

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: **MARC MERCIER**
c/o Coldwell Banker Panda Realty
10004 – 103rd Street
Morinville, Alberta
T8R 1R7

PERSONAL & CONFIDENTIAL

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 the conduct of Marc Mercier (then registered as a real estate salesperson with Denroz Realty Inc.) to assess an Administrative Penalty. The evidence giving rise to the Executive Director's decision is as follows:

Marc Mercier was terminated from his employment with Denroz Realty Inc. on August 14, 1997. He indicated on the Real Estate Salesperson Employment Change form he filed with the Real Estate Council of Alberta on August 14, 1997 that he was to be registered with Panda Realty Inc. o/a Coldwell Banker Panda Realty effective August 15, 1997. On August 16, 1997, Marc Mercier presented an offer on behalf of his clients indicating that he was registered as a real estate salesperson with Denroz Realty Inc., when in fact he was not.

Marc Mercier traded in real estate in a name other than that of the agent who employed him at the time of the trade. The Executive Director believes this conduct is in contravention of Rule 25(b) 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 **\$100** has been assessed against Marc Mercier 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 8th day of **JULY, 1998**.

REAL ESTATE COUNCIL OF ALBERTA

Per: "A.K." 

Bob Myroniuk
Executive Director