MARYLAND REAL ESTATE COMMISSION	*	BEFORE THE MARYLAND
	*	REAL ESTATE COMMISSION
V.	*	
JAMES FOX	*	COMPLAINT NO: 2017-RE-103
Respondent License No: 580450		

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SETTLEMENT AGREEMENT AND CONSENT ORDER

This Matter comes before the Maryland Real Estate Commission (Commission) based on a complaint filed by Juan Bernhardt (Complainant). Based on the complaint, the Commission determined that administrative charges were appropriate and that a hearing on the charges should be held. Prior to the matter being scheduled for hearing, the Commission and Respondent agreed to consent to the entry of this Order as final resolution of Complaint No. 2017-RE-103.

IT IS STIPULATED BY THE PARITES THAT:

1. The Respondent was licensed as a real estate salesperson associated with Exit Preferred Realty at the time of the transaction.

2. The charges in this matter arise from the Respondent referring an unlicensed handyman to perform work on a property for a Contract of Sale that was ratified on February 9, 2016.

3. The Respondent acknowledges he referred an unlicensed contractor to the complainant's home after not being able to reach a licensed roofer to make repairs.

4. The evidence shows that work had been performed by a licensed contractor just after settlement and a re-inspection stated the roof had been repaired. The complainant signed off for the Respondent (Fox) to be paid the money escrowed at settlement to cover the roof repairs.

5. The complainant states he experienced leaking in the roof after closing and hired another licensed roofer to make repairs to the roof after no resolution was found.

6. The repairs to the roof were the responsibility of the licensed roofer who had performed work on the roof just after settlement.

7. The Respondent acknowledges he violated the Real Estate Broker's Act, Title 17-527.4(c)(1), "if the licensee offers the name of a home improvement contractor to a client, the licensee shall annually verify that the home improvement contractor is licensed by the Home Improvement Commission…"

8. The Respondent has agreed to accept a reprimand on his license and enters this Consent Order freely, knowingly, voluntarily, and after having had the opportunity to seek the advice of counsel.

9. By entering into this Consent Order, the Respondent expressly waives the right to any hearing or further proceeding to which he may be entitled in this matter and any rights to appeal from this Consent Order.

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

BASED ON THESE STIPULATIONS, IT IS, THIS 13th day of July, 2018, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated the Annotated Code of Maryland, Title 17-527.4(c)(1)

ORDERED that the Respondent accepts a reprimand on his license and

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

SIGNATURE ON FILE

JAMES FOX

SIGNATURE ON FILE

COMMISSIONER
MARYLAND REAL ESTATE COMMISSION

7/13/18

DATE

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