BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE COMMISSION	*	
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	*	
v.	*	**CASE NO: 518-RE-2022**
	*	
BETTY MANDERS	*	
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CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Gina Cunningham ("Complainant") against Respondent Betty Manders, license registration number 05-588768. To resolve the complaint, the Commission and Respondent agreed to enter into this Consent Order and Settlement Agreement, which provides for the imposition of disciplinary measures that are fair and equitable under these circumstances and are consistent with the best interests 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 and Settlement Agreement, the Commission has had jurisdiction over the subject matter and the Respondent.

2. The Respondent is licensed as a real estate salesperson, license registration number 05-588768, and is currently affiliated with J.W. Tauber Real Estate.

3. In February 2022, the Complainant represented the owners of a residential property located at 2282 Indian Summer Drive, Odenton, MD 21113 ("Indian Summer").

4. On February 10, 2022, the Complainant received a call from an associate broker of Re/Max, Katerina Erhard ("Erhard"), concerning Erhard's observations of and communications with a gentleman by the name of Dale Bilo ("Bilo) who was seen exiting Indian Summer with a woman.

5. Erhard informed the Complainant that Bilo had identified himself as a client of the Respondent and that Respondent had provided him (Bilo) with the access code to India Summer, but the Respondent had not escorted Bilo while he and the woman toured the property.

6. The Complainant then called the Respondent to inquire about Erhard's statements.

7. The Respondent admits that on February 10, 2022, she provided the lockbox code to her client so he could enter and view the Indian Summer property without Respondent being physically present with him at the property.

8. The Respondent admits that by her acts and omissions described above she has violated Maryland Real Estate Broker's Act ("Act"), Maryland Annotated Code, Business Occupations Article ("BOP"), Section 17-101 et. seq. at BOP Sections 17-322(b)(25) which provides:

> **BOP §17-322 Denials, reprimands, suspensions, revocations, and penalties—Grounds.**
>
> (b) *Grounds.* Subject to the hearing provisions of §17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee or suspend or revoke a license if the applicant or licensee:
>
> (25) engages in conduct that demonstrates bad faith, incompetency, or untrustworthiness or that constitutes dishonest, fraudulent or improper dealing.

9. The Respondent consents to the entry of an Order by the Commission that she has violated BOP §§17-322(b)(25). As a penalty for the violation, the Respondent agrees to accept the imposition of a reprimand against her license, registration number, 05-588768, and agrees to pay a civil penalty of One Thousand Dollars ($1,000.00) for the violation within sixty (60) days of the date of the entry of this Consent Order and Settlement Agreement. The Respondent agrees that should she fail to make the payment within sixty (60) days of this Consent Order and Settlement Agreement, her real estate license, registration number 05-588768, and any other real estate licenses that she holds shall be automatically suspended and shall continue to be suspended until the payment is made.

10. By entering into this Consent Order and Settlement Agreement, the Respondent expressly waives the right to an administrative hearing before the Commission or the Office of Administrative Hearings ("OAH"), the making of Findings of Fact and Conclusions of Law by the Commission or an Administrative Law Judge of the OAH, any and all further proceedings before the Commission, and any rights to petition for judicial review of this Consent Order and Settlement Agreement.

13. The Respondent enters into the Consent Order and Settlement Agreement voluntarily, knowingly, and willingly, after having the opportunity to consult with private counsel of her own choosing at her own expense.

14. The Commission agrees to accept this Consent Order and Settlement Agreement as the full and final resolution of Case No: LABOR-REC-21-24-00251.

BASED ON THESE STIPULATIONS AND AGREEMENTS DESCRIBED ABOVE, IT IS THIS 4th DAY OF June, 2024 BY THE MARYLAND REAL ESTATE COMMISSION:

ORDERED that the Respondent has violated BOP §17-322(b)(25), and it is further

ORDERED that based on these violations, the Commission imposes a **REPRIMAND** against the Respondent's license, registration number 05-588768, and it is further

ORDERED that based on these violations, the Commission imposes a civil penalty of One Thousand Dollars ($1000) to be paid within sixty (60) days of the entry of this Consent Order and Settlement Agreement; and it is further

ORDERED that should the Respondent fail to pay the civil penalty of One Thousand Dollars ($1000) within sixty (60) days of the entry of this Consent Order and Settlement Agreement the Respondent's real estate salesperson's license, registration number 05-588768, and any other real estate licenses that she holds shall be automatically suspended and shall continue to be suspended until such time as the payment is made;

ORDERED that the Respondent has expressly waived the right to an administrative hearing before the Office of Administrative Hearings, the making of Findings of Fact and Conclusions of Law by an Administrative Law Judge, all further proceedings before the Commission, and any rights to appeal from this Consent Order, and it is further

ORDERED that the Commission's records and publications reflect the violation and penalties imposed on the Respondent.

MARYLAND REAL ESTATE COMMISSION:

By: SIGNATURE ON FILE

Donna Horgan, Chair
Maryland Real Estate Commission

AGREED:

SIGNATURE ON FILE

Betty Manders, Respondent

5-4-2024
Date