

MARYLAND REAL ESTATE  
COMMISSION

v.

EUNICE PHILLIPS

\* BEFORE THE  
\* MARYLAND REAL  
\* ESTATE COMMISSION  
\* CASE NO. 420-RE-2016  
\* OAH No.: DLR-REC-21-18-36244

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Jeries Khader (“Complainant”). Based on the complaint, the Commission determined that administrative charges against Eunice Phillips, the Respondent real estate salesperson (“Respondent”), license registration number 05-57696, are appropriate and that an administrative hearing on those charges should be held. The Commission transmitted the matter to the Office of Administrative Hearings (“OAH”). The OAH scheduled a hearing for March 18, 2019 at 10:00 a.m. in Kensington, Maryland.

Prior to the hearing, 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. Respondent Eunice Philips is currently licensed by the Commission as a real estate salesperson and holds license registration number 05-57696. 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. On or about February 24, 2016, Complainant Jeries Khader filed a complaint against the Respondent for a transaction involving the purchase of property by Complainant known as 13609 Layhill Road in Silver Spring, MD (the “Property”). Respondent was the buyer’s agent representing the Complainant in his purchase of the Property.

3. The Government Regulations, Easements and Assessments Disclosure and Addendum (“REA”), was provided to the Respondent by the listing agent as part of the sale process. Paragraph 2 of the REA specifically requested disclosure of information regarding deferred water

and sewer assessments. Question 2B asks, “[a]re there any deferred water and sewer charges for which the Buyer may become liable which do not appear on the attached property tax bill?” There was a box next to “Yes” and a box next to “No.” On this REA, both boxes were marked with an “X.”

4. Respondent failed to take notice of the ambiguity of the answer to question 2B of the REA, failing to inquire whether the answer was “yes” or “no,” thereby failing to make a reasonable effort to ascertain all material facts concerning the property.

5. The Respondent admits that her conduct violated Code of Maryland Regulations (“COMAR”) 09.11.02.01(D) which provides:

**09.11.02.01 Relations to the Public.**

D. The licensee shall make a reasonable effort to ascertain all material facts concerning every property for which the licensee accepts the agency, in order to fulfill the obligation to avoid error, exaggeration, misrepresentation, or concealment of material facts.

6. The Respondent, by entering into the Consent Order and Settlement Agreement, expressly waives the right to an administrative hearing on the charges and the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Commission to which the Respondent may be entitled in this matter and any rights to appeal from the Commission’s Order.

7. The Respondent consents to the entry of an Order that her conduct violated COMAR 09.11.02.01(D) and she agrees to pay a civil penalty of \$500.00 within thirty (30) days of the execution of this Consent Order and Settlement Agreement.

8. If the Respondent does not pay the \$500.00 civil penalty within the proscribed thirty (30) days, the Respondent’s license registration number 05-57696 will be automatically suspended until the payment is made.

**BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS 15 DAY OF March, 2019 BY THE MARYLAND REAL ESTATE COMMISSION:**

**ORDERED** that the Respondent’s conduct violated COMAR 09.11.02.01(D); and it is further

**ORDERED** that the Respondent be assessed a civil penalty of \$500.00 for the violation, which amount is payable to the Commission within thirty (30) days of the execution of this Consent Order and Settlement Agreement; and it is further



**ORDERED** that if payment of the civil penalty is not made within thirty (30) days, the Respondent's license registration number 05-57696 will be automatically suspended until the payment is made; and it is further

**ORDERED** that the Commission's records and publications reflect the violation and civil penalty imposed on the Respondent.

**SIGNATURE ON FILE**

3/14/2019  
Date

Respondent Eunice Phillips

MARYLAND REAL ESTATE COMMISSION:

**SIGNATURE ON FILE**

15 March 2019  
Date

By: [Signature]

SIGNATURE ON FILE

SIGNATURE ON FILE