

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE
COMMISSION

*

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V.

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JOSEPH S. SCHNEIDER
CBRE, INC.
243 West Main Street, Suite 1
Salisbury, Maryland 21801

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Case No: 212-RE-2014

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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by James Miller ("Complainant"). Based on the complaint and an investigation, the Commission determined that administrative charges against the Respondent, associated broker, Joseph S. Schneider, affiliated with CBRE, Inc., license registration number, 03-532443 ("Respondent"), are appropriate and that an administrative hearing on those charges should be held.

To resolve this matter without a formal hearing, the Commission and the respondent have agreed to enter into this Consent Order 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. At all times relevant to the matters set forth in this Consent Order, the Commission has had jurisdiction over the subject matter and the Respondent.
2. The Respondent was, at the time of the event at issue, affiliated with Schneider, Richardson & Davis, LLC, as a broker, license registration number 01-532443.
3. The Complainant alleges he retained the Respondent to represent him in the sale of commercial property in Worchester County, Maryland.
4. It is further alleged the Respondent failed to list the commercial property for six (6) months on the Multiple Listing Service as required in the Exclusive Listing Agreement entered into on November 27, 2012.
5. The Respondent admits that by failing to list the property for six (6) months he has violated COMAR 09.11.02.02 (A) which provides:

**Title 09 Department of labor, Licensing and Regulation
Subtitle 11 Real Estate Commission
Chapter 02 Code of Ethics
.02 Relations to the Public**

(A) In accepting employment as an agent the licensee shall protect and promote the interests of the client. The obligation of absolute fidelity to the client's interest in primary, but it does not relieve the licensee from the statutory obligations towards the other parties to the transaction.

6. The Respondent consents to the entry of an Order that his conduct, as described in this Consent Order, violates COMAR 09.11.02.02 (A) and he agrees to pay a civil penalty in the amount of \$250.00.
7. By entering into this Consent Order, the Respondent, expressly waives the right to an administrative hearing on the charges, 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.
8. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 212-RE-2014.

BASED ON THESE STIPULATIONS, IT IS THIS 1st DAY OF May, 2015 BY THE MARYLAND REAL ESTATE COMMISSION.

9. **ORDERED** that the Respondent violated COMAR 09.11.02.02 (A) by failing to list the commercial property for six (6) months on the Multiple Listing Service as required in the Exclusive Listing Agreement entered into on November 27, 2012 ; and it is further

ORDERED the Respondent will pay a civil penalty in the amount of \$250.00 within sixty (60) days of the execution of this Consent Order:

ORDERED that should the Respondent fail to pay the civil penalty within the 60 days after signing the Order, the Commission will suspend all licenses of the Respondent until such time as the payment is made and will proceed with charges against the Respondent and schedule an Administrative Hearing for the violation of COMAR 09.11.02.02 (A) or any additional charges which may be appropriate.

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

MARYLAND REAL ESTATE COMMISSION:
SIGNATURE ON FILE

By: _____

SIGNATURE ON FILE

AGREED:

4/23/2015
Date

Joseph S. Schneider , Respondent

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APR 27 2015
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COMMISSION