

**MARYLAND
REAL ESTATE COMMISSION**

SHAWPIN JONG

Respondent

*** BEFORE THE**

*** MARYLAND REAL ESTATE**

*** COMMISSION**

*** Agency Case No.: 2009-REC-549**

*** * * * ***
Consent Order and Settlement Agreement

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Amy Musher ("Complainant"). The Commission conducted an investigation of the allegations of the complaint, and as result of the investigation, determined that administrative charges against Shawpin Jong, (the "Respondent"), a licensed real estate broker, were appropriate and that an administrative hearing on the charges should be held. Prior to the issuance of the charges, the Commission and the Respondent agreed to enter into this Consent Order and Settlement Agreement to provide for the imposition of a sanction which is 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:

I. The Respondent is currently licensed by the Commission as a real estate broker for Nations Realty, Inc. and registered under license number 301260. 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 May 22, 2009, the Complainant filed a complaint against the Respondent. The Complainant was the listing agent for a property located at 19305 Moon Ridge Drive in Germantown, Maryland (the "property"). The Complainant was a salesperson affiliated at the time with Prudential Carruthers Realtors. On or about February 6, 2009, the Complainant received an offer to purchase the property from Shou-Hua Jeng, also known as Joann Jeng. Ms. Jeng represented that she worked for the Respondent, the broker for Nations Realty, Inc.

3. Ms. Jeng showed the property to the prospective purchasers, Mr. and Mrs. Zin, and presented to them the offer to purchase the property that the Respondent drafted.

4. It is alleged that at the time of these events, Ms. Jeng was not licensed by the Commission to assist the purchasers in locating or negotiating the purchase of real estate, or to otherwise provide, attempt to provide or offer to provide real estate brokerage services in the State of Maryland.

5. The Respondent admits that his conduct violated Section 17-603(b) of Business Occupations and Professions Article, Maryland Code Annotated and subjects him to sanction by the Commission under Section 17-322(b) (32). Section 17-603(b) provides:

(b) *Retaining an unlicensed individual.* – A real estate broker may not retain an unlicensed individual to provide real estate brokerage services on behalf of the real estate broker.

6. The Respondent, by entering into this Consent Order and Settlement Agreement, expressly waives the right to have a statement of charges issued in this matter and a formal hearing at which time the Respondent would have the opportunity to present a defense to the charges.

7. The Respondent consents to the entry of an Order that his conduct violated Section 17-603(b), and agrees to pay a civil penalty in the amount of \$1, 500 within thirty (30) days of the execution of this Consent Order and Settlement Agreement.

8. The Respondent agrees that if the Respondent fails to comply with the terms of this Consent Order, the Respondent's license will immediately be suspended by the Commission, without a hearing on the suspension, and that the suspension will continue until the Respondent evidences compliance with the terms of the Consent Order and Settlement Agreement.

9. The Respondent and the Commission understand that this Consent Order and Settlement Agreement will serve as the Final Order in this matter and be a part of the Respondent's licensing record maintained by the Commission.

10. The Commission's records and publications will reflect the terms of the Consent Order.

WHEREFORE, based on these stipulations and agreements, it is hereby this 2nd day of February, 201~~7~~⁷, ORDERED by the Commission:

- I. That the Respondent has violated Section 17-603(b) and is subject to sanction under Section 17-322(b) (32) of the Business Occupations and Professions Article, Maryland Annotated Code.
- II. That the Respondent shall pay a fine of One Thousand Five Hundred Dollars (\$1,500) in connection with the violation, within thirty (30) days of the date of his execution of the Consent Order.
- III. That in the event the terms and conditions of this Consent Order are not met by the Respondent within the time described, the Commission will immediately

suspend the license held by the Respondent, without a hearing on the suspension. The suspension will continue until such time as the Respondent evidences compliance with the terms of this Consent Order and Settlement Agreement.

- IV. That the records of the Commission shall reflect that this matter was resolved by execution of this Consent Order.

1/30/12
Date

SIGNATURE ON FILE

Shawpin Jong, Respondent

2/2/12
Date

SIGNATURE ON FILE

Maryland Real Estate Commission