

MARYLAND REAL ESTATE
COMMISSION

V.

KUSUM MAINIGI

Respondent
License No: 91806

* BEFROE THE MARYLAND
* REAL ESTATE COMMISSION
*
* COMPLAINT NO: 2014-RE-066

* * * * *

SETTLEMENT AGREEMENT AND CONSENT ORDER

This Matter comes before the Maryland Real Estate Commission (Commission) based on a complaint filed by Nini Mani against Kusum Mainigi (respondent). Based on the complaint, the Commission determined that administrative charges were appropriate and that a hearing on the charges should be held. Prior to the matter being scheduled for hearing, the Commission and Respondent agreed to consent to the entry of this Order as final resolution of Complaint No. 2014-RE-066.

IT IS STIPULATED BY THE PARTIES THAT:

1. The Respondent is currently licensed as a real estate broker using the trade name, Diamond Realty & Property Management.
2. The charges in this matter arise from the Respondent's actions with regard to a property known as 13107 Briarcliff Terrace, #210, in Germantown, Maryland.
3. The Respondent acted as the listing and leasing agent for the owner and collected a commission for a lease agreement she prepared.
4. The Respondent did not have an exclusive listing agreement signed with the client that allowed her to act as her agent.
5. The complainant filed the complaint based on losses occurred as a result of the tenants failure to pay rent. The complainant's loss is not a result of the respondent's failure to obtain a listing agreement.
6. The Respondent enters this Consent Order freely, knowingly, voluntarily, and after having had the opportunity to seek the advice of counsel.
7. By entering into this Consent Order, the Respondent expressly waives *the right to any hearing or further proceeding to which he may be entitled in this matter and any rights to appeal from this Consent Order.*

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

BASED ON THESE STIPULATIONS, IT IS, THIS 28th day of February, 2014 BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated the Code of Maryland Regulations, Title 09.11.01.12

ORDERED that the Respondent pay a fine of \$1,000.00 and

ORDERED that if the Respondent fails to comply with the prescribed terms of the Order, the real estate license shall be suspended until such time that the terms are met and it is further

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

SIGNATURE ON FILE

KUSUM MAINIGI

SIGNATURE ON FILE

KATHERINE F. CONNELLY
MARYLAND REAL ESTATE COMMISSION

2/15/2014

DATE