

**MARYLAND REAL ESTATE
COMMISSION**

v.

**SHAWN HARMAN-BITTORIE,
Respondent**

*** BEFORE THE MARYLAND
* REAL ESTATE COMMISSION
*
* COMPLAINT NO.: 2011-RE-305
* OAH NO.: DLR-REC-21-11-
41075

* * * * *

SETTLEMENT AGREEMENT AND CONSENT ORDER

On or about February 3, 2011, the Maryland Real Estate Commission (the “Commission”) opened a complaint against Shawnn Harman-Bittorie, the Respondent Real Estate Salesperson (the “Respondent”). On or about August 17, 2011, the Commission issued a Statement of Charges and Order for Hearing, which shall be incorporated by reference herein, against the Respondent alleging that she engaged in violations of the Maryland Real Estate Brokers Act and related regulations. A hearing was subsequently scheduled before the Office of Administrative Hearings, however, the hearing was withdrawn in order to accommodate this Settlement Agreement and Consent Order between the parties. The Commission and the Respondent consent to the entry of this Order as a full and final resolution of this action.

IT IS STIPULATED BY THE PARTIES THAT:

- 1) Prior to her obtaining a license through the Commission, on the Respondent’s Maryland Real Estate Licensing Examination Registration Form, which the Respondent

signed on April 6, 2006, the Respondent answered “no” to the question “Have you ever been convicted, in any jurisdiction of any of the following: a felony; a misdemeanor which directly relates to your fitness and qualification to provide real estate brokerage services; or a crime that constitutes a violation of any provision of the Maryland Real Estate Broker’s Act?” The Respondent certified that her answer was true and correct, and she signed the form under the penalty of perjury.

2) The Respondent’s answer to the criminal background question and her certification as to the truthfulness and correctness of the answers on the form were knowingly false.

3) In fact, on or about April 21, 1995, in the Circuit Court for Baltimore County (Case No. 03-K-95-001280), the Respondent was convicted of theft, in violation of Md. Ann. Code, Art. 27, § 342, and of issuing bad checks, in violation of Md. Ann. Code, Art. 27, §141. Those convictions were directly related to the Respondent’s fitness and qualification to provide real estate brokerage services.

4) On or about August 23, 2006, the Respondent applied electronically for a salesperson’s license. The Respondent answered “no” to a question about her criminal convictions. The Respondent certified under penalty of law that her response was truthful, however, the Respondent’s response and certification were knowingly false. The Respondent knowingly failed to advise the Commission of her convictions at the time of her renewal of her salesperson’s license.

5) The Respondent admits to violations of Md. Ann. Code, Bus. Occ. and Prof. Art. (“BOP”), §§17-322(b)(1), 17-322(b)(3), 17-322(b)(24), 17-322(b)(25), 17-322(b)(32) and

17-322(b)(33) and COMAR 09.11.02.01C as alleged by the Commission in its Statement of Charges and Order for Hearing, dated August 17, 2011.

6) Based on her violations, the Respondent agrees to the immediate revocation of her Maryland real estate license (Registration No. 616066). The Respondent hereby waives any rights relating to the possible future reinstatement of her license; and further agrees not to seek the future reinstatement of her license, or to attempt to obtain in the future any type of license through the Maryland Real Estate Commission to engage in the real estate industry.

7) The Respondent waives any and all rights of appeal pursuant to this matter or any action of the Commission in accordance with this Consent Order.

BASED ON THE STIPULATIONS OF THE PARTIES, IT IS THIS 12TH day of MARCH, 2012, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated BOP, §§17-322(b)(1), 17-322(b)(3), 17-322(b)(24), 17-322(b)(25), 17-322(b)(32) and 17-322(b)(33) and COMAR 09.11.02.01C;

AND IT IS FURTHER ORDERED that the Respondent's Maryland real estate license (Registration No. 616066) is hereby and immediately **REVOKED** in accordance with the terms of this Consent Order;

AND IT IS FURTHER ORDERED that this matter shall be resolved in accordance with the terms of this Consent Order and that the same shall be reflected among the records of the Maryland Real Estate Commission;

AND IT IS FURTHER ORDERED that this Consent Order shall constitute a Final

Order of the Maryland Real Estate Commission.


Shawn Harman-Bittorie, Respondent

03.16.12
Date


Maryland Real Estate Commission

3/21/12
Date

RECEIVED

FEB 20 2012

OFFICE OF THE
ATTORNEY GENERAL