

MARYLAND REAL ESTATE COMMISSION\*

BEFORE THE

v.

\* MARYLAND REAL

\* ESTATE COMMISSION

SANDRA K. MARTIN,

\* COMPLAINT NO.: 2010-RE-400

Respondent

\*

CLAIM OF SCOTT ENDLICH  
AGAINST THE REAL ESTATE  
COMMISSION GUARANTY FUND

\*

\*

\* \* \* \* \*

CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") based on a complaint filed by Scott Endlich against Sandra K. Martin ("Respondent"). Based on that complaint, the Commission determined that charges against the Respondent were appropriate and that a hearing on those charges should be held. The matter is scheduled for hearing at the Office of Administrative Hearings on November 10, 2010, but the Commission and the Respondent have reached an agreement to resolve the matter as to the administrative charges against the Respondent. The Commission and the Respondent consent to the entry of this Order as final resolution of Complaint No. 2010-RE-400 as to the administrative charges filed against the Respondent (but not as to the Guaranty Fund claim filed by Mr. Endlich).

IT IS STIPULATED BY THE PARTIES that:

1. At the time of the events at issue, the Respondent was licensed as a real estate salesperson (License No. 05-617480) and was affiliated with Execuhome Realty.

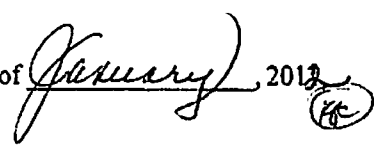
2. The Respondent is currently licensed as a real estate broker and is the broker of record for Marleigh Realty, Inc. (License No. 01-617480).
3. The Respondent's license expires August 11, 2012.
4. In August, 2009, the Respondent drafted a Residential Dwelling Lease for Scott Endlich's property, 6711 North River Drive, Middle River, Maryland ("the property").
5. Mr. Endlich had posted an advertisement on "Craiglist" to rent the property.
6. The Respondent contact Mr. Endlich about the advertisement.
7. The Respondent arranged to see the property and, during the visit, advised Mr. Endlich that she had someone who she thought would rent the property.
8. The Respondent did not provide Mr. Endlich with a buyer's broker agreement for the property, or any documents indicating that she was working for or representing the prospective tenant.
9. The Respondent brought the prospective tenant to see the property and, after discussion with Mr. Endlich, prepared a Residential Dwelling Lease between him and the tenant.
10. The Residential Dwelling Lease identified the Respondent's brokerage, Execuhome Realty, as the leasing broker involved in the lease.
11. The Residential Dwelling Lease did not indicate whether the broker represented the lessor or the tenant.
12. No agency disclosure form was included with the lease documents.
13. The Respondent accepted a fee from the tenant and a separate fee from Mr. Endlich for finding a renter and drafting the Residential Dwelling Lease.

14. The Respondent received the money directly from the parties to the lease and not though her broker.

15. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and having had the opportunity to seek the advice of counsel.

16. By entering this Consent Order, the Respondent expressly waives the right to any hearing or further proceedings to which she may be entitled in this matter and any rights to appeal from this Consent Order.

17. The Respondent agrees to abide by the Maryland Real Estate Brokers Act, Maryland Annotated Code, Business Occupations and Professions Article, §17-101 *et seq.*, and regulations of the Commission in future real estate transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 19<sup>th</sup> day of January, 2013,   
BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated Md. Bus. Occ. & Prof. Code Ann., §§17-322(b)(21),(25), and (31), and 17-530(b)(1), and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$2,000.00 for those violations, which amount is payable to the Commission within thirty days of the date this Order is signed by the Commission, and it is further

ORDERED that the Respondent complete two 3-hour courses in real estate agency and real estate laws (over and above statutory and regulatory requirements concerning continuing education) and provide written verification of successful completion of those courses to the Commission within 90 days of the date this Order is signed by the Commission, and it is further

ORDERED that, if payment of the civil penalty is not made within that 30-day period and/or if the Respondent fails to provide written verification of the successful completion of the two courses within that 90-day period, the Respondent's real estate license shall be automatically suspended until that payment is made and/written verification is received, and it is further

ORDERED that the Commission's records and publications shall reflect the terms of this

Consent Order.

**SIGNATURE ON FILE**

SANDRA K. MARTIN

*[Handwritten signature]*

**SIGNATURE ON FILE**

*[Handwritten signature]*  
COMMISSIONER  
MARYLAND REAL ESTATE COMMISSION

Date

1/19/12  
*[Handwritten initials in a circle]*