

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE
COMMISSION

*

CASE NO. 2018-RE-2018

*

V.

*

BRANDON HARGREAVES
Respondent

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CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission ("Commission") on its own complaint. On September 19, 2018, the Commission reviewed Case No. 2018-RE-066. During this review, the Commission determined that there was enough evidence to warrant charging the Respondent, who had acted as the Broker overseeing the Seller's Agent in 2018-RE-066. 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 Broker, Brandon Hargreaves, license registration number 519961, 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 October 17, 2019.

2. The Respondent was responsible for the supervision of agent Geraldine Anderson from in or about October 2017 to January 17, 2018. During this period of time, Ms. Anderson, on behalf of the Respondent, acted in the capacity of a real estate salesperson at a time when Ms. Anderson was not licensed to do so by the Commission. Ms. Anderson was unlicensed from August 29, 2016, to January 17, 2018.

3. The Respondent admits that he has violated, Business Occupations and Professions Article §§17-320(a)(2), 17-322(b)(25), (32), (33), as well as Code of Maryland Regulations ("COMAR") 09.11.02.01C and 09.11.05.02 which provide:

Business Occupation and Professions Article

17-320. Employment of and contractual arrangements with salespersons and associate brokers.

(a) *In general.*

(2) A real estate broker may not provide real estate brokerage services through any other individual unless the individual is licensed as an associate real estate broker or real estate salesperson to provide real estate brokerage services on behalf of the real estate broker.

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:

(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;

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.

09.11.05

02. Requirement of Supervision.

A broker shall exercise reasonable and adequate supervision over the activities of the broker's salespersons.

4. The Respondent consents to the entry of an Order finding that he has committed the above violations and, as penalty, he 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.

5. 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.

6. 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.

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

8. 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 §§17-320(a)(2), 17-322(b)(25), (32), (33), as well as Code of Maryland Regulations ("COMAR") 09.11.02.01C and 09.11.05.02; 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: _____
MICHAEL KASNIC
Executive Director

AGREED:

SIGNATURE ON FILE

BRANDON HARGREAVES
Respondent

Sep - 23rd 2019
DATE

REVIEWED AS TO FORM AND CONTENT:

SIGNATURE ON FILE

Brian A. Scotti, Esq.
Counsel for Respondent

9/30/2019
DATE

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