

MARYLAND REAL ESTATE  
COMMISSION

V.

LACHELE KELLAM

\* BEFORE THE  
\* MARYLAND REAL  
\* ESTATE COMMISSION  
\* CASE NO. 2010-RE-477

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by George and Deborah Smoot ("Complainants"). Based on the complaint, the Commission determined that administrative charges against LaChele Kellam, the Respondent Real Estate Salesperson ("Respondent"), license registration number 05-581157, are appropriate and that an administrative hearing on those charges should be held. A hearing on the charges was scheduled at the Office of Administrative Hearings for April 3, 2012 at 10:00 a.m. in Annapolis, Maryland.

Prior to the commencement of the hearing, the Commission and the Respondent agreed to enter into this Consent Order and Settlement Agreement 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. Respondent LaChele Kellam is currently licensed by the Commission as a Real Estate Salesperson with Keller Williams Realty, license registration number 05-581157. 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. On or about May 20, 2010, Complainants George and Deborah Smoot Allen filed a complaint against the Respondent for a transaction involving the sale of property owned by Complainants known as 177 Morris Court in Glen Burnie, MD. Respondent was the listing agent as party to an Exclusive Right to Sell Residential Brokerage Agreement ("listing agreement"), dated on or about December 6, 2009, between Respondent and Complainant. At the time the parties entered into the listing agreement, Respondent was affiliated with Powerhouse Realty Group.

3. On or about March 31, 2010, Powerhouse Realty Group ceased operations. The "For Sale" sign with the Powerhouse Realty Group information remained on the Complainants' property for at least one month past the closing of Powerhouse Realty. In addition, Respondent transferred her license to Keller Williams on or about March 26, 2010 but never entered into a new listing agreement with Complainants.

4. The Respondent admits that her conduct violated Code of Maryland Regulations ("COMAR") 09.11.01.12 which provides:

**CODE OF MARYLAND REGULATIONS**

**Title 09 Department of Labor Licensing and Regulation  
Subtitle 11 Real Estate Commission  
Chapter 01 General Regulations**

.12 *Residential Listing Contracts to be in Writing and Signed.*

All residential listing contracts, listing real property for sale, rental, lease, or exchange, either exclusive or open, shall be in writing and signed, and a copy of the contract shall be given to the seller or owner before the licensee advertises, shows, or offers the property.

5. The Respondent, by entering into the Consent Order and Settlement Agreement, expressly waives the right to an administrative hearing on the charges and 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.

6. The Respondent consents to the entry of an Order that her conduct violated Code of Maryland Regulations ("COMAR") 09.11.01.12, she agrees to attend a three hour continuing education class on the subject matter of agency within six months of the execution of this Consent Order and Settlement Agreement beyond the continuing education requirements found in BOP § 17-315, and she consents to the imposition of a Reprimand against her real estate salesperson license registration number 05-581157. In addition, she agrees to pay a civil penalty of \$500.00 within forty-five (45) days of the execution of this Consent Order and Settlement Agreement.

**BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS 24<sup>th</sup>  
DAY OF April, 2012 BY THE MARYLAND REAL ESTATE  
COMMISSION,**

**ORDERED** that the Respondent's conduct violated Code of Maryland Regulations ("COMAR") 09.11.01.12; and it is further

**ORDERED** that the Respondent must attend a three hour continuing education class on the subject matter of agency within six months of the execution of this Consent Order and Settlement Agreement beyond the continuing education requirements found in BOP § 17-315; and it is further

**ORDERED** that the Respondent have a Reprimand placed against her real estate salespersons license registration number 05-581157; and it is further

**ORDERED** that the Respondent be assessed a civil penalty of \$500.00 for the violation, which amount is payable to the Commission within forty-five (45) days of the execution of this Consent Order and Settlement Agreement; and it is further

**ORDERED** that the Commission's records and publications reflect the violation and civil penalty imposed on the Respondent.

4/15/12  
Date

**SIGNATURE ON FILE**

Respondent LaChele Kellam

4/24/12  
Date

MARYLAND REAL ESTATE COMMISSION:

**SIGNATURE ON FILE**

By: \_\_\_\_\_