

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

MARYLAND REAL ESTATE  
COMMISSION

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CASE NO. 2011-RE-385

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V.

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PAMELA M. YOUNG  
RE/MAX 100  
10665 STANHAVEN PLACE  
SUITE 300  
WHITE PLAINS, MARYLAND 20695  
LIC. REG. NO. 05-22543

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**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Gwendolyn Ockimey ("Complainant"). Based on the complaint and an investigation the Commission issued a Statement of Charges and Order for Hearing dated May 29, 2012 against the Respondent Real Estate salesperson, Pamela M. Young, license registration number 05-22543, and transmitted this matter to the Office of Administrative Hearings ("OAH") for a hearing on the regulatory charges. The OAH scheduled a hearing on the regulatory charges for November 1, 2012 at 10:00 a.m. at the OAH in Hunt Valley, Maryland. Prior to the hearing, the Commission and the Respondent agreed to enter into this Consent Order and Settlement Agreement ("*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. The Respondent is currently licensed by the Commission as a real estate salesperson, license registration number 05-22543 and is affiliated with real estate broker RE/MAX 100 located in White Plains, Maryland. 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. On or about June 28, 2010, Don and Gwendolyn Ockimey entered into a property management agreement with Re/Max 100/PSR Ventures, by the Respondent, to manage their property located at 12124 Burning Ridge Court in Waldorf, Maryland.
3. The property management agreement authorized the Respondent to offer the Burning Ridge Court property for lease for a monthly rent of no lower than \$2400 and to negotiate and execute a lease on behalf of the owners.

4. On or about November 5, 2010, the Respondent, on behalf of the owners entered into a lease for a monthly rent of \$2300 with tenants for the Burning Ridge Court property.

5. The Respondent failed to obtain written authorization from the owners to lower the monthly rental amount and did not therefore provide a copy of such written agreement to the owners.

6. The property management agreement also allowed the Respondent to authorize tenants to have a small pet at the property provided that the Respondent collected from the tenants an additional deposit.

7. The Respondent entered into a verbal agreement with the tenants authorizing them to have a dog of a certain size/weight provided they paid a \$500 pet deposit.

8. The Respondent failed to put the agreement regarding the size of the pet and the pet deposit into writing and therefore failed to provide the signed written agreement to the tenants and to the owners.

9. The tenants had a pet which exceeded the size/weight limitation and the Respondent failed to collect the pet deposit from the tenants.

10. Based on the above, the Respondent admits that she has violated Business and Occupations Article, Annotated Code of Maryland ("BOP") §17-322(b)(32) and (33), §17-532(c)(1)(vi) and COMAR 09.11.02.01H 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: ...

(32) violates any other provision of this title;

(33) violates any regulation adopted under this title or any provision of the code if ethics; ...

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

**§17-532. Duties to client...**

(c) In general.- (1) A licensee shall:...

(vi) exercise reasonable care and diligence; ...

**CODE OF MARYLAND REGULATIONS**

**Chapter.02 Code of Ethics**

**.01 Relations to the Public**

H. For the protection of all parties with whom the licensee deals, the licensee shall see to it that financial obligations and commitments regarding real estate transactions are in writing, expressing the exact agreement of the parties and that copies of these agreements are placed in the hands of all parties involved within a reasonable time after the agreements are executed.

11. The Respondent consents to the entry of an Order by the Commission that she has violated BOP §17-322(b) (32) and (33), §17-532(c)(1)(vi) and COMAR 09.11.02.01H. As penalty the Respondent agrees to pay a civil penalty of \$3000 within 30 days of her execution of this Consent Order.

12. The Respondent further agrees to complete a 3-hour agency course, a 3-hour ethics course and a 3-hour contracts course within 90 days of her execution of this Consent Order. The three 3-hour courses referenced in this Consent Order shall be in addition to, and not substituted for, the continuing education course requirements set forth in BOP §17-315 and COMAR 09.11.06. The Respondent agrees to provide to the Commission a certificate of completion from the instructor of each of the 3-hour courses referenced in this Consent Order within 90 days of her execution of this Consent Order.

13. The Respondent also agrees that should she fail to pay the \$3000.00 civil penalty and/or provide to the Commission a certificate of completion from each instructor of the three 3 hour courses referenced in this Consent Order within the agreed upon time frames set forth above, the Respondent's license shall be automatically suspended and shall continue to be suspended until such time as she complies with the requirements of this Consent Order.

14. The Respondent, by entering into the Consent Order, expressly waives the right to an administrative hearing before the Office of Administrative Hearings on the charges, the making of Findings of Fact and Conclusions of Law by an administrative law judge, any and all further proceedings before the Commission and any rights to appeal from this Consent Order.

15. The Respondent enters into this Consent Order willingly, voluntarily, freely, and with the advice of counsel, Kathleen Dartez, Esquire.

16. The Commission agrees to accept this Consent Order as the full and final resolution of Case No. 11-RE-385.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS**  
**\_\_\_\_\_ DAY OF \_\_\_\_\_, 2012 BY THE MARYLAND REAL**  
**ESTATE COMMISSION:**

**ORDERED** that the Respondent has violated BOP §17-322(b) (32) and (33), §17-532(c)(1)(vi) and COMAR 09.11.02.01H; and it is further,

**ORDERED** that the Respondent is assessed a civil penalty of \$3000 for the violations, which is payable to the Commission within 30 days of the Respondent's execution of this Consent Order; and it is further

**ORDEDED** that the Respondent shall complete a 3-hour agency course, a 3-hour ethics course and a 3-hour contracts course within 90 days of the Respondent's execution of this Consent Order. The three 3-hour courses referenced in this Consent Order shall be in addition to, and not substituted for, the continuing education course requirements set forth in BOP §17-315 and COMAR 09.11.06. The Respondent shall provide to the Commission a certificate of completion from the instructor of each of the 3-hour courses referenced in this Consent Order within 90 days of her execution of this Consent Order; and it is further

**ORDERED** that should the Respondent fail to pay the \$3000 civil penalty and/or provide to the Commission a certificate of completion from the instructor of each of the three 3-hour courses referenced in this Consent Order within the agreed upon time frames set forth above, the Respondent's license shall be automatically suspended and shall continue to be suspended until such time as she complies with the requirements of this Consent Order; and it is further

**ORDERED** that the Commission's records and publications shall reflect the violation and penalties imposed on the Respondent.

**MARYLAND REAL ESTATE COMMISSION:**

By: SIGNATURE ON FILE  
KATHERINE F. CONNELLY  
EXECUTIVE DIRECTOR

AGREED:

10/23/12  
Date

SIGNATURE ON FILE  
PAMELA M. YOUNG, RESPONDENT