

**MARYLAND REAL ESTATE  
COMMISSION**

v.

**TIMOTHY RODGERS,**

**Respondent**

\* **BEFORE THE MARYLAND  
REAL ESTATE COMMISSION**

\*

\* **COMPLAINT NO.: 2012-RE-219**

\* **OAH NO.: DLR-REC-24-13-  
12583**

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\* \* \* \* \*

**CONSENT ORDER**

This matter comes before the Maryland Real Estate Commission (the "Commission") based on a complaint by Ann and Adrian Barbul, ("Complainants") dated November 11, 2011, against Timothy Rodgers, the Respondent real estate salesperson. On or about March 25, 2013, the Commission issued a Statement of Charges and Order for Hearing (incorporated by reference herein) alleging that the Respondent engaged in violations of the Maryland Real Estate Brokers Act in connection with a real estate listing agreement that occurred in or around March of 2011. A hearing was subsequently scheduled before the Office of Administrative Hearings, however, the hearing was withdrawn based on the parties' expressed intent to enter into this Consent Order which shall constitute a full and final resolution of this action.

**IT IS STIPULATED BY THE PARTIES THAT:**

- 1) The Respondent is currently licensed by the Commission as a real estate

salesperson with registration number 50306, and was licensed as such during all relevant times in this matter.

2) The charges arise out of a listing agreement between the Complainants and the Respondent's firm, Hill & Company, which was fully ratified on March 29, 2011, for 302 Club Road, Baltimore, Maryland (the "Property"). The Property was owned by the Complainants.

3) The listing agent was Paul Dougherty ("Dougherty") whose license was revoked by the Commission on or about June 7, 2011. On or about June 16, 2011, Dougherty was removed as the listing agent in the MRIS system and the Respondent became the listing agent.

4) After the Respondent was assigned as the listing agent following Dougherty's revocation, he failed to immediately notify the Complainants that Dougherty was no longer licensed and that the Respondent would be fulfilling his duties as the new listing agent.

5) After Dougherty's license was revoked on or about June 7, 2011, Dougherty continued to have contact with the Complainants regarding the prospective sale of the Property up until the first week of October of 2011. The Complainants were not advised, and did not discover, that Dougherty's license had been revoked until they contacted the brokerage around October of 2011.

6) The Complainants learned of the change in status after they received an e-mail from Dougherty with a copy of a purchase offer and wanted to speak to Dougherty

concerning the offer. The Complainants called the Respondent's firm with a question for Dougherty and were informed by the receptionist for the first time that Dougherty no longer worked at Hill & Company, and that he was no longer licensed with the Commission.

7) The Respondent admits to violations of Md. Code, Bus. Occ. and Prof. Art. (BOP), §§ 17-322(b)(25), (32), and (33), and the Code of Maryland Regulations ("COMAR") 09.11.02.01C as alleged by the Commission in its Statement of Charges and Order for Hearing.

8) Based on his violations, the Respondent agrees to pay a civil penalty in the amount of \$3000.00 to the Commission within 7 days of the date of this Consent Order.

9) In the event that the Respondent fails to make the required payment in accordance with the terms of this Consent Order, his Maryland real estate license shall be automatically and immediately suspended until such time as the required payment is made. In addition, if the Respondent fails to comply with the terms of this Consent Order in any respect, the Commission reserves the right to pursue further disciplinary action, including the rescheduling of this matter for hearing and the imposition of additional sanctions.

10) The Respondent agrees to abide by the Maryland Real Estate Brokers Act, BOP, §17-101 *et seq.*, and regulations of the Commission in all future transactions.

BASED ON THE STIPULATIONS OF THE PARTIES, IT IS THIS 25 day of July, 2013, BY THE MARYLAND REAL ESTATE COMMISSION,

**ORDERED** that the Respondent shall pay a civil penalty to the Commission in the amount of \$3000.00;

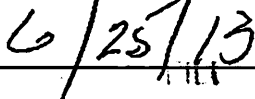
**AND IT IS FURTHER ORDERED** that this matter shall be resolved in accordance with the terms of this Consent Order and that the same shall be reflected among the records of the Maryland Real Estate Commission;

**AND IT IS FURTHER ORDERED** that this Consent Order shall constitute a Final Order of the Maryland Real Estate Commission.

SIGNATURE ON FILE

  
\_\_\_\_\_  
Timothy Rodgers, Respondent

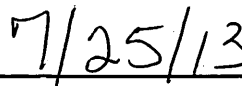
Date

  
\_\_\_\_\_  
6/25/13

SIGNATURE ON FILE

\_\_\_\_\_  
Maryland Real Estate Commission

Date

  
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7/25/13