

MARYLAND REAL ESTATE COMMISSION

* BEFORE THE

* MARYLAND REAL

v.

* ESTATE COMMISSION

* Complaint No. 17-RE-283

JOHN W. OREM

* OAH No.: LABOR-REC-21-19-24787

* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Angela Trabold (the “Complainant”). Based on the complaint, the Commission determined that administrative charges against John W. Orem, the Respondent Real Estate Broker (“Respondent”), license registration number 01-615267, are 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 November 19, 2019 at 10:00 a.m. in Hunt Valley, Maryland.

Prior to 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 John W. Orem is currently licensed by the Commission as a real estate broker and holds license registration number 01-615267. At all times relevant to the matters set forth in this Consent Order and Settlement Agreement, the Commission had jurisdiction over the subject matter and the Respondent.

2. On October 16, 2015, a purchase contract was offered for 711 West Church Street, Hagerstown, Maryland 21740 (the “Property”). The Respondent was the listing agent for the Property. The contract was fully ratified on October 19, 2015. On October 22, 2015, a home inspection was conducted. The home inspector produced a home inspection report for the Property noting both recommended and required corrective action. The home inspection report summary of the recommended and required corrective action was provided to the Respondent in lieu of a Property Inspection Notice (repair addendum) to the contract. The Respondent never prepared a written addendum to the contract addressing the issues, nor did he request that one be completed by the Complainant’s agent.

3. On or about January 12, 2016, the Complainant filed a complaint against the Respondent based upon an allegation that the Respondent had not corrected the issues with the Property specified on the pages of the home inspection report summary.

1800-1850: The Industrial Revolution

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The Industrial Revolution was a period of major change in the way that people lived and worked. It began in the late 18th century and continued through the mid-19th century. This period saw the rise of factories and the use of machines to produce goods. The Industrial Revolution also led to the growth of cities and the development of new technologies. The Industrial Revolution was a time of great progress, but it also brought about many challenges, such as pollution and the exploitation of workers.

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4. The Respondent admits that his conduct violated Code of Maryland Regulations (“COMAR”) 09.11.02.01H, which provides:

COMAR 09.11.02.01 Relations to the Public

H. For the protection of all parties with whom the licensee deals, the licensee shall see to it that financial obligations and commitments regarding real estate transactions are in writing, expressing the exact agreement of the parties, and that copies of these agreements are placed in the hands of all parties involved within a reasonable time after the agreements are executed.

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 COMAR 09.11.02.01H, and he consents to the imposition of a reprimand against his real estate broker license registration number 01-615267. In addition, he agrees to pay a civil penalty of \$1,250.00 within thirty (30) days of the execution of this Consent Order and Settlement Agreement.

7. If the Respondent does not pay the \$1,250.00 civil penalty within the proscribed thirty (30) days, the Respondent’s license registration number 01-615267 will be automatically suspended until payment is made.

BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS 11th DAY OF December, 2019 BY THE MARYLAND REAL ESTATE COMMISSION:

ORDERED that the Respondent’s conduct violated COMAR 09.11.02.01H; and it is further

ORDERED that the Respondent have a Reprimand placed against his real estate broker license number 01-615267; and it is further

ORDERED that the Respondent be assessed a civil penalty of \$1,250.00 for the violation, which amount 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 number 01-615267 will automatically be suspended until the payment is made; and it is further

ORDERED that the Commission’s records and publications reflect the violation and civil penalty imposed on the Respondent.

SIGNATURE ON FILE

11/26/19
Date

John W. Orem, Respondent

MARYLAND REAL ESTATE COMMISSION:
SIGNATURE ON FILE

11 DEC 19
Date

By: _____

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