

# REAL ESTATE COUNCIL OF ALBERTA

## NOTICE OF ADMINISTRATIVE PENALTY

To: **JAMES Y-C LAM, Designated Representative**  
**BRAVO REALTY LIMITED o/a CENTURY 21 BRAVO REALTY**  
#122, 2116 – 27th Avenue N.E.  
Calgary, Alberta  
T2E 7A6

In accordance with Section 39, Section 82 and the Bylaws of the Real Estate Act (hereinafter 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 James Y-C Lam, designated representative of Bravo Realty Limited o/a Century 21 Bravo Realty to assess an Administrative Penalty. The evidence giving rise to the Executive Director's decision is as follows:

On April 27, 1997, James Y-C Lam (hereinafter "Mr. Lam") and Bravo Realty Limited o/a Century 21 Bravo Realty ("Century 21 Bravo Realty") entered into an employment contract with H.L. to work as a real estate salesperson. On or about this date, H.L. commenced trading in real estate as a real estate salesperson. Sometime earlier, Mr. Lam had directed H.L. to personally submit his Real Estate Salesperson Registration Form with the appropriate fees to the Real Estate Council of Alberta which indicated that H.L. would commence employment with Century 21 Bravo Realty".

H.L. did not do as requested and did not submit his salesperson's registration application to the Real Estate Council of Alberta. In spite of this, H.L. worked as a real estate salesperson for Mr. Lam and Century 21 Bravo Realty for a period of 3 months.

It was the responsibility of Mr. Lam, as the designated representative of Century 21 Bravo Realty to ensure and confirm that H.L. was registered as a real estate salesperson with the Real Estate Council of Alberta and that all fees and other amounts that were paid in accordance with the Rules and Bylaws of the Real Estate Act prior to employing H.L. to trade in real estate as a real estate salesperson.

The Executive Director therefore believes the conduct of Mr. Lam and Century 21 Bravo Realty is in contravention of Rule 23(2) of the Act and is conduct deserving of sanction.

In accordance with Section 39, Section 82 and Part 4 of the Bylaws of the Act, an Administrative Penalty in the amount of **\$1,000.00** has been assessed against James Y-

C Lam and Century 21 Bravo Realty for this contravention. 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 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 P. Jean Pearce, Legal Counsel at the Real Estate Council of Alberta.

DATED this 4<sup>th</sup> day of **NOVEMBER, 1998.**

**REAL ESTATE COUNCIL OF ALBERTA**

Per: "Bob Myroniuk"  
Bob Myroniuk  
Executive Director