

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE
COMMISSION

*

CASE NO. 827-RE-2022

*

V.

*

CECILIA MASSA-BENDEZU,
Respondent

* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Heather Larregui, Carlos Larregui, and Jazmyne Ramierz (“Complainants”). Based on the complaint and an investigation, the Commission issued a Statement of Charges and Order for Hearing against the Respondent, Cecilia Massa-Bendezu, and referred the matter to the Office of Administrative Hearings (“OAH”). The OAH scheduled a hearing for April 3, 2024. To resolve this matter without a formal hearing, the Commission and the Respondent have agreed to enter into this Consent Order and Settlement Agreement to provide for the imposition of disciplinary measures that are fair, equitable, and 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 and Settlement
2. The Respondent does not and never has held a license issued by the Commission to provide real estate brokerage services in Maryland.
3. In June of 2022, the Complainants, Heather Larregui, Carlos Larregui, and Jazmyne Ramierz, resided in the residential property located at 2514 Randor Court, Waldorf, Maryland (“Property”). At the time, the Property was listed for sale by its owner.
4. On or about June 13, 2022, Andres Martinez-Villalba, a licensed real estate salesperson, registration number 05-680586, provided the access code to the digital lockbox to the Property to the Respondent, who is one of his colleagues at Spring Hill Real Estate LLC.
5. At approximately 2:55 p.m. on June 13, 2022, without having an appointment scheduled by Mr. Martinez-Villalba or anyone else, the Respondent used the lockbox code provided to her by Mr. Martinez-Villalba to enter the Property with prospective buyers to show them the Property.
6. The Complainants were inside the Property at the time and were alarmed by uninvited persons entering their home.

7. The Respondent acknowledges and admits that by entering the Property and showing it to prospective buyers, she violated Maryland Real Estate Broker's Act ("Act"), Maryland Annotated Code, Business Occupations Article ("BOP"), Section 17-101 et. seq. at BOP Sections 17-301 and 17-601(b), which provides:

§ 17-301. License required to provide real estate brokerage services

(a)(1) Except as otherwise provided in this title, an individual shall be licensed by the Commission as a real estate broker before the individual may provide real estate brokerage services in the State.

(2) Except as otherwise provided in this title, an individual shall be licensed by the Commission as an associate real estate broker or a real estate salesperson before the individual, while acting on behalf of a real estate broker, may provide real estate brokerage services in the State.

§17-601 License required to provide brokerage services.

(b) Except as otherwise provided in this title, a person may not, on behalf of a real estate broker, provide, attempt to provide, or offer to provide real estate brokerage services unless licensed by the Commission as an associate real estate broker or a real estate salesperson to provide real estate brokerage services for that real estate broker.

8. The Respondent agrees to the entry of this Consent Order by the Commission finding her in violation and imposing sanctions.

9. Pursuant to BOP Section 17-613(c)(1), the Commission has the authority to impose a fine not to exceed \$5,000 for a violation of the Act. Further, pursuant to BOP Section 17-322(c), the Commission has the authority to impose a civil penalty of up to \$5,000 for each violation of the Act and its corresponding regulations. Based on her violations in this case, the Respondent consents to the entry of an Order that she has violated BOP Sections 17-301 and 17-601(b) and she agrees to pay a civil monetary penalty of five hundred dollars (\$500) within thirty (30) days of the date of the entry of this Consent Order and Settlement Agreement.

10. By entering into the Consent Order and Settlement Agreement, the Respondent expressly waives 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.

11. The Commission and the Respondent further agree that the Commission shall withdraw this matter from the Office of Administrative Hearings docket for settlement purposes pursuant to Code of Maryland Regulations 09.01.03.07.

12. The Commission agrees to accept this Consent Order and Settlement Agreement as the full and final resolution of the charges against the Respondent in Case No. 827-RE-2022.

BASED ON THESE STIPULATIONS AND AGREEMENTS DESCRIBED ABOVE, IT IS THIS 3rd DAY OF April, 2024 BY THE MARYLAND REAL ESTATE COMMISSION:

ORDERED that Respondent has violated the Maryland Real Estate Broker's Act at BOP Sections 17-301 and 17-601(b), and it is further,

ORDERED that based on this violation, the Commission imposes a civil penalty of five hundred dollars (\$500) to be paid within thirty (30) days of the entry of this Consent Order and Settlement Agreement, and it is further

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
Cecilia Massa-Bendezu, Respondent

04/01/2024
Date