

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

MARYLAND REAL ESTATE  
COMMISSION

\*

CASE NO. 2008-RE-184

\*

V.

\*

ROBERT LAFFERMAN  
MARYLAND REFERRAL GROUP L.L.C.\*  
1777 Reisterstown Road, Suite 206 West  
Baltimore, Maryland 21208 \*  
Lic. Reg. No. 05-325036

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Chaim Benamor ("Complainant"). Based on the complaint and an investigation the Commission issued a Statement of Charges and Order for Hearing dated December 21, 2010, which was subsequently amended on February 8, 2011, against real estate salesperson Robert Lafferman, license registration number 05-325036 ("Respondent") and transmitted this matter to the Office of Administrative Hearings ("OAH") for a hearing on the regulatory charges. The OAH scheduled a hearing for May 19, 2011 at 10:00 a.m. at the OAH in Hunt Valley, Maryland. Prior to the hearing date the Commission and the Respondent agreed to enter into this Consent Order and Settlement Agreement to provide for the imposition of disciplinary measures which are fair and equitable in these circumstances and which are consistent with the best interest of the people of the State of Maryland.

The Commission and the Respondent agree and stipulate as follows:

1. The Respondent is currently licensed by the Commission as a real estate salesperson affiliated with Maryland Referral Group LLC, license registration number 05-325036, which is due to expire on February 28, 2012. At all times relevant to the matters set forth in this Consent Order and Settlement Agreement, the Commission has had jurisdiction over the subject matter and the Respondent.
2. Pursuant to COMAR 09.01.03.07A this matter shall be withdrawn from the OAH docket for settlement purposes.
3. On or about June 20, 2007, the Complainant, as seller, entered into a contract of sale for 2930 St. Paul Street, Baltimore, Maryland. The Respondent represented the Complainant in this transaction.
4. During the transaction, pursuant to a home inspection, the buyer and seller agreed that certain repairs would be made to the property and the agreement was put into writing.

5. During the course of the Commission's investigation of the complaint, the Commission's investigator contacted the Respondent and requested that he provide a copy of the written repair agreement. In response, the Respondent claimed he no longer had access to the requested document and he did not provide a copy of the written repair agreement to the Commission as requested.

6. The Respondent admits that he failed to maintain adequate records of this transaction.

7. The Respondent admits that by failing to maintain adequate records of this transaction, he has violated Business and Occupations Article, Annotated Code of Maryland ("BOP") §17-322(b)(33) and Code of Maryland Regulations ("COMAR") 09.11.01.07 which provide:

**§17-322. Denials, reprimands, suspensions, revocations, and penalties-- Grounds.**

(b) *Grounds.*—Subject to the hearing provisions of §17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

\* \* \*

(33) violates any regulation adopted under this title or any provision of the code of ethics;

**COMAR 09.11.01.07 General Regulations, Records of Transactions**

Licensees shall maintain adequate records of all real estate transactions engaged in by them as licensed real estate brokers or salesmen. If a licensee has custody or possession of money belonging to others, in the absence of proper written instructions from the parties involved in the transaction to the contrary, these funds may not be intermingled with funds belonging to the licensee, but rather they shall be deposited and retained as required in a non-interest bearing escrow account clearly designated as containing funds held for others. The records of transactions, including bank accounts or deposit referred to in these regulations, shall be available during usual business hours for inspection by the Commission, its field representatives or other employees.

8. The Respondent consents to the entry of an Order that he has violated BOP §17-322(33) and COMAR 09.11.01.07.

9. The Respondent consents to the entry of an Order pursuant to BOP §17-322(c) imposing a civil penalty of \$500.00 on him for the violations and agrees that the civil penalty is due and payable to the Commission upon the Respondent's execution of this Consent Order and Settlement Agreement.

10. The Respondent consents to the entry of an Order requiring that he complete a 3-hour contracts course within ninety (90) days the Respondent's execution of this Consent Order, which shall be in addition to, and not substituted for, the continuing education course requirements set forth in BOP §17-315 and COMAR 09.11.06. Respondent agrees that he shall provide to the Commission a certificate of completion from the instructor of the 3-hour contracts course referenced in this Consent Order within 30 days of the Respondent's successful completion of the course.

11. The Respondent agrees that should he fail to meet the requirements of paragraphs 9 and 10 of this Consent Order and Settlement Agreement his real estate salesperson's license 05-325036 shall be suspended automatically and the Respondent will be ineligible for license renewal or reinstatement until such time complies with said requirements.

12. The Respondent, by entering into the Consent Order and Settlement Agreement, expressly waives the right to an administrative hearing before the Office of Administrative Hearings on the charges, the making of Findings of Fact and Conclusions of Law by an administrative law judge, any and all further proceedings before the Commission and any rights to appeal from this Consent Order.

13. The Commission agrees to accept this Consent Order and Settlement Agreement as the full and final resolution of Case No. 08-RE-184.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS**  
17th DAY OF May, 2011 BY THE MARYLAND REAL  
**ESTATE COMMISSION:**

**ORDERED** that the Respondent's has violated BOP §17-322(b)(33) and COMAR 09.11.01.07 and it is further,

**ORDERED** that based on the violations, the Respondent be assessed a civil penalty of \$500.00 for the violation, which amount is payable to the Commission upon the Respondent's execution of this Consent Order and Settlement Agreement, and it is further

**ORDERED** that the Respondent shall complete a 3-hour contracts course within ninety (90) days the Respondent's execution of this Consent Order. The 3-hour contracts course referenced in this Consent Order shall be in addition to, and not substituted for, the continuing education course requirements set forth in BOP §17-315 and COMAR 09.11.06. Respondent shall provide to the Commission a certificate of completion from the instructor of the 3-hour contracts course referenced in this Consent Order within 30 days of the Respondent's successful completion of the course; and it is further

**ORDERED** that should the Respondent fail to meet the requirements of paragraphs 9 and 10 of this Consent Order his real estate salesperson's license 05-325036 shall be suspended automatically and the Respondent will be ineligible for

AGREED:

5-13-11  
DATE

SIGNATURE ON FILE  
Robert Lafferman, Respondent