

**Maryland Real Estate Commission**

\*

**BEFORE THE**

**v.**

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**MARYLAND REAL**

**DANIEL LINDNER**

\*

**STATE COMMISSION**

**RESPONDENT**

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**Case No.: 452-RE-2011**

\* \* \* \* \*

**Consent Order**

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of an audit of continuing education hours conducted by the Commission in connection with the 2011 renewal application of Daniel M. Lindner. As a result of the audit, it was determined that the Respondent did not complete the required hours of continuing education instruction for renewal of license. As a means of resolving this matter, the Commission and the Respondent have agreed to enter into this Consent Order, and agree and stipulate to the following:

1. On 3/30/2011, the Respondent submitted an electronic application for the renewal of a salesperson license for the (2011-2013) renewal period.
2. Pursuant to Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code, the Respondent was required to complete 15 hours of continuing education instruction during the two year period preceding the renewal date of 3/30/2011.
3. The Respondent failed to complete the required number of hours, but certified on the renewal application dated 3/30/2011, that the continuing education requirement had been fulfilled. The failure to obtain the continuing education hours was in violation of Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code.

4. The Respondent agrees that he will complete 15.0 hours of continuing education within sixty (60) days of executing this Consent Agreement and that his continuing education requirement was not completed for his 2011 license renewal and he was in violation of Section 17-322 (b) (1) of the Business Occupations and Professions Article, Maryland Annotated Code when he answered "Yes, to the question that he completed the required continuing education course needed to renew his salesperson's license".

5. As a term and condition of this Consent Order, the Respondent agrees to pay an administrative fee in the amount of One Hundred Dollars (\$100) in connection with the violation of Section 17-315, Business Occupations and Professions Article, Maryland Annotated Code. The fee and fine are to be paid within sixty (60) days of the date of this Consent Order.

6. In addition, along with paragraph 5 of this Consent Order, the Respondent agrees to pay a civil penalty in the amount of \$1,500.00 for the violation of Section 17-322 (b) (1) of the Business Occupations and Professions Article, Maryland Annotated Code. This civil penalty is to be paid also within sixty (60) days of the date of this Consent Order.

7. The Respondent also agrees to complete and submit the certificates for the 15.0 hours of continuing education he is to complete at this time within sixty (60) days of the execution of this Consent Agreement.

8. The Respondent waives the right to a formal hearing in this matter and the issuance of charges.

9. The Respondent agrees that all licenses held by the Respondent will automatically be suspended by the Commission, without a hearing, if the Respondent fails to comply with the terms of this Consent Order. The Respondent further agrees that the suspension of

license will continue until the Respondent evidences compliance and an issuance of charges is compiled and a hearing held.

10. The Respondent and the Commission understand that this Consent Order will serve as the Final Order in this matter and be a part of the Respondent's licensing record maintained by the Commission. The Commission's records and publications will reflect the terms of the Consent Order.

**WHEREFORE, based on these stipulations and agreements, it is hereby this 10<sup>th</sup> day of February, 2012, ORDERED by the Commission:**

- I. That the Respondent has been found to have violated Section 17-315 and Section 17-322 (b) (1) of the Business Occupations and Professions Article, Maryland Annotated Code.
- II. That the Respondent agrees to complete and submit the certificates for the 15.0 hours of continuing education needed to complete his 2011 renewal within sixty (60) days of the execution of this Consent Agreement.
- III. That the Respondent shall pay a fee of \$100 in connection with the administration of this matter, and the civil penalty of \$1,500.00 within 60 days of the date of this Consent Order or issuance of charges and a hearing is scheduled for this matter.
- IV. That in the event the terms and conditions of this Consent Order are not met by the Respondent within the time described, the Commission will immediately suspend all real estate licenses held by the Respondent, without a hearing on the suspension. The suspension will continue until such time as the Respondent evidences compliance with the terms of this Consent Order.
- V. That the records of the Commission shall reflect that this matter was resolved by execution of this Consent Order.

SIGNATURE ON FILE

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**DANIEL M. LINDNER**  
Respondent

SIGNATURE ON FILE

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**Katherine F. Connelly**  
Executive Director  
Maryland Real Estate Commission

