

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

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V.

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CASE NO. 08-RE-875

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**ANTHONY L. JARBOE
RE/MAX SAILS, INC.
6321 Greenbelt Road
College Park, Maryland 20740
License Registration No. 01-97215**

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01-97215

CONSENT ORDER

On or about June 19, 2008, the Maryland Real Estate Commission ("Commission") opened a complaint against Anthony L. Jarboe, the Respondent ("Respondent"). Based on the complaint the Commission conducted an investigation. Following the investigation, the Commission issued a Statement of Charges and Order for Hearing, dated December 22, 2008, 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 the Code of Maryland Regulations ("COMAR"). This matter was transmitted to the Office of Administrative Hearings ("the OAH") for a hearing on the charges. The OAH scheduled an administrative hearing for October 7 and 8, 2008 at OAH in Hunt Valley, Maryland. Prior to the hearing date, the Commission and the Respondent agreed to enter into this Consent Order which provides 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 The administrative hearing scheduled for October 7 and 8, 2009 at the OAH in Hunt Valley, Maryland shall be withdrawn from the OAH docket pursuant to COMAR 09.01.03.07.

2. The Respondent is licensed by the Commission as a real estate broker, license registration number 01-97215, and is the real estate broker of record for the RE/MAX Sails, Inc. branch office located in College Park, Maryland. 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.

3. The charges against the Respondent in this matter originate from two complaints filed with the Commission against Timothy G. Kizzie ("Mr. Kizzie") who was licensed by the Commission as a real estate salesperson, Lic. Reg. No. 05-582071, from August 14, 2003 through August 14, 2005 and was affiliated with the RE/MAX Sails, Inc. College Park branch office.

12. The Respondent consents to the entry of an Order that he has violated BOP §17-320(c) and (e) and §17-322(b)(27) and he agrees to pay a civil penalty of \$2000.00 in connection with the violations. The penalty is to be paid within ten business days of the Respondent's execution of this Consent Order; should Respondent fail to make payment within ten business days, he agrees his license shall be automatically suspended until payment is made. The Respondent further agrees to provide to the Commission a copy of his written policies and procedures manual which addresses the steps the Respondent will take to immediately terminate the affiliation of any individual affiliated with the Respondent's brokerage whose license expires or is suspended or revoked by the Commission.

13. The Respondent, by entering into the Consent Order, expressly waives the right to an administrative hearing on the charges and 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.

14. The Commission agrees to accept the Respondent's payment of \$2000.00 penalty and the execution of this Consent Order as the full and final resolution of the charges brought against him in Case No. 08-RF-875.

October **BASED ON THESE STIPULATIONS, IT IS THIS 6th DAY OF**
COMMISSION: 2009 BY THE MARYLAND REAL ESTATE

ORDERED that the Respondent has violated BOP §17-320(c) and (e) and §17-322(b)(27); and it is further,

ORDERED that the Respondent is assessed a civil penalty of \$2000.00 for the violations. The penalty is to be paid within ten business days of the Respondent's execution of this Consent Order; should Respondent fail to make payment within ten business day, his license shall be automatically suspended until payment is made, and it is further

ORDERED that the Respondent shall provide to the Commission a copy of his written policies and procedures manual which addresses the steps the Respondent will take to immediately terminate the affiliation of any individual affiliated with the Respondent's brokerage whose license expires or is suspended or revoked by the Commission; 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 J. Connelly*
Exec. Director

AGREED:

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Date

Anthony J. Jarboe
Anthony J. Jarboe, Respondent