

**THE REAL ESTATE COUNCIL OF ALBERTA**

**IN THE MATTER OF** section 83 and section 41 of the *Real Estate Act*,  
R.S.A. 2000, c. R-5 and Part 4 of the *Real Estate Council Bylaws*

**AND IN THE MATTER OF** a hearing regarding the conduct of Luis  
Benavides, then real estate agent, now associate, registered with  
Calgary Independent Realtors Ltd. o/a C.I.R.

**Hearing Panel members:** Graham Downey, Chair  
Pat Rudiger  
Doug Singleton  
Les Higa (Alternate)

**Application From:** Ms Aruna Marathé, legal counsel on behalf of the Executive  
Director

**Application Date:** November 14, 2007

**ADJOURNMENT APPLICATION DECISION**

**I) INTRODUCTION**

By way of a written notice dated November 14, 2007, counsel on behalf of the Executive Director gave notice of an adjournment application to the Hearing Panel. As this was a first time adjournment application, it proceeded by way of a written submission by Ms Marathé.

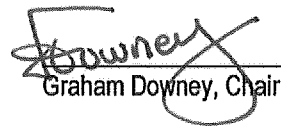
**II) SUBMISSIONS**

Ms Marathé submitted that Mr. Benavides was unavailable for service because he was out of the country until November 13, 2007. This would not provide him with enough time to prepare for his hearing should it be held on the original date of November 27. Ms Marathé also submitted that she had consulted Mr. Benavides regarding this and he was in agreement to the adjournment until sometime the week of December 17, 2007 and that he will attend this hearing via teleconference from his office.

**III) ORDERS**

On the basis that the application for adjournment is not opposed, that the request for an adjournment is not unreasonable, and that the parties have co-operated in seeking a mutually agreeable date for the hearing, the Appeal Panel hereby grants an adjournment of the hearing and sets the hearing on Thursday December 20, 2007 at 9:30 a.m. via teleconference.

Dated this 16 day of November, 2007

  
Graham Downey, Chair