

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE
COMMISSION

*

CASE NO. 2008-RE-600

V.

*

ERNEST DEAN BANKS
Lic. Reg. No. 03-16400

*

* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

On March 20, 2008, the Maryland Real Estate Commission ("Commission") filed a complaint against Ernest Dean Banks, the Respondent Associate Real Estate Broker, Lic. Reg. No. 03-16400 ("Respondent"). Based upon the complaint, the Commission conducted an investigation and, based upon the investigation, the Commission issued a Statement of Charges and Order for Hearing ("Charge Letter") dated January 20, 2009 alleging that the Respondent has violated provisions of the Maryland Real Estate Broker's Act, Md. Code Ann., Bus. Occ. & Prof. Art., Title 17 ("BOP") and associated regulations. The Commission transmitted the matter to the Office of Administrative Hearings ("OAH"). The OAH scheduled a hearing on the regulatory charges for November 13, 2009 at 10:00 a.m. at the OAH in Hunt Valley, Maryland. Prior to the hearing, the Commission and the Respondent agreed to enter into this Consent Order and Settlement Agreement 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. The Respondent, Ernest Dean Banks is currently licensed by the Commission as an associate real estate broker affiliated with Exit Advance Realty. From August 11, 2006 through July 21, 2008 the Respondent was licensed as a real estate broker affiliated with Exit Powerhouse Realty in Lanham, Maryland. At all times relevant to the matters set forth in this Consent Order and Settlement Agreement, the Commission has had jurisdiction over the subject matter and the Respondent.

2. On or about August 16, 2007, in Case No. 08-RE-0120, the Commission filed a complaint against Marque Green, a real estate salesperson, alleging that Mr. Green failed to disclose a felony conviction on his application for a real estate salesperson license. At the time of the complaint, Mr. Green was affiliated with Exit Powerhouse Realty and the Respondent was the real estate broker for Exit Powerhouse Realty.

3. On or about August 20, 2007 the Commission mailed to the Respondent a copy of the complaint against Mr. Green along with a notice directing the Respondent to

8. The Commission agrees to accept the Respondent's payment of the \$100.00 penalty and the execution of this Consent Order and Settlement Agreement as the full and final resolution of Case No. 2008-RE-600. The allegations set forth in the Charge Letter which are not addressed by this Consent Order are dismissed.

9. The Commission and Respondent agree that upon the Respondent's execution of this Consent Order and Settlement Agreement and payment of the civil penalty, the Commission shall withdraw this matter from the OAH docket pursuant to COMAR 09.01.03.07 for settlement purposes.

184th **BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS**
DAY OF November, 2009 BY THE MARYLAND REAL
ESTATE COMMISSION:

ORDERED that Respondent has violated of BOP §17-322(b)(33) and COMAR 09.11.01.16 and it is further,

ORDERED that pursuant to BOP §17-322(c) the Respondent is assessed a civil penalty of \$100.00 for the violation, which amount is payable to the Commission upon the Respondent's execution of this Consent Order and Settlement Agreement, and it is further

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

MARYLAND REAL ESTATE COMMISSION:

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

AGREED:

11/5/09
Date

Ernest Dean Banks
Ernest Dean Banks, Respondent