

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

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V.

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**MARGEAU E. GILBERT
Exit Right Realty
8730-16 Cherry Lane
Laurel, Maryland 20707**

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Case No: 308-RE-2015

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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Jennifer Parry ("Complainant"). Based on the complaint and an investigation, the Panel of Commissioners have determined that administrative charges against the Respondent, real estate salesperson, Margeau E. Gilbert affiliated with Exit Right Realty; license registration number, 05-576308 ("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 Exit Right Realty, as a salesperson, license registration number 05-576308.
3. The Complainant alleged he contacted the listing agent for a showing of a home that was listed for sale with Exit Right Realty.
4. It is further alleged that when the listing agent was contacted for a showing of the home, the listing agent assigned Respondent to show the home. Respondent met with the Complainant at the home and failed to provide the Understanding Whom Real Estate Agents Represent indicating that her brokerage was representing the seller in this matter.
5. The Respondent will admit that by failing to provide the Understanding Whom Real Estate Agents Represents at the first meeting or the first showing

of the property as required by the Commission's laws and regulations she has violated Section 17-530 (b) and (c) of the Business Occupations and Professions Article, Maryland Annotated Code which provides:

**Section 17-530
Business Occupations and Professions Article
Maryland Annotated Code**

(b) (1) A licensee who participated in a residential real estate transaction as a seller's agent, buyer's agent, or as a cooperating agent shall disclose in writing that the licensee represents the seller or lessor or the buyer or lessee.

(2) The disclosure shall occur not later than the first scheduled face to face contact with the seller or lessor or the buyer or lessee.

(b) (c) Except as otherwise provided in subsection (d) of this section, a licensed real estate broker, licensed associated real estate broker, or licensed real estate salesperson may not act as a dual agent in this State.

6. The Respondent consents to the entry of an Order that her conduct, as described in this Consent Order, violates Section 17-530 (b) (1) and (2) and (c) of the Business Occupations and Professions Article, Maryland Annotated Code and she agrees to take a 3 hour agency class (category H) within sixty days (60) from the date of the execution of this Consent Order. The class referenced in this Consent Order is in addition to the continuing education requirements and Respondent must submit the original certificate to the Commission by within the sixty (60) days. Should Respondent failed to complete the class and/ or submit proof of completion within the sixty (60) days, the Commission will suspend her license until she has completed the class and provides the Commission proof of completion. This class would not be allowed to be credited towards the hours necessary to renew her license at the next renewal.
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. 308-RE-2015.

MAY **BASED ON THESE STIPULATIONS, IT IS THIS 14 DAY OF**
2015 BY THE MARYLAND REAL ESTATE COMMISSION.

ORDERED that the Respondent violated Section 17-530 (b) (1) (2) and (c) of the Business Occupations and Professions Article, Maryland Annotated Code for failing to disclose the party she was representing in this transaction; and it is further

ORDERED the Respondent will take a 3 hour agency class within sixty days (60) and submit proof of completion to the Commission within that time period.

ORDERED that should the Respondent fail to take the agreed upon class by sixty (60) day time limit, the Commission will suspend the license of the Respondent until she has completed the class and provides the Commission proof of completion and that the Commission will proceed with charges against the Respondent and schedule an Administrative Hearing for the violations of and Section 17-530 (b) (1) (2) and (c) of the Business Occupations and Professions Article, Maryland Annotated Code. This agency class would not be allowed to be credited towards the class necessary for her next renewal.

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

MARYLAND REAL ESTATE COMMISSION:

SIGNATURE ON FILE

By: _____

AGREED:

SIGNATURE ON FILE

5/11/15
Date

MARGEAU E. GILBERT, Respondent