

REAL ESTATE COUNCIL OF ALBERTA

In the matter of a Hearing between:

**Rick Chaba - Salesperson; and
Leslie Cisakowski D.R.
and
Irving Switzer**

Upon hearing the evidence presented at the Hearing, the Hearing Panel renders the following decision:

1. As the Hearing relates to Mr. Rick Chaba; the Hearing Panel, under Section 45 (i) discontinues proceedings against Mr. Chaba.
2. In the matter of Leslie Cisakowski; the Hearing Panel finds that Mr. Cisakowski's conduct is deserving of sanction in that he failed to properly supervise the conduct of an unlicensed assistant in his office.
3. In the matter of Irving Switzer; the Hearing Panel finds that his conduct is deserving of sanction in that:
 - a) he held himself out as an Industry Member while under suspension by the Executive Director;
 - b) that he counselled buyers to secure a "Gift Letter" for funds for a downpayment on a house that he knew (or should have known) were not true "Gifts";
 - c) that Mr. Switzer, in September of 1997, swore a false affidavit to renew his "Authorization to Trade in Real Estate".

As to sanctions, the Hearing Panel assesses the following:

1. Against Leslie Cisakowski; Mr. Cisakowski is to receive a "Letter of Reprimand" and is assessed costs in the amount of \$2,959.02.
2. Against Irving Switzer; Mr. Switzer is to receive a six (6) month suspension of his "Authorization to Trade in Real Estate" effective from January 28, 1998, to July 28, 1998, and pay costs in the amount of \$5,918.03. It is recommended to the Executive Director that, should Mr. Switzer be granted an "Authorization to Trade in Real Estate" at the end of the suspension period that, as a condition of the Authorization, his Agent be required to meet with him weekly and report monthly as to his conduct in Real Estate Trades and/or any complaints (by members of the public or Industry Members) to the Real Estate Council of Alberta for a period of two (2) years.

SENT BY: DOWNEY/WALL

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Dated this 3rd day of June, 1998,

"John Burns"

~~John Burns, Chairman~~

"Mary Anold"

~~Mary Arnold, Panel Member~~

"Graham Downey"

~~Graham Downey, Panel Member~~

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RCV BY: DOWNEY/WALL

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Dated this 3rd day of June, 1998.

"John Burns"

~~John Burns, Chairman~~

Mary Arnold, Panel Member

Graham Downey, Panel Member