

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

**MARYLAND REAL ESTATE  
COMMISSION**

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**V.**

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**IRIS MCCLAIN  
KELLER WILLIAMS PREFERRED  
PROPERTIES  
9701 APOLLO DRIVE, SUITE 102  
UPPER MARLBORO, MD 20774**

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**Case No: 2008-RE-243 GF**

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**AMENDED CONSENT ORDER**

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Diana Crockett (“Complainant”). Based on the complaint and review of the complaint by a Panel of the Commission, the Commission determined that administrative charges against the Respondent, real estate salesperson, Iris McClain, license registration number, 05-314335 (“Respondent”), are appropriate and that an administrative hearing on those charges should be held.

To resolve this matter without a formal hearing, the Commission and the Respondent have agreed to enter into this Consent Order 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, the Commission has had jurisdiction over the subject matter and the Respondent.
2. The Respondent was, at the time of the events at issue, licensed by the Commission as a real estate salesperson affiliated with Realty Executives/2000, license registration number 05-314335. Respondent is now a real estate salesperson affiliated with Keller Williams Preferred Properties.
3. On or about, March 13, 2007, Diana Crockett submitted an offer to purchase a residence located at 1412 Nye Street, Capitol Heights, Maryland.
4. The Respondent was the listing agent.

5. Following a home inspection, a Repair Addendum was prepared; the Repair Addendum provided the seller was to make certain repairs to the property prior to settlement.
6. The Respondent hired a contractor who represented that he was licensed to perform work to repair the items set out in the Repair Addendum. The contractor was unlicensed and performed repairs for which a home improvement license was required by the State of Maryland.
7. The Respondent admits that she did not independently verify that the contractor had a valid and current license to perform the home improvement work that she engaged him to perform.
8. The Respondent consents to the entry of an Order that her failure to verify the license status of the contractor she engaged to perform repairs constitutes improper conduct in violation of Section 17-322(b) (25), Business Occupations and Professions Article, Maryland Annotated Code, and that the Respondent agrees to pay a civil penalty of \$500.00 in connection with the violation, within 60 days of the execution of this Consent Order. The civil penalty will be paid in two installments consisting of \$250.00 due at the time of the execution of this consent order and \$250.00 due on February 15, 2010.
9. By entering into this Consent Order, the Respondent expressly waives the right to an administrative hearing on the charges, in the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Commission to which the Respondent may be entitled in this matter and any rights to appeal from the Commission's Order.
10. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 2008-RE-243.

*Maureen J. [Signature]*  
**BASED ON THESE STIPULATIONS, IT IS THIS 4<sup>th</sup> DAY OF January 2009 BY THE MARYLAND REAL ESTATE COMMISSION.**  
*2010*

**ORDERED**, that the Respondent violated Section 17-322 (b) (25) of the Business Occupations and Professions Article, Maryland Annotated Code for her failure to verify that the contractor she engaged was licensed to perform home improvement work; and it is further

**ORDERED**, the Respondent will pay a civil penalty in the amount of \$500.00. The civil penalty will be paid in two installments consisting of \$250.00 due at the time of the execution of this consent order and \$250.00 due on February 15, 2010.

**ORDERED**, that should the Respondent fail to pay the civil penalty within the 60 days after the execution of the Order, the Commission may suspend the license of the Respondent until such time as the payment is made; and, it is further

**ORDERED**, that the Commission's records and publications reflect the violation and the penalty imposed on the Respondent.

**AGREED:**

January 14, 2010 Iris McClain  
Date Iris McClain, Respondent

**MARYLAND REAL ESTATE COMMISSION:**

By: Katherine F. Connelly  
Katherine F. Connelly, Executive Director