

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE
COMMISSION

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CASE NO. 2018-RE-644

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V.

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JOHN WALKER
KELLER WILLIAMS INTEFRITY
1300 BELLONA AVENUE, STE. D
LUTHERVILLE, MARYLAND 21093
LIC. REG. NO. 05-660114
RESPONDENT

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CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Kristen Stafford (“Complainant”). Based on the complaint and the response thereto received from Respondent Real Estate Salesperson John Walker, license registration number 05-660114, a Commission Panel determined it appropriate to bring administrative charges against the Respondent. Before the Commission issued a Statement of Charges and Order for Hearing against the Respondent, the Commission and the Respondent agreed to enter into this Consent Order and Settlement Agreement, which provides for the imposition of disciplinary measures which are fair and equitable under these circumstances and are consistent with the best interests of the people of the State of Maryland, to resolve the complaint. The Commission and the Respondent agree and stipulate as follows:

1. 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. The Respondent is licensed as a real estate salesperson, license registration number 05-660114, and is currently affiliated with real estate broker Keller Williams Integrity.
3. On February 27, 2018, the Complainant made an offer to purchase a property known as 11812 Maylston Drive, Lutherville, Maryland 21093 listed for sale by the respondent.
4. The settlement date on the submitted contract was for May 11, 2018. The settlement date was changed on the contract to March 28, 2018.
5. The change to the settlement date was not initialed by the sellers, the Respondent’s clients, to indicate the change on the contract. The parties agreed to settle on the revised settlement date. The settlement date was later extended by the parties in order for a new well to be installed. The parties settled on April 19, 2018.

6. The Respondent admits that by his acts and omissions described above he has violated Business and Occupations Article, Annotated Code of Maryland (“BOP”) §17-322(b)(33) and Code of Maryland Regulations (“COMAR”) 09.11.02.01H, which provide:

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION
Subtitle 11 REAL ESTATE COMMISSION
Chapter 02 Code of Ethics
.01 Relations to the Public

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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.

7. The Respondent admits that by her acts and omissions described above she has violated Business and Occupations Article, Annotated Code of Maryland (“BOP”) §17-322(b)(33) and Code of Maryland Regulations (“COMAR”) 09.11.02.01H, which 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.

* * *

8. The Respondent consents to the entry of an Order by the Commission that he has violated BOP §§17-322(b) (33) and COMAR 09.11.02.01H.

9. The Respondent agrees he is required to abide by the Maryland Real Estate Broker’s Act, Md. Code Ann., Bus. Occ. & Prof. Art., §17-101 et. seq. and the Commission’s regulations in all real estate transactions.

10. The Respondent agrees to accept a Reprimand on his license in order to settle the case.

11. By entering into the Consent Order and Settlement Agreement, the Respondent expressly waives the right to the issuance of a Statement of Charges and Order for Hearing by the Commission, an administrative hearing on the charges before the Commission or the Office of Administrative Hearings ("OAH"), the making of Findings of Fact and Conclusions of Law by the Commission or an Administrative Law Judge of the OAH, any and all further proceedings before the Commission, and any rights to petition for judicial review of this Consent Order and Settlement Agreement.

12. The Respondent enters into this Consent Order and Settlement Agreement voluntarily, knowingly, and willingly, after having the opportunity to consult with private counsel of her own choosing at her own expense.

13. The Commission agrees to accept this Consent Order and Settlement Agreement as the full and final resolution of Case No. 2018-RE-644.

BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 19 DAY OF February, 2019 BY THE MARYLAND REAL ESTATE COMMISSION:

ORDERED that the Respondent's has violated BOP §§17-322(b) (33) and COMAR 09.11.02.01; and it is further,

ORDERED that the Respondent accepts a Reprimand on his licensing record and further,

ORDERED that the Commission's records and publications shall reflect the terms of this Consent Order and Settlement Agreement.

MARYLAND REAL ESTATE COMMISSION:

By: SIGNATURE ON FILE
Michael L. Kasnic, Executive Director

AGREED:
SIGNATURE ON FILE
John Walker
Respondent

2/19/19
Date