

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

MARYLAND REAL ESTATE  
COMMISSION

\* MREC CASE NO. 19-RE-761  
\* OAH CASE NO. LABOR-REC-24-20-  
20127

v.

\*

TERESSA FRAZIER

\*

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Mary and Gershom Rogers ("Complainants"). Based on the complaint and an investigation the Commission issued a Statement of Charges and Order for Hearing dated August 13, 2020 against the Respondent Real Estate Salesperson, Teressa Frazier ("Respondent"), license registration number 662452 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. 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. 662452).
3. The charges against Respondent arose from a Property Management Agreement between the Respondent and the Complainants, effective April 1,

2018 for 7650 Timbercross Lane (the "Property"), located in Glen Burnie, Maryland.

4. At all relevant times, Respondent, acting in the capacity as Property Manager for the Complainants in accordance with the Property Management Agreement, rented the Property to a tenant (the "Tenant") beginning June 1, 2018.

5. Pursuant to the terms of the Property Management Agreement, Respondent was to collect rents from the Tenant and disburse the proceeds to the owner, less Respondent's fee and expenses related to the Property.

6. The Complainants received rental proceeds from the Respondent up until December of 2018, when Respondent was late distributing the rental payments to the Claimants.

7. Complainants received late rental proceeds for the months of December 2018, January 2019, and February 2019.

8. The Tenant paid \$4,200 in total rent to Respondent for the months of March and April, 2019, but Respondent did not remit any portion of these payments to the Complainants, as was required pursuant to the terms of the Property Management Agreement.

9. The Respondent admits that she has violated Business and Occupations Article, Annotated Code of Maryland ("BOP") §§ 17-320(c)(1), 17-322(b)(25), (32), (33), as well as and COMAR 09.11.02.01C and 09.11.02.02A, 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.

10. The Respondent and the Commission agree and acknowledge that Respondent has already returned \$4,200 to the Complainants pursuant to the terms and conditions of the Office of Administrative Hearings Settlement Agreement executed November 24, 2020 and attached hereto as **Exhibit B** (the "OAH Agreement"), which is adopted and incorporated as if set forth fully herein.

11. Based on the aforementioned violations, the Respondent agrees to pay to the Maryland Real Estate Commission a civil penalty totaling Five

Thousand Dollars (\$5,000) upon the Respondent's execution of this Consent Order.

12. 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.

13. The Respondent agrees to abide by the BOP §17-101 et seq., and the regulations of the Commission in future transactions.

14. The Respondent, by entering into this Consent Order, expressly waives the right to an administrative hearing on the charges and the making of Findings of Fact and Conclusions of Law, and any and all further proceedings before the Commission to which the Respondent may be entitled in this matter, and any rights to appeal from this Order.

15. The Respondent enters into this Consent Order freely, knowingly and voluntarily, and with the opportunity to seek advice of counsel.

16. The Respondent agrees and acknowledges that this Consent Order shall constitute a Final Decision and Order of the Commission and shall be enforceable as such.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 31 DAY OF March, 2021 BY THE MARYLAND REAL ESTATE COMMISSION:**

**ORDERED** that the Respondent has violated Business and Occupations Article, Annotated Code of Maryland ("BOP") §§ 17-320(c)(1), 17-322(b)(25), (32), (33), as well as COMAR 09.11.02.01C and 09.11.02.02A; and it is further

**ORDERED**, that the Respondent be assessed a civil penalty of Five Thousand Dollars (\$5,000) for the violations, which amount is payable to the Maryland Real Estate Commission upon the Respondent's execution of this Consent Order and Settlement Agreement; and it is further

**ORDERED**, that if the Respondent fails to make the required payment in accordance with the terms of this Consent Order, any active license for Respondent to act as a Real Estate Professional shall be immediately and suspended; and it is further

**ORDERED**, that this matter shall be resolved in accordance with the terms of this Consent Order, and that the same shall be reflected among the records of the Maryland Real Estate Commission; and it is further

**ORDERED**, that this Consent Order shall constitute a Final Order of the Maryland Real Estate Commission.

MARYLAND REAL ESTATE COMMISSION:  
**SIGNATURE ON FILE**

By: \_\_\_\_\_  
Maryland Real Estate Commission

*4/8/2021*

\_\_\_\_\_  
DATE

AGREED:

**SIGNATURE ON FILE**

\_\_\_\_\_  
RESPONDENT

*3/31/2021*  
\_\_\_\_\_  
DATE