

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

MARYLAND REAL ESTATE  
COMMISSION

\*

CASE NO. 2018-RE-498

\*

V.

\*

GERALDINE ANDERSON  
Respondent

\*

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission ("Commission") on its own complaint. On September 19, 2018, the Maryland Real Estate Commission reviewed Case No. 2018-RE-066, which was a complaint against the Respondent. During this review, the Commission determined that there was insufficient evidence to warrant charges in that matter, but instead initiated its own complaint against the Respondent resulting in the instant charges (2018-RE-498). Based on the subsequent investigation, the Commission issued a Statement of Charges and Order for Hearing dated March 7, 2019, against the Respondent Real Estate Salesperson, Geraldine Anderson, license registration number 592039, and transmitted this matter to the Office of Administrative Hearings for a hearing on the regulatory charges. To resolve this matter without a formal hearing, the Commission and the Respondent have 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. 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. The Respondent's license is currently set to expire on August 29, 2020.

2. The Respondent was previously licensed as a real estate salesperson from approximately August 2004 to August 2016, but was not licensed as a salesperson, associate broker, or broker in the State of Maryland between August 29, 2016, and January 17, 2018. During this period of time, the Respondent represented the sellers in the sale of a home in Ellicott City, Maryland, acting in the capacity of a real estate salesperson by initiating a buyer agency agreement as an authorized representative (May 25, 2017), and representing the sellers at settlement (July 29, 2017).

3. Based on this conduct, and other actions, the Respondent misrepresented herself as a properly licensed salesperson. The Respondent reinstated her salesperson's license on or about January 18, 2018.

4. The Respondent admits that she has violated, Business Occupations and Professions Article §§ 17-301(a)(2), 17-322(b)(3), (25), (32), (33), and 17-602(b), as well as Code of Maryland Regulations ("COMAR") 09.11.02.01C which provide:

**Business Occupations and Professions Article**

**§ 17-301. License required.**

(a) *In general.*

(2) Except as otherwise provided in this title, an individual shall be licensed by the Commission as an associate real estate broker or a real estate salesperson before the individual, while acting on behalf of a real estate broker, may provide real estate brokerage services in the State.

**§ 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:

(3) directly or through another person willfully makes a misrepresentation or knowingly makes a false promise;

(25) engages in conduct that demonstrates bad faith, incompetency, or untrustworthiness or that constitutes dishonest, fraudulent, or improper dealings;

(32) violates any other provision of this title;

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

§ 17-602.

(b) Unless authorized under this title to provide real estate brokerage services on behalf of a real estate broker, a person may not represent to the public, by use of the titles "licensed real estate associate broker" or licensed real estate salesperson", by other title, by description of services, methods, or procedures, or otherwise, that the person is authorized to provide real estate brokerage services in the State on behalf of that real estate broker.

**Code of Maryland Regulations**

**09.11.02**

**.01 Relations to the Public**

C. The licensee shall protect the public against fraud, misrepresentation, or unethical practices in the real estate field. The licensee shall endeavor to eliminate in the community any practices which could be damaging to the public or to the dignity and integrity of the real estate profession. The licensee shall assist the commission charged with regulating the practices of brokers, associate brokers, and salespersons in this State.

5. The Respondent consents to the entry of an Order finding that she has committed the above violations and, as penalty, she agrees to a reprimand and a civil penalty of Two Thousand Five Hundred Dollars (\$2,500.00). The civil penalty is to be paid upon the Respondent's execution of this Consent Order and Settlement Agreement.

6. The Respondent, by entering into this 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.

7. The parties agree to accept this Consent Order and Settlement Agreement as the full and final resolution of Case No. 2018-RE-498, that it shall constitute a Final Order of the Commission, and shall be enforceable as such.

8. The Respondent shall abide by the provisions of the Maryland Real Estate Brokers Act and applicable regulations with regard to all relevant future activities.

9. The Respondent enters into this Consent Order freely, knowingly, and voluntarily, and with the advice of counsel.

BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 2nd  
DAY OF October 2019 BY THE MARYLAND REAL ESTATE  
COMMISSION:

ORDERED, that the Respondent has violated BOP Article §§ 17-301(a)(2), 17-322(b)(3), (25), (32), (33), and 17-602(b), as well as Code of Maryland Regulations ("COMAR") 09.11.02.01C; and it is further

ORDERED, that based on the violations, the Respondent be and hereby is reprimanded; and it is further

ORDERED, that based on the violations, the Respondent is assessed a civil penalty of Two Thousand Five Hundred Dollars (\$2,500.00) 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 Commission's records and publications reflect the violation and civil penalty imposed on the Respondent; and it is further

ORDERED, that this Consent Order and Settlement Agreement shall constitute a Final Order of the Maryland Real Estate Commission.

MARYLAND REAL ESTATE COMMISSION:

**SIGNATURE ON FILE**

By: [Signature]  
MICHAEL KASNIC  
Executive Director

AGREED:

**SIGNATURE ON FILE**  
[Signature] 9/23/2019  
GERALDINE ANDERSON DATE  
Respondent

REVIEWED AS TO FORM AND CONTENT:

**SIGNATURE ON FILE**  
[Signature] 9/20/2019  
Brian A. Scotti, Esq. DATE  
Counsel for Respondent

THE STATE OF TEXAS, COUNTY OF [illegible]

BEFORE ME, the undersigned authority, on this [illegible] day of [illegible] 20[illegible]

known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this [illegible] day of [illegible] 20[illegible].

My commission expires this [illegible] day of [illegible] 20[illegible].

Notary Public in and for the State of Texas

[illegible]

SIGNATURE ON FILE

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