

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

V.

**AL A. DOUGLAS, JR.
Mecca Realty Inc.
2604 Alembic Lane
Bowie, Maryland 20716**

Case No: 134-RE-2011 GF

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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Alvin Walker ("Complainant"). Based on the complaint and an investigation, the Commission determined that administrative charges against the Respondent, real estate broker, Al A. Douglas, Jr., affiliated with Mecca Realty Inc., license registration number, 01-573313 ("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 jurisdiction over the subject matter and the Respondent.
2. The Respondent was, at the time of the event at issue, affiliated with Mecca Realty Inc, as a broker, license registration number 01-573313.
3. The Complainant alleges the Respondent represented the buyer in this transaction.
4. It is further alleged the Respondent presented the contract offer to the Complainant on the buyer's behalf and held the buyer's deposit of \$25,000.00.
5. The Complainant alleges that the Respondent was notified within a few days of the contract offer that the buyer's deposit check had been returned because of insufficient fund. Also, the Complainant alleges that he and his agent were not notified of the deposit check being returned by the bank and started the preparation for settlement.

6. The Respondent admits that by failing to notify the Complainant that the deposit was returned for insufficient funds he has violated Section 17-322 (b) (25) and 17-532 (c) (iv) (vi) of the Business Occupations and Professions Article, Maryland Annotated Code which provides:

Section 17-322

**Business Occupations and Professions Article
Maryland Annotated Code**

(b) (25) engages in conduct that demonstrates bad faith, incompetency, or untrustworthiness or that constitutes dishonest, fraudulent, or improper dealings;

Section 17-532

**Business Occupations and Professions Article
Maryland Annotated Code**

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

(iv) treat all parties to the transaction honestly and fairly and answer all questions truthfully;

(vi) exercise reasonable care and diligence.

7. The Respondent consents to the entry of an Order that his conduct, as described in this Consent Order, violates Section 17-322 (b) (25) and 17-532 (c) (iv) (vi) of the Business Occupations and Professions Article, Maryland Annotated Code and he agrees to pay a civil penalty in the amount of \$250.00 within thirty (30) days of the execution of the Consent Order . Should the Respondent fail to pay the civil penalty within the 30 days after signing the Order, the Commission will suspend the license 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 violations of Section 17-322 (b) (25) and 17-532 (c) (iv) (vi) of the Business Occupations and Professions Article, Maryland Annotated Code

8. Also, Respondent will be required to take a 3 hour supervision class within sixty days (60) from the date of the execution of this Consent Order. The class reference in this Consent Order is in addition to the continuing education requirements and Respondent must submit the supervision certificate to the Commission within sixty (60) days of the execution of this Consent Order. Should Respondent failed to complete the class and/ or submit proof of completion within sixty (60) days, the Commission will suspend Respondent's

license until he has completed the class and provides the Commission proof of completion.

9. 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.
10. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 134-RE-2011.

BASED ON THESE STIPULATIONS, IT IS THIS 15th DAY OF August, 2012 BY THE MARYLAND REAL ESTATE COMMISSION.

ORDERED that the Respondent violated Sections 17-322 (b) (25) and 17-532 (c) (iv) (vi) of the Business Occupations and Professions Article, Maryland Annotated Code for failing to notify the Complainant that the buyer's deposit was returned due to insufficient funds in this matter; and it is further

ORDERED the Respondent has agreed to pay a civil penalty in the amount of \$250.00 and;

ORDERED that should the Respondent fail to pay the civil penalty within the 30 days after signing the Order, the Commission will suspend the license 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 violations of Sections 17-322 (b) (25) and 17-532 (c) (iv) (vi) of the Business Occupations and Professions Article, Maryland Annotated Code and;

ORDERED that Respondent will take a 3 hour supervision class 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 supervision certificate to the Commission within sixty (60) days of the execution of this Consent Order. Should Respondent fail to complete the class and/ or submit proof of completion within sixty (60) days, the Commission will suspend Respondent's license until he has completed the class and provides the Commission proof of completion.