

MARYLAND REAL ESTATE  
COMMISSION

v.

BRANDON GREEN

\* BEFORE THE  
\* MARYLAND REAL  
\* ESTATE COMMISSION  
\* CASE NO. 2020-RE-396

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by the Commission. Based on the complaint, the Commission determined that administrative charges against Brandon Green, the Respondent Real Estate Broker (“Respondent”), license registration number 01-6023, were appropriate and that an administrative hearing on those charges should be held. The Commission transmitted the matter to the Office of Administrative Hearings (“OAH”). The OAH scheduled a hearing for September 27, 2021 in Rockville, Maryland.

The Commission and the Respondent agree 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. Respondent Brandon Green is currently licensed by the Commission as a Real Estate Broker and holds license registration number 01-6023. 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. This case arises from photographs taken of advertisements issued by two real estate salespersons licensed through Keller Williams Capital Properties of which the Respondent is the Broker of Record.

3. The advertisements did not include a company name, a company telephone number, or licensee name as required by law.

4. The Respondent had a duty to supervise the salespersons and review the advertisements issued by them.

5. Business Occupations and Professions Article ("BOP") § 17-322(b)(33) provides:

**§ 17-322. Denials, reprimands, suspensions, revocations, and penalties - Grounds.**

(b) *Grounds.* – Subject to the hearing provisions of § 17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(33) violates any regulation adopted under this title or any provision of the code of ethics;

6. The Respondent admits that the failure to supervise the salespersons' issuance of the advertisements is a violation of Code of Maryland Regulations ("COMAR") 09.11.02.01(G)(1) and 09.11.05.02(A) which read as follows:

**COMAR 09.11.02.01 Relations to the Public.**

**G. Advertisement**

(1) The licensee in advertising shall be especially careful to present a true picture. A broker may not advertise without disclosing the broker's name or the company name as it appears on the license. A broker may not permit associate brokers or salespersons to use individual names unless the connection with the broker is obvious in the advertisement.

**COMAR 09.11.05.02 Requirement of Supervision.**

A. A broker shall exercise reasonable and adequate supervision over the activities of the broker's associate brokers and salespersons.

7. The Respondent, by entering into the Consent Order and Settlement Agreement, 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.

8. The Respondent consents to the entry of an Order that his conduct violated COMAR 09.11.02.01(G)(1) and 09.11.05.02(A), and agrees to pay a civil penalty of \$1,000.00.

9. The Respondent consents to the payment of the \$1,000.00 civil penalty within thirty (30) days of the execution of this Consent Order and Settlement Agreement.

10. If the Respondent does not pay the \$1,000.00 civil penalty within the prescribed thirty (30) days, the Respondent's license registration number 01-6023 will be automatically suspended until the payment is made.

**BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS 10<sup>th</sup> DAY OF October, 2021 BY THE MARYLAND REAL ESTATE COMMISSION:**

**ORDERED** that the Respondent's conduct violated COMAR 09.11.02.01(G)(1) and 09.11.05.02; and it is further

**ORDERED** that the Respondent be assessed a total civil penalty of \$1,000.00 for the violation, which is payable to the Commission within thirty (30) days of the execution of this Consent Order and Settlement Agreement; and it is further

**ORDERED** that if payment of the civil penalty is not made within thirty (30) days, the Respondent's license registration number 01-6023 will be automatically suspended until the payment is made; and it is further

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

9-24-21  
Date

**SIGNATURE ON FILE**  
Respondent Brandon Green

10/4/2021  
Date

MARYLAND REAL ESTATE COMMISSION:  
By: **SIGNATURE ON FILE**