

MARYLAND REAL ESTATE  
COMMISSION

V.

SCOTT SMOLEN

Respondent  
License No: 520450

\* BEFORE THE MARYLAND  
\* REAL ESTATE COMMISSION  
\*  
\* COMPLAINT NO: 2008-RE-381

\* \* \* \* \*

### SETTLEMENT AGREEMENT AND CONSENT ORDER

This Matter comes before the Maryland Real Estate Commission (Commission) based on a complaint filed by Charles and Stephanie Ryan against Scott Smolen (respondent). 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. 08-RE-381.

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

1. The Respondent is currently licensed as a real estate salesperson associated with Re/Max Leading Edge.
2. The charges in this matter arise from the Respondent's actions with regard to a property known as 35 Old Farm Road in Glen Burnie, Maryland.
3. The Respondent showed the complainants a house he was listing and failed to give an Agency Disclosure form on the first scheduled face-to-face contact. The Agency Disclosure form was not presented to the complainant until the same day as they signed the contract offer for the property known as 35 Old Farm Road.
4. The complainants allege they became aware of the respondent's role as seller's agent when they received the Agency disclosure form on the same date they signed the contract of sale.
5. The Respondent enters this Consent Order freely, knowingly, voluntarily, and after having had the opportunity to seek the advice of counsel.
6. 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.

7. 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 1st day of September 2009, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated the Annotated Code of Maryland, Title 17-530(b)(2)

ORDERED that the Respondent pay a fine of \$500.00 within 60 days of the date of this order and accept a Reprimand and

ORDERED that if the Respondent fails to comply with the prescribed terms of the Order, the real estate license of the respondent shall be suspended until such time that the terms are met and it is further

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

  
\_\_\_\_\_  
SCOTT SMOLEN

 9/1/09  
\_\_\_\_\_  
COMMISSIONER  
MARYLAND REAL ESTATE COMMISSION

8/26/09  
\_\_\_\_\_  
DATE