

IN THE MATTER OF THE REAL ESTATE ACT, S.A. 1996 c.R-4.5

AND IN THE MATTER OF KEN HOCKENHULL

INTRODUCTION

1. The Executive Director of the Real Estate Council of Alberta has concluded an investigation into whether Kenneth Hockenhull's (hereinafter referred to as "Hockenhull") conduct is deserving of sanction and/or whether it breached the requirements of the *Real Estate Act* (hereinafter referred to as the "the *Act*") and the Rules prescribed by the *Act*.
2. The Executive Director and Hockenhull have agreed to resolve the allegations against Hockenhull on the terms and conditions herein set out.

AGREED STATEMENT OF FACTS

3. The Executive Director has made a finding that from the period of December, 1994 to May, 1998, Hockenhull traded in real estate as a real estate broker and advertised or held himself out as a real estate broker when he was not authorized by the Real Estate Council of Alberta to do so.
4. By reason of these matters, Hockenhull has breached Section 17 of the *Act*.

SETTLEMENT TERMS

5. In settlement of these issues, Hockenhull has agreed to pay a fine in the amount of \$3000.00 to the Real Estate Council of Alberta.
6. Hockenhull agrees to cease all unlicensed trading in real estate and will comply with section 17 of the *Real Estate Act*.
7. Hockenhull acknowledges that he has had the opportunity to obtain the advice of legal counsel with respect to entering into the within Consent Agreement and acknowledges that he is agreeing to the terms of this settlement voluntarily.

8. Hockenhull is aware that a copy of the within Consent Agreement will be placed in his files with the Real Estate Council of Alberta and may be reviewed and considered in any future disciplinary proceedings.
9. Hockenhull is aware that the contents of the within Consent Agreement may be published by the Real Estate Council of Alberta.
10. Hockenhull hereby waives any rights that it may have under the *Act* or otherwise to a review, hearing, appeal or other judicial proceeding involving the matters referred to herein.
11. These settlement terms are intended to resolve all matters described herein and the Executive Director will take no further action under the *Act* or before the courts in this regard.

IN WITNESS WHEREOF the undersigned agree and accept the terms and conditions of this Consent Agreement this 7 day of October, 1998.

Signed and delivered)
in the presence of)
)
"J.A.")

Witness)

Per "Kenneth Hockenhull"

Kenneth Hockenhull

Real Estate Council of Alberta

"J.P."

Witness

Per: "Bob Myroniuk"

Bob Myroniuk
Executive Director