

**BEFORE THE MARYLAND REAL ESTATE COMMISSION**

MARYLAND REAL ESTATE  
COMMISSION

\*

CASE NO. 345--RE-2022

\*

V.

\*

WENDELL FRANCE (PETE)  
LIC. REG. NO. 05-516695  
RESPONDENT

\*

\* \* \* \* \*

**CONSENT ORDER AND SETTLEMENT AGREEMENT**

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by John Boardley (“Complainant”). Based on the complaint and the response thereto received from Respondent Real Estate Salesperson Pete France, a Commission Panel determined it appropriate to bring administrative charges against the Respondent. Before the Commission issued a Statement of Charges and Order for Hearing against the Respondent, the Commission and the Respondent agree to enter into this Consent Order and Settlement Agreement, which provides for the imposition of disciplinary measures which are fair and equitable under these circumstances and are consistent with the best interests of the people of the State of Maryland, to resolve the complaint. 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. Respondent is licensed as a real estate salesperson, license registration number 05-516695 and is currently affiliated with EXP Realty.
3. In October, 2021, the Respondent, representing EXP Realty, signed a listing agreement for a property in which the incorrect information was put into the multiple list by an assistant who put in the wrong address. The Respondent admits he failed to confirm the information inputted into the system for his listing.
4. Once the Respondent was notified of the mistake, the listing information was corrected.
5. According to the Respondent, he relied on his assistant to input the information correctly and it was an oversight in not confirming the information.
6. The Respondent admits that by his acts and omissions described above he has violated Annotated Code of Maryland, Title §17-532(b)(1)(vi)

**§17-532 Duties to Client**

**(b) In General**

- (1) seeking a sale or lease of real estate at a price or rent specified in the brokerage agreement or at a price or rent acceptable to the client;**
- (vi) exercise reasonable care and diligence;**

\* \* \*

7. The Respondent consents to the entry of an Order by the Commission that he has violated 17-532(b)(1)(vi).

8. The Respondent agrees he is required to abide by the Maryland Real Estate Broker's Act, Md. Code Ann., Bus. Occ. & Prof. Art., §17-101 et. seq. and the Commission's regulations in all real estate transactions.

9. The Respondent agrees to pay a civil penalty in the amount of \$250.00 for the violation. The total of \$250.00 will be paid to the Real Estate Commission within 60 days of the date of the entry of this Consent Order and Settlement Agreement. The Respondent agrees that should he fail to make the payment within sixty (60) days of this Consent Order and Settlement Agreement, the real estate license registration number 05-516695 shall be automatically suspended and shall continue to be suspended until the payment is made.

10. By entering into the Consent Order and Settlement Agreement, the Respondent expressly waives the right to the issuance of a Statement of Charges and Order for Hearing by the Commission, an administrative hearing on the charges 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.

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

12. The Commission agrees to accept this Consent Order and Settlement Agreement as the full and final resolution of Case No. 345-RE-2022.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 7<sup>th</sup>  
DAY OF August, 2023 BY THE MARYLAND REAL ESTATE  
COMMISSION:**

**ORDERED** that the Respondent has violated §17-532(b)(1)(vi) and it is further,

**ORDERED** that the Respondent shall pay to the Commission \$250.00 in accordance with paragraph 9 this Consent Order and Settlement Agreement; and it is further

**ORDERED** that should the Respondent fail to pay the fine in accordance with paragraph 9 of this Consent Order and Settlement Agreement, the Respondent's real estate salesperson's license registration number 05-516695 shall be automatically suspended and shall continue to be suspended until such time as the payment is made; and it is further

**ORDERED** that the Commission's records and publications shall reflect the terms of this Consent Order and Settlement Agreement.

MARYLAND REAL ESTATE COMMISSION:

By: SIGNATURE ON FILE  
Michael L. Kasnic, Executive Director

**AGREED:**

SIGNATURE ON FILE  
Wendell France (Pete)  
Respondent

7/20/2023  
Date