

**MARYLAND REAL ESTATE  
COMMISSION**

**v.**

**NANCY SIMPERS**

**Respondent**

\* BEFORE THE MARYLAND  
\* REAL ESTATE COMMISSION  
\* COMPLAINT NO. 06-RE-195

\*

\*

\* \* \* \* \*

**CONSENT ORDER**

This matter comes before the Maryland Real Estate Commission (“Commission”) based on a complaint filed by Paul and Roseanne Seabright against Nancy Simperts (“Respondent”). Based on that complaint, the Commission determined that administrative charges against the Respondent were appropriate and that a hearing on those charges should be held. The Guaranty Fund claim of the Seabrights was previously dismissed by the Commission. This matter was to be scheduled for a hearing at the Office of Administrative Hearings but the parties have agree to consent to the entry of this Order as resolution of Complaint No. 06-RE-195 as to the administrative charges.

**IT IS STIPULATED BY THE PARTIES THAT:**

1. The Respondent is currently licensed as an associate real estate broker (License No. 03-44439) and was licensed at all times relevant to this case.
2. At all times relevant to this case, the Respondent was affiliated with Prudential Carruthers Realtors an associate real estate broker.

3. On or about February 20, 2005, Paul and Roseanne Seabright, buyers, and Karen Greenway, seller, entered into a contract of sale for 31 Furrow Lane, in Northeast Maryland.

4. The Respondent was the listing agent.

5. Following a home inspection of the property, an addendum was prepared by the parties. The addendum specified the seller would evaluate the deficiencies noted during the home inspection, and make certain repairs. It was expressly stated in the addendum that the seller would obtain a licensed plumber to evaluate water leaking in the basement from the whirlpool tub.

6. The contractor who evaluated the whirlpool tub and made repairs was not a licensed plumber. The Respondent was aware the seller had asked a service man associated with the heating and air conditioning contractor, J and A Heating and Cooling Company, (which she had been using for other repairs), to evaluate the tub leak.

7. The service man reported to the Respondent that he could not find a leak. That information was noted by the Respondent on the invoice received from J and A Heating and Cooling Company. A copy of the invoice was provided to the buyers on the day of the settlement. On the way to the settlement, the buyers contacted the heating and air conditioning company and were advised that the company did not have licensed plumbers, and that they did not inspect tubs.

8. The Respondent did not verify that the contractor used was a licensed plumber.

9. The Respondent enters into this Consent Order freely, voluntarily, and with the opportunity to consult with counsel.

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

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

BASED ON THESE STIPULATIONS, IT IS, THIS 8<sup>th</sup> day of August 2008, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent, Nancy Simperts has violated Maryland Annotated Code, Business Occupations and Professions Article, §17-322(b)(25) and Code of Maryland Regulations 09.11.02.02A, and it is further

ORDERED that the Respondent pay a total civil penalty of \$1000.00 within 30 days of the date this Order is signed by the Commission, and it is further

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

\_\_\_\_\_  
Nancy Simperts

\_\_\_\_\_  
DATE

8/8/08

  
\_\_\_\_\_  
EXECUTIVE DIRECTOR  
MARYLAND REAL ESTATE COMMISSION

Signature P. 1 of 2

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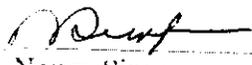
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DATE

\_\_\_\_\_  
EXECUTIVE DIRECTOR  
MARYLAND REAL ESTATE COMMISSION

*Signature P. 272*