

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

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V.

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**GREGORY MYERS
REALTY EXECUTIVES ONE, INC.
903 Russell Avenue, Suite 100
Gaithersburg, Maryland 20879**

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Case No: 2009-RE-287

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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Peter Ryan (“Complainant”). Based on the complaint and review of the complaint by a Panel of Commissioners, the Commission determined that administrative charges against the Respondent, real estate salesperson, Gregory Myers, affiliated with Realty Executives One, Inc., license registration number, 05-322147 (“ 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 had jurisdiction over the subject matter and the Respondent.
2. The Respondent was, at the time of the events at issue and is currently licensed by the Commission as a real estate salesperson affiliated with Realty Executives One, Inc., license registration number 05-322147.
3. On October 9, 2008, the Respondent presented an offer on behalf of his clients to Complainant’s agent without mentioning or preparing a disclosure that one of the buyer’s in this matter was his stepdaughter.
4. It is further alleged that when the Respondent was questioned about his relationship to his clients by the seller and his agent, he stated the buyers were only “Friends.”

5. On December 16, 2008, the seller of a property located at 16648 Ryans Way, Mount Airy, Maryland filed a complaint with the Maryland Real Estate Commission against Respondent alleging Respondent failed to disclose his relationship with his client and due to this misrepresentation, he felt he was not given the opportunity to fairly negotiate in the sale process.
6. The Respondent admits that by failing to disclose the relationship he has violated COMAR 09.11.02.02 (D) (1) and Section 17-511 (4) (ii) of the Business Occupations and Professions Article, Maryland Annotated Code which provides:

Title 09 Department of Labor, Licensing and Regulation
Subtitle 11 Real Estate Commission
Chapter 02 Code of Ethics

.02 Relations to Client

(D)(1) The licensee may not acquire an interest in, or purchase, personally, for any member of the licensee's immediate family, for the licensee's firm, or for any member of the firm, or for any entity in which the licensee has any ownership interest, property listed with the licensee or the licensee's firm without making the licensee's true position known to the listing owner. In selling or leasing property in which the licensee, the licensee's firm, or any member of the licensee's immediate family or the licensee's firm has an ownership interest, the licensee shall reveal that interest in writing to all parties to the transaction.

Section 17-511
Business Occupations and Professions Article
Maryland Annotated Code

(4) (ii)

"Immediate family member" includes a stepparent, stepchild, or stepsibling.

7. The Respondent consents to the entry of an Order that his conduct, as described in this Consent Order, violates COMAR 09.11.02.02 (D) (1) and Section 17-511 (4) (ii) of the Business Occupations and Professions Article, Maryland Annotated Code and he agrees to pay a civil penalty in the amount of \$250.00 to the Commission within thirty (30) days of the execution of this Consent Order.
8. 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.

9. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 2009-RE-287.

BASED ON THESE STIPULATIONS, IT IS THIS 3rd DAY OF April, 2009 BY THE MARYLAND REAL ESTATE COMMISSION.

ORDERED that the Respondent violated COMAR 09.11.02.02 (D) (1) for failing to disclosed his relationship with one of the buyers; and it is further

ORDERED the Respondent will pay a civil penalty in the amount of \$250.00 within thirty (30) days of the execution of this Consent Order.

ORDERED that should the Respondent fail to pay the civil penalty within the time limit, the Commission will proceed with charges against the Respondent and schedule an Administrative Hearing for the violations of COMAR 09.11.02.02 (D) (1).

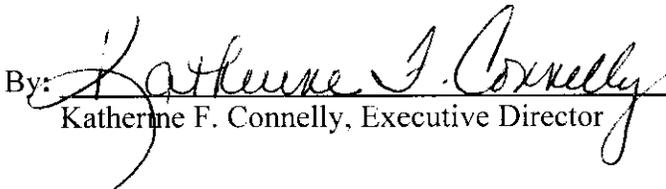
ORDERED that the Commission's records and publications reflect the violations and the penalty imposed on the Respondent.

AGREED:

3-27-2009
Date


Gregory Myers, Respondent

MARYLAND REAL ESTATE COMMISSION:

By: 
Katherine F. Connelly, Executive Director