

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

MARYLAND REAL ESTATE  
COMMISSION

\*

CASE NO. 363-RE-2021

\*

V.

\*

VERNON VAUGHAN,

\*

*Respondent.*

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Jerry D. French with Residential Real Estate Review Management (“Complainant”) against the Respondent, Vernon T. Vaughan, a real estate salesperson, license registration number 05-623986. Based on the complaint and an investigation, the Commission issued a Statement of Charges and Order for Hearing dated May 23, 2023 alleging that the Respondent violated provisions of the Maryland Real Estate Brokers Act, Md. Code Ann., Bus. Occ. & Prof., Title 17, and transmitted this matter to the Office of Administrative Hearings for a hearing on the charges against the Respondent. To resolve this matter without a formal hearing, the Commission and the Respondent have agreed to enter into this Consent Order and Settlement Agreement to provide for the imposition of disciplinary measures that are fair and equitable in these circumstances and consistent with the best interest of the people of the State of Maryland.

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 Commission currently licenses the Respondent as a real estate salesperson, license registration number 05-623986, affiliated with Bennett Realty Solutions. At the times relevant to the events at issue in this matter the Respondent was affiliated with brokers Exit Preferred Realty, LLC, Trident Homes Realty, Tristar Realty, Inc., and/or Home Smart LLC.
3. Residential Real Estate Review Management, Inc. (RRERM) engages licensed real estate professionals to provide comparative market analysis for mortgage servicers.
4. In 2016, RRERM removed the Respondent from RRERM’s network after the Respondent accepted an assignment to provide a comparative market analysis on a property located in Washington DC because the Respondent did not hold a real estate license in Washington DC.
5. In or about March 2018, using the name and license number of a Maryland licensed real estate salesperson other than his own, the Respondent established a new profile on

RRERM's website and signed a General Services Agreement with RRERM using the other individual's identity.

6. A RRERM representative called the telephone number the Respondent provided on the new profile. The Respondent answered the call and initially represented to the RRERM representative that his name was that of the individual whose identity the Respondent had misappropriated but subsequently admitted that he had used the other individual's name and license number to create the new profile so he could continue to provide comparative market analysis to RRERM.

7. The Respondent accepted payment directly from RRERM for providing real estate brokerage services.

8. Based on the facts described above, the Respondent admits that he has violated and is subject to BOP §§17-322 (b) (2) and (21), and (c), which provide:

**§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:

\* \* \*

(2) fraudulently or deceptively uses a license;

\* \* \*

(21) except as otherwise provided under §17-604 of this title, for real estate brokerage services provided by an associate real estate broker or a real estate salesperson, accepts a commission or other valuable consideration from any person other than a real estate broker with whom the associate broker or the salesperson is affiliated[.]

(c) (1) Instead of, or in addition to reprimanding a licensee or suspending or revoking a license under this section, the Commission may impose a penalty not exceeding \$5000 for each violation.

(2) To determine the amount of the penalty imposed, the Commission shall consider:

- (i) the seriousness of the violation;
- (ii) the harm caused by the violation;
- (iii) the good faith of the licensee; and
- (iv) any history of previous violations by the licensee.

9. The Respondent consents to the entry of an Order finding that by the acts and omissions described herein, he violated BOP §17-322(b) (2) and (21).

10. As penalty for the violations, the Respondent consents to the entry of an Order suspending the Respondent's real estate salespersons license for a period of thirty (30) days commencing on the date the Commission enters this Consent Order. Based upon the seriousness

of the violation, the harm caused by the violation, and the Respondent's lack of good faith, the Respondent further consents to the entry of an Order imposing a civil monetary penalty of FIVE THOUSAND DOLLARS (\$5000.00) to be paid within thirty (30) days of the date the Commission enters this Consent Order. The Respondent agrees to the entry of an Order that should the Respondent fail to pay the civil monetary penalty as required by this Consent Order, the Respondent's license shall continue to be suspended until the Respondent has paid the civil monetary penalty in full.

11. By entering this Consent Order, the Respondent waives the right to an administrative hearing on the charges before an administrative law judge assigned by the Office of Administrative Hearings, to the making of findings of fact and conclusions of law, to all other proceedings before the Commission or its designee on this matter, and to all rights to appeal from this Consent Order to any court of competent jurisdiction.

12. The Respondent hereby agrees and acknowledges that the Respondent enters this Consent Order knowingly, voluntarily, willingly, and intelligently and with the advice of counsel.

13. The Commission and the Respondent agree no provision of this Consent Order shall be interpreted for or against any party by reason that said party, or their legal representative, drafted all or any part hereof.

14. The Commission and the Respondent agree and acknowledge that this Consent Order shall serve as the final resolution of Case No. 363-RE-2021, shall serve as the Final Order in this matter, shall be a part of the Respondent's record, and that the Commission's records and publications shall reflect the Consent Order's terms.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 22<sup>nd</sup>  
DAY OF August, 2023 BY THE MARYLAND REAL ESTATE  
COMMISSION:**

**ORDERED** that the Respondent's has violated BOP §17-322(b)(2) and (21); and it is further,

**ORDERED** that based on the violations, the Respondent's license registration number 05-623986, and any Commission issued licenses the Respondent may hold, shall be suspended for a period of thirty (30) days commencing on the date the Commission enters this Consent Order; and it is further

**ORDERED** that based on the Commission's consideration of the seriousness of the Respondent's violations, the harm caused by the Respondent's violations, and the Respondent's lack of good faith, the Commission assesses a civil monetary penalty against the Respondent in the total amount of FIVE THOUSAND DOLLARS (\$5000.00), which amount is payable to the Commission within thirty (30) days of the date the Commission enters this Consent Order; and it is further

**ORDERED** that should the Respondent fail to pay the civil monetary penalty within thirty (30) days of the date the Commission enters this Consent Order, the Respondent's license(s) shall continue to be suspended until the Respondent has paid the civil monetary penalty in full; and it is further

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

**MARYLAND REAL ESTATE COMMISSION:**

By:   
MICHAEL KASNIC  
EXECUTIVE DIRECTOR

**AGREED:**  
  
Vernon T. Vaughan, Respondent

8-17-23  
Date