

Maryland Real Estate Commission

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BEFORE THE

v.

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MARYLAND REAL

Joy Clary

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STATE COMMISSION

RESPONDENT

*

Case No.: 589 RE 2016

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Consent Order

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of an audit of continuing education hours conducted by the Commission in connection with the 2016 renewal application of Joy Clary. As a result of the audit, it was determined that the Respondent did not complete the required hours of continuing education instruction for renewal of her license. As a means of resolving this matter, the Commission and the Respondent have agreed to enter into this Consent Order, and agree and stipulate to the following:

1. On 03/15/2016 the Respondent submitted an electronic application for the renewal of a Salesperson’s license for the (2016-2018) renewal period.
2. Pursuant to Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code, the Respondent was required to complete 15 hours of continuing education instruction during the two year period preceding the renewal date of 03/16/2016.
3. The Respondent failed to complete the required number of hours, but certified on the renewal application dated 03/15/2016, that the continuing education requirement had been fulfilled. The failure to obtain the continuing education hours was in violation of Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code.
4. The Respondent elected to give up her license at the time in lieu of entering into a consent agreement with the Commission. The license expired March 16, 2018.
5. The Respondent agrees that the licensee has completed 30 hours of continuing education instruction in the categories enumerated by the Commission. Those hours must be in the form of credits from an approved Maryland Provider as defined by COMAR 09.11.06.01.

The credits will meet the two renewal periods, 2016 and 2018. The credits may not be used for any other renewal period.

6. The Respondent further agrees to pay a fine in the amount of Fifteen Hundred Dollars (\$1500) in connection with the violation of Section 17-315, Business Occupations and Professions Article, Maryland Annotated Code. In addition, the Respondent will pay a fee in the amount of \$100 for the administrative costs associated with this matter. The fee and fine are to be paid before the Respondent can reinstate the license.

7. The Respondent waives the right to an investigation of the violation, the issuance of charges, and a formal hearing in this matter.

8. The Respondent agrees that all licenses held by the Respondent will remain suspended by the Commission, without a hearing, until the Respondent complies with the terms of this Consent Order. The Respondent further agrees that the suspension of license will continue until the Respondent evidences compliance.

9. The Respondent and the Commission understand that this Consent Order will serve as the Final Order in this matter and be a part of the Respondent's licensing record maintained by the Commission. The Commission's records and publications will reflect the terms of the Consent Order.

WHEREFORE, based on these stipulations and agreements, it is hereby this 4th day of March, 2019, ORDERED by the Commission:

- I. That the Respondent has been found to have violated Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code.
- II. That the Respondent shall have completed 30 hours of continuing education in the categories required by law.
- III. That the Respondent cannot reinstate the license until 30 hours of continuing education credits have been obtained and the fine and administrative fee under the Consent Order has been paid.

- III. That the Respondent cannot reinstate the license until 30 hours of continuing education credits have been obtained and the fine and administrative fee under the Consent Order has been paid.
- IV. That the Respondent shall pay a fee of \$100 in connection with the administration of this matter, and a fine of \$1500.00 in connection with the violation within 30 days of the date of this Consent Order.
- V. That the records of the Commission shall reflect that this matter was resolved by execution of this Consent Order.

SIGNATURE ON FILE

**Joy Clary
Respondent**

SIGNATURE ON FILE

**Michael L. Kasnic
Executive Director
Maryland Real Estate Commission**