate Council of Alberta is of the opinion that Gary Hunt has contravened Rule 23 (b) of the Rules made pursuant to 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:

On February 25, 2000, Mr. Hunt advertised in the *Edmonton Examiner* (the "Examiner") The advertisement stated that Mr. Hunt could "show you [his clients] how to save thousand\$\$" The only reference to Mr. Hunt's brokerage is the word RE/MAX and Mr. Hunt's office phone number in the advertisement. The picture in the advertisement includes a vehicle that has a licence plate with the word RE/MAX in bold letters. The advertisement did not include the full name of the Brokerage in which Gary Hunt was registered. No where in the advertisement did Mr. Hunt include the name that appears on his license being Re/max Real Estate Center. Prior to the advertisement being placed in the news print, Mr. Hunt had received a proof and made some changes to the advertisement. The changes did not include any reference to the full name of the brokerage that appeared on Mr. Hunt's licence. The Brokerage policy, Re/Max Real Estate Centre was that the broker or associate broker was to review all advertisements. Hunt did not have the brokerage review the aforementioned advertisement.

The Executive Director believes Gary Hunt contravened Rule 23 (b) of the Rules made pursuant to Act. In accordance with Section 83 (previously section 82) and Part 4 of the Bylaws of the Act, an Administrative Penalty in the amount of **\$1000** has been assessed against Gary Hunt.

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 7TH day of ^{AUGUST} ~~July~~, 2002.

REAL ESTATE COUNCIL OF ALBERTA

Per: "Bob Myroniuk"
Bob Myroniuk
Executive Director

cc: G.K. , Previous Broker
K.Y. , Broker