

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

v.

TIMOTHY PHILLIPS

Respondent

*

*

*

COMPLAINT NO. 07-RE-0563

*

*

* * * * *

CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") based on a complaint filed by Lisa Giunta ("Complainant"). Based on that complaint, the Commission determined that administrative charges against Timothy Philips ("Respondent") were appropriate and that a hearing on those charges should be held. Prior to charges being issued and a hearing date being set, the Commission and the Respondent reached an agreement to settle this case as to the regulatory charges. The Commission and the Respondent consent to the entry of this Order as final resolution of the regulatory charges in Complaint No. 07-RE-563.

IT IS STIPULATED BY THE PARTIES THAT:

1. The Respondent was licensed as a real estate salesperson (License No. 05-605498), at all times relevant to this case is currently licensed.
2. At the time of the events at issue, the Respondent was affiliated with Re/Max Allegiance located at 172 West St., Annapolis, Maryland.
3. On or about November 5, 2006 the Complainant became aware that her property had been advertised for sale by the Respondent.

4. The Respondent had been approached by the Complainant's husband to list and sell the property. The Respondent was asked by Mr. Giunta to "put out signs" to test the market for the property. The property was owned by the Complainant and her husband, who were in the midst of a contested divorce.

5. The Respondent admits that he placed an advertisement for the sale of the property on Craig's list (an internet advertising web site) without having had either of the owners sign a listing agreement.

6. The Respondent acknowledges he was in violation of Md. Annotated Code, Business Occupations and Professions Article, Section 17-322(b)(33) and COMAR 09.11.01.12 for failing to have a written listing agreement before offering a property for sale.

It is therefore, by the Real Estate Commission,

ORDERED that the Respondent, in light of the stipulations and terms of this Consent Order be reprimanded and assessed a total civil penalty of \$250 for the violation, which amount is payable to the Commission within 30 days of the date of this Order, and it further

ORDERED that, if payment of the civil penalty is not made within that 30-day period, the Respondent's license shall be automatically suspended until the payment is made, and it further

ORDERED that the Commission's records and publications shall reflect the reprimand and civil penalty imposed on the Respondent


Timothy Phillips


EXECUTIVE DIRECTOR
MARYLAND REAL ESTATE COMMISSION

~~September 1, 2008~~
DATE

Effective
September 15, 2008 (FBC)