

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE	*	
COMMISSION	*	MREC CASE NO. 17-RE-280
V.	*	OAH CASE NO. LABOR-REC-24-19-22456
RACHEL MURGA –LICENSEE	*	
Central Properties of Metropolitan	*	
Washington	*	
1354 V. Street NW	*	
Washington, DC 20009	*	
* * * * *		

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Jose and Francisca Larios (“Complainants”). Based on the complaint and an investigation the Commission issued a Statement of Charges and Order for Hearing dated July 1, 2019 against the Respondent Real Estate Salesperson, Rachel Murga (“Respondent”), license registration number 660056 and transmitted this matter to the Office of Administrative Hearings for a hearing on the regulatory charges and Guaranty Fund claim. 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 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. The Respondent is currently licensed by the Commission as a real estate salesperson affiliated with Broker Paul J. Sliwka, license registration number 5834. 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. At all relevant times, the Respondent was licensed by the Commission as a real estate salesperson (Registration No. 50237).
3. The charges against Respondent arose from a purchase contract dated April 20, 2016 (ratified May 11, 2016), for an unimproved lot known as 10900 Patuxent Avenue (the “Property”), located in Glen Dale, Maryland.
4. Respondent acted as both the buyer’s and seller’s agent and the listing agent for the property.

5. Respondent did not discuss with Claimants who she was representing.
6. Respondent represented both the buyers and sellers in the transaction.
7. Respondent met with Claimants and represented that the Property had access to utilities and had access to a public roadway.
8. Based on the representations of the Respondent, the Respondent prepared and offer on behalf of the Claimants and submitted an Unimproved Land contract of Sale to the owners which was accepted/ratified on or about May 11, 2016.
9. Prior to settlement, the Respondent twice requested that the title company obtain a survey of the subject Property.
10. The title company did not have the Property surveyed, and the Respondent did not stop the settlement from going forward without a survey.
11. Shortly after settlement, it was determined that the property purchased was not the same property as had been advertised and that the Claimants believed they were purchasing.
12. The Property actually sold in the transaction was in fact land-locked in that it had no access to public roadways and did not have direct access to any necessary utilities.
13. The Respondent admits that she has violated Business and Occupations Article, Annotated Code of Maryland ("BOP") §§ 17-322(b)(6), (32), (33), 17-530.1(a) and COMAR 09.11.02.01-D and 09.11.02.02-A, as alleged by the Commission in its Statement of Charges and Order for Hearing, which is attached hereto as **Exhibit A** and incorporated by reference fully herein..
14. The Respondent agrees to adhere to and abide by the terms and conditions of the Office of Administrative Hearings Settlement agreement executed October 28, 2019 and attached hereto as **Exhibit B** (the "OAH Agreement"), which is adopted and incorporated as if set forth fully herein.
15. The Respondent agrees to pay a total civil penalty of \$500.00 to the Commission within 14 days from the date of this Consent Order.
16. In the event that Respondent fails to adhere and abide by the OAH Agreement and/or fails to make any required payment in accordance with this Consent Order, she hereby agrees and consents that her Maryland Real Estate Salesperson's license (Registration No. 660056) shall be immediately and automatically suspended until such time as all required payments are made and she falls into compliance with the OAH Agreement. Further, in the event that Respondent fails to comply with the terms of this Consent Order in any manner, the Commission reserves the right to commence further disciplinary proceedings and impose further sanctions.

