MARYLAND REAL ESTATE COMMISSION	*	BEFORE THE
	*	MARYLAND REAL
v.	*	ESTATE COMMISSION
WILLIAM GRAY	*	CASE NO. 2011-RE-474

* * * * * * * * * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Andrea Colender ("Complainant"). Based on the complaint, the Commission determined that administrative charges against William Gray, the Respondent Real Estate Broker ("Respondent"), license registration number 01-580258, are appropriate and that an administrative hearing on those charges should be held. A hearing on the charges was scheduled at the Office of Administrative Hearings for January 17, 2013 at 10:00 a.m. in Hunt Valley, Maryland.

Prior to the commencement of 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. Respondent William Gray is currently licensed by the Commission as a Real Estate Broker with New Realty LLC, license registration number 01-580258. 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 June 3, 2011, Complainant Andrea Colender, General Counsel for Severn Savings Bank in Annapolis, Maryland, filed a complaint against the Respondent for a transaction involving a contract of sale dated March 31, 2011 for a property known as 2606 Talbot Road in Baltimore, Maryland. Respondent was the co-purchaser and cooperating agent. The seller of the property was SSB Realty Holdings, LLC, a subsidiary of and wholly owned by Severn Savings Bank.

3. The contract of sale required payment of a $10,000 good faith deposit to be held in Respondent's escrow account. Respondent failed to pay the good faith deposit and failed to deposit the good faith deposit into his escrow account as required by the contract of sale. The transaction did not settle due to the inability of Respondent to obtain financing. Because the contract of sale was contingent on Respondent obtaining financing, the Respondent did not forfeit the good faith deposit to the seller.

4. The Respondent admits that his conduct violated Code of Maryland Regulations ("COMAR") 09.11.02.02-A which provides:

COMAR 09.11.02.02-A

> In accepting employment as an agent, the licensee shall protect and promote the interests of the client. This obligation of absolute fidelity to the client's interest is primary, but it does not relieve the licensee from his statutory obligations towards the other parties to the transaction.

5. 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.

6. The Respondent consents to the entry of an Order that his conduct violated Code of Maryland Regulations ("COMAR") 09.11.02.02-A, and he agrees to pay a civil penalty of $7,500.00 within ninety (90) days of the execution of this Consent Order and Settlement Agreement.

BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS 21st **DAY OF** February, **2013 BY THE MARYLAND REAL ESTATE COMMISSION:**

ORDERED that the Respondent's conduct violated Code of Maryland Regulations ("COMAR") 09.11.02.02-A; and it is further

ORDERED that the Respondent be assessed a civil penalty of $7,500.00 for the violation, which amount is payable to the Commission within ninety (90) days of the 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.

2/1/13
Date

SIGNATURE ON FILE
Respondent William Gray

MARYLAND REAL ESTATE COMMISSION:

2/21/13

By: SIGNATURE ON FILE
Executive Director

SIGNATURE ON FILE

SIGNATURE ON FILE