

**MARYLAND REAL ESTATE
COMMISSION**

v.

JAMES K. EDER,

Respondent

*** BEFORE THE MARYLAND
* REAL ESTATE COMMISSION
*
* COMPLAINT NO.: 2010-RE-178
* OAH NO.: DLR-REC-21-11-
14649

*** * * * ***

CONSENT ORDER

On or about October 22, 2009, Kadie Thomas filed a complaint with the Maryland Real Estate Commission (the "Commission") against James K. Eder, the Respondent Real Estate Broker for Diversified Realty Associates, Inc. (the "Respondent"). Based on the complaint, the Commission determined that administrative charges should be issued and this matter was scheduled for a hearing before an Administrative Law Judge with the Office of Administrative Hearings. The case was subsequently withdrawn prior to the hearing as a result of the parties' agreement to resolve this matter by means of this Consent Order which is intended as a full and final resolution of this action.

IT IS STIPULATED BY THE PARTIES THAT:

1) At all relevant times, the Respondent was licensed by the Commission as a real estate broker, and broker of record, for Diversified Realty Associates, Inc. (Registration No. 65064).

2) The Respondent employed an individual, Gary F. Suggars ("Suggars"), with his

firm in a capacity in which Suggars provided real estate brokerage services for Diversified Realty Associates, Inc. on behalf of the Respondent.

3) Suggars had previously been licensed as a real estate agent with the Respondent's firm since 1996, however, his license expired on or about June 1, 2009 and it was not reinstated until August 28, 2009. The reinstated license was not issued to Suggars until approximately August 31, 2009. During the lapse period, Suggars continued to provide real estate brokerage services on behalf of the Respondent and his firm.

4) From approximately July 22, 2009 to August 28, 2009, while unlicensed, Suggars acted as the listing agent on behalf of the Respondent's firm for a property at 2227 Gough Street, Baltimore, Maryland 21231. The Complainant, Ms. Thomas, was a prospective purchaser of the property. The Respondent allowed Suggars to provide real estate brokerage services and represent that he was authorized to provide those services while not licensed by the Commission.

5) As a result of the aforementioned circumstances, the Respondent admits to violations of Md. Ann. Code, Bus. Occ. And Prof. Art., §§ 17-322(b)(32) and 17-603 for retaining an unlicensed individual to provide real estate brokerage services on behalf of his firm.

6) Based on his violations, the Respondent agrees to pay a civil penalty in the amount of \$500.00 to the Commission within 14 days from the date of this Consent Order. The Respondent further agrees that his failure to make payment in full to the Commission within the required time frame shall result in the immediate and automatic suspension of his Maryland real estate license until such time as the required payment is made.

7) In the event that the Respondent fails to comply with the terms of this Consent Order in any manner, the Commission reserves the right to commence further disciplinary proceedings and impose further sanctions.

8) The Respondent agrees to abide by the Maryland Real Estate Brokers Act, Md. Ann. Code, Bus. Occ. and Prof. Article, §17-101 et seq., and regulations of the Commission in future transactions.

BASED ON THE STIPULATIONS OF THE PARTIES, IT IS THIS 19th day of December, 2011, BY THE MARYLAND REAL ESTATE COMMISSION,

ORDERED that the Respondent has violated Md. Ann. Code, Bus. Occ. and Prof. Art., §§ 17-322(b)(32) and 17-603;

AND IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty to the Commission in the amount of \$500.00 within 14 days from the date of this Consent Order; and

AND IT IS FURTHER ORDERED that this matter shall be resolved in accordance with the terms of this Consent Order and that the same shall be reflected among the records of the Maryland Real Estate Commission;

AND IT IS FURTHER ORDERED that this Consent Order shall constitute a Final Order of the Maryland Real Estate Commission.

SIGNATURE ON FILE

James K. Eder, Respondent

12-9-11
Date

SIGNATURE ON FILE

Maryland Real Estate
Commission

12/19/11
Date