

IN THE MATTER OF The Real Estate Act, S.A. 1996, c.R- 4.5

AND IN THE MATTER OF Keyfacts Enterprises Canada Inc.

INTRODUCTION

1. The Executive Director of the Real Estate Council of Alberta conducted an investigation into whether Keyfacts Enterprises Canada Inc. ("Keyfacts") breached the provisions of the Real Estate Act S.A. 1996, c.R – 4.5 ("the Real Estate Act") and the Rules prescribed pursuant thereto.
2. The Executive Director and Keyfacts agree to settle all matters that may result from said investigation on the terms and conditions set out herein.

AGREED STATEMENT OF FACTS

3. From in or around June, 1997 to February 25, 1998, ("the unlicensed period") Keyfacts was not authorized to trade in real estate pursuant to the Real Estate Act. Effective February 26, 1998, Keyfacts was authorized to trade in real estate and Ken Weber was registered as the designated representative for Keyfacts.
4. During the unlicensed period, Keyfacts assisted in disposing of real estate, pursuant to a form of agreement which is attached hereto and marked as Schedule A (hereinafter referred to as the "agreement"). Keyfacts received compensation for such assistance primarily through a referral fee, as provided for in the Agreement.
5. During the unlicensed period, Keyfacts earned approximately \$17,078.67.
6. The Executive Director has reached the conclusion that the activities of Keyfacts during the unlicensed period and in particular trading in real estate by assisting in the disposal of same for which it received compensation as provided for in the Agreement, is in breach of s.17 of the Real Estate Act.

SETTLEMENT TERMS

7. In settlement of all issues which have arisen or may arise pursuant to the investigation by the Executive Director, inclusive of all matters up to and including February 25, 1998 and specifically inclusive of all possible sanctions that Keyfacts may be liable for due to the above conclusion reached by the Executive Director, Keyfacts agrees to pay a fine in the amount of \$10,000 to the Real Estate Council of Alberta.

8. Keyfacts further agrees to pay costs in regard to the investigation and the provision of legal services in the amount of \$2,500.
9. Keyfacts acknowledges that it has been given an opportunity to seek the advice of legal counsel and acknowledges that it is freely and voluntarily agreeing to the terms of settlement.
10. The Executive Director agrees that all actions of Keyfacts up to and including February 25, 1998 will not be subject to further investigation and will not be the subject of prosecution under the Act.
11. Keyfacts is aware the contents of this Consent Agreement may be published by the Real Estate Council of Alberta.
12. The terms herein are intended to resolve all matters set out herein and all actions of Keyfacts up to and including February 25, 1998 without exception and the Executive Director agrees that no further action will be taken against Keyfacts be it by further investigation or prosecution or otherwise.

IN WITNESS WHEREOF the undersigned agree and accept the terms and conditions of this settlement this 18 day of **September, 1998**.

Signed and delivered)
in the presence of)

"M.A."

Witness

"R.N."

Keyfacts Enterprises Canada Inc.

Per: R.N.

Vice President , Operations, Calgary

Real Estate Council of Alberta

"J.P."

Witness

"Bob Myroniuk"

Per: Bob Myroniuk

Executive Director

AFFIDAVIT OF EXECUTION

CANADA) I, M.A.
) (name of witness),
 PROVINCE OF ALBERTA) of the City of Calgary in the Province of Alberta
)
 TO WIT:) MAKE OATH AND SAY:

1. THAT I was personally present and did see Rod Nelson named in the annexed instrument, who is personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.
2. THAT the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto.
3. THAT I know the said party and he is in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City)
 of Calgary in the Province of)
 Alberta this 18 day of)
September, 1998.)

"M.A."
 (signature of witness)

"D.C."
 A Commissioner for Oaths in and)
 for the Province of Alberta)