

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE
COMMISSION

*

*

V.

05-588699

*

ROMANUS ONYE
RE/MAX SPECIALISTS
10460 Campus Way South
Upper Marlboro, Maryland 20774 *

*

Case No: 2009-RE-511 GF

* * * * *

CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Veronica Terry ("Complainant"). Based on the complaint and review of the complaint by a Panel of Commissioners, the Commission determined that administrative charges against the Respondent, real estate salesperson, Romanus Onye, affiliated with RE/MAX Specialists., license registration number, 05-589699 (" 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, and is currently licensed by the Commission as a real estate salesperson affiliated with RE/Max Specialists, Inc., license registration number 05-588699.
3. On May 14, 2006, the Respondent accepted a contract offer on behalf of his clients without mentioning or preparing a disclosure that one of the sellers in this matter was his spouse and a licensed real estate agent.
4. It is further alleged that it was only disclosed to the purchaser Respondent's spouse had an interest in the property, and was a licensed agent when the Respondent and the buyer's agent had a discussion regarding the Respondent leaving the country and the future status of this contract.

5. On April 27, 2009, the prospective purchaser of the property located at 2614 Afton Street, Temple Hills, Maryland filed a complaint with the Maryland Real Estate Commission against Respondent alleging Respondent failed to disclose his relationship with his client and the status of his client's licensure and due to this misrepresentation; she felt she was hindered in the purchase of this property.
6. The Respondent admits that by failing to disclose the relationship he has violated COMAR 09.11.02.02 (D) (1) which provides:

**Title 09 Department of Labor, Licensing and Regulation
Subtitle 11 Real Estate Commission
Chapter 02 Code of Ethics**

.02 Relations to Client

(D)(1) The licensee may not acquire an interest in, or purchase, personally, for any member of the licensee's immediate family, for the licensee's firm, or for any member of the firm, or for any entity in which the licensee has any ownership interest, property listed with the licensee or the licensee's firm without making the licensee's true position known to the listing owner. In selling or leasing property in which the licensee, the licensee's firm, or any member of the licensee's immediate family or the licensee's firm has an ownership interest, the licensee shall reveal that interest in writing to all parties to the transaction.

7. The Respondent consents to the entry of an Order that his conduct, as described in this Consent Order, violates COMAR 09.11.02.02 (D) (1) and he agrees to pay a civil penalty in the amount of \$250.00 to the Commission within thirty (30) days of the execution of this Consent Order.
8. By entering into this Consent Order, the Respondent, expressly waives the right to an investigation of the allegations and 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.
9. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 2009-RE-511 GF.

BASED ON THESE STIPULATIONS, IT IS THIS 1st DAY OF September, 2009 BY THE MARYLAND REAL ESTATE COMMISSION.

ORDERED that the Respondent violated COMAR 09.11.02.02 (D) (1) for failing to disclosed his relationship with one of the sellers; and it is further

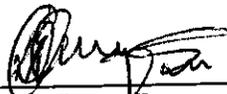
ORDERED the Respondent will pay a civil penalty in the amount of \$250.00 within thirty (30) days of the execution of this Consent Order.

ORDERED that should the Respondent fail to pay the civil penalty within the 30 days after signing the Order, the Commission will suspend the license of the Respondent until such time as the payment is made and will proceed with charges against the Respondent and schedule an Administrative Hearing for the violations of COMAR 09.11.02.02 (D) (1).

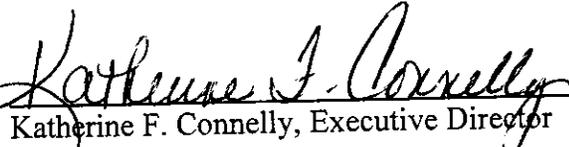
ORDERED that the Commission's records and publications reflect the violations and the penalty imposed on the Respondent.

AGREED:

4/21/09
Date

 4/21/09
Romanus Onye, Respondent

MARYLAND REAL ESTATE COMMISSION:

By: 
Katherine F. Connelly, Executive Director