

MARYLAND REAL ESTATE COMMISSION *

BEFORE THE

*

v.

*

MARYLAND REAL

ESTATE COMMISSION

*

LARRY BASTFIELD,

*

COMPLAINT NO.: 2008-RE-497

Respondent

* * * * * * * * * *

CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") based on a complaint filed by Sharon Crosby against Larry Bastfield ("Respondent"). Based on that complaint, the Commission determined that charges against the Respondent were appropriate and that a hearing on those charges should be held. The matter was scheduled for hearing at the Office of Administrative Hearings on March 8, 2011, but the Commission and the Respondent reached an agreement to resolve the matter. The Commission and the Respondent consent to the entry of this Order as final resolution of Complaint No. 08-RE-497.

IT IS STIPULATED BY THE PARTIES that:

1. The Respondent was licensed as a real estate salesperson (License No. 05-610735) and was affiliated with Obsidian Realty at all relevant times.
2. The Respondent's license expires February 16, 2012.
3. At the time of the events in this case, the Respondent also owned and operated a tax preparation business known as Prepare Financial Services.

4. The complainant, Sharon Crosby, was a long-term client of the Respondent's tax preparation business.

5. In January, 2007, Ms. Crosby informed the Respondent that she would have to sell her residence located at 4808 Wilern Avenue, Baltimore, Maryland because of her upcoming retirement and because of financial restraints.

6. The Respondent advised Ms. Crosby that, in addition to being a tax preparer, he was a licensed real estate salesperson who could assist her with the sale of her property and that he recommended that she lease her residence until she could find a buyer.

7. The Respondent showed Ms. Crosby's property to prospective tenants, recommended that Ms. Crosby lease the property to a particular prospective tenant, arranged for the cleaning of the property before the tenant took occupancy, collected rent from the tenant, arranged for certain repairs to be made at the property, sent a letter to the tenant notifying the tenant that the lease would be renewed, and filed an action in landlord/tenant court to evict the tenant for non-payment of rent.

8. The Respondent's activities referenced in Stipulation No. 7 constituted property management on Ms. Crosby's behalf.

9. An agreement to provide property management was not reduced to writing.

10. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and having had the opportunity to seek the advice of counsel.

11. By entering this Consent Order, the Respondent expressly waives the right to any hearing or further proceedings to which he may be entitled in this matter and any rights to appeal from this Consent Order.

12. The Respondent agrees to abide by the Maryland Real Estate Brokers Act, Maryland Annotated Code, Business Occupations and Professions Article, §17-101 *et seq.*, and regulations of the Commission in future real estate transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 7th day of March, 2011, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated Md. Bus. Occ. & Prof. Code Ann., §17-322(b)(33) and Code of Maryland Regulations 09.11.03.01C and H, and it is further

ORDERED that the Respondent is reprimanded for those violations, and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$500.00 for those violations, which amount is payable to the Commission within thirty days of the date this Order is signed by the Commission, and it is further

ORDERED that, if payment of the civil penalty is not made within that thirty day period, the Respondent's real estate license shall be automatically suspended until that payment is made, and it is further

ORDERED that the Commission's records and publications shall reflect the terms of this

Consent Order. A A I

RESPONDENT'S SIGNATURE APPEARS ON ORIGINAL ORDER

(COMMISSIONER'S SIGNATURE APPEARS ON ORIGINAL ORDER)

[Handwritten Signature]
COMMISSIONER Anne S. Cooke
MARYLAND REAL ESTATE COMMISSION

3/4/2011
Date