

MARYLAND REAL ESTATE COMMISSION * BEFORE THE
v. * MARYLAND REAL
JILL D. OLIVER, * ESTATE COMMISSION
Respondent * COMPLAINT NO.: 2009-RE-486
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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") based on a complaint filed by Rashelle Wimbish against Jill D. Oliver ("Respondent"). Based on that complaint, the Commission determined that charges against the Respondent were appropriate and that a hearing on those charges should be held. This matter was scheduled to be heard at the Office of Administrative Hearings on February 1, 2012, but the Commission withdrew the administrative charges against the Respondent to allow for this resolution to occur. The Commission and the Respondent consent to the entry of this Order as final resolution of Complaint No. 2009-RE-486.

IT IS STIPULATED BY THE COMMISSION AND THE RESPONDENT that:

1. The Respondent was licensed as a real estate broker (License No. 01-31134) at the time of the events at issue and was the broker of record for Jill Oliver and Associates d/b/a Help-U-Sell Liberty.
2. The Respondent's license was changed to associate real estate broker effective January 26, 2009 (License No. 03-31134).

4. On or about September 13, 2006, a purchase contract was fully ratified for the property known as 3529 Chesterfield Avenue, Baltimore, Maryland.
5. The Respondent was the listing agent for the property.
6. The sellers were Rashelle Wimbish (Harris) and her husband, John Harris, who were separated and proceeding toward divorce during the course of these events.
7. At the time of these events, the property was legally owned by both Ms. Wimbish (Harris) and Mr. Harris, from whom she has become divorced.
8. The Respondent accepted the listing and proceeded with the sale of the property based solely on the information given to her by Mr. Harris without the knowledge or approval of Ms. Wimbish (Harris).
9. Ms. Wimbish (Harris) did not know of the listing of the property until approximately 3 days prior to her divorce becoming final (which occurred on April 2, 2006).
10. The Respondent did not enter into a written Listing Agreement with Ms. Wimbish (Harris) or her husband.
11. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and having had the opportunity to seek the advice of counsel.
12. By entering into this Consent Order, the Respondent expressly waives the right to any hearing or further proceeding to which she may be entitled in this matter and any rights to appeal from this Consent Order.

13. The Respondent agrees to abide by the Maryland Real Estate Brokers Act, Maryland Annotated Code, Business Occupations and Professions Article, §17-101 *et seq.*, and regulations of the Commission in future real estate transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 8th day of February, 2012, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated Maryland Annotated Code, Business Occupations and Professions Article, §17-322(b)(33) and Code of Maryland Regulations 09.11.01.12, and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$1,000.00 for those violations, which amount is payable to the Commission within thirty days of the date this Order is signed by the Commission, and it is further

ORDERED that, if payment of the civil penalty is not made within that 30-day period, the Respondent's real estate license shall be automatically suspended until that payment is made, and it is further

ORDERED that, if the civil penalty has not been paid by the time the Respondent's real estate license expires, she may not renew her license or have her license reinstated until payment is made, and it is further

ORDERED that the Respondent may not obtain any other license from the Commission unless and until the civil penalty is paid, and it is further

ORDERED that the Commission's records and publications shall reflect the terms of this Consent Order.

[Handwritten Signature]
SIGNATURE ON FILE
JILL D. OLIVER

1/29/2012
DATE

[Handwritten Signature]
SIGNATURE ON FILE
COMMISSIONER *[Handwritten Name]*
MARYLAND REAL ESTATE COMMISSION
[Handwritten Initials]