

MARYLAND REAL ESTATE
COMMISSION

v.

ERICA MINA

* BEFORE THE
* MARYLAND REAL
* ESTATE COMMISSION
* CASE NO. 501-RE-2016
* OAH No.: DLR-REC-21-18-12234

* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Charmaine Sheeler (“Complainant”). Based on the complaint, the Commission determined that administrative charges against Erica Mina, the Respondent real estate salesperson (“Respondent”), license registration number 05-650052, are appropriate and that an administrative hearing on those charges should be held. The Commission transmitted the matter to the Office of Administrative Hearings (“OAH”). The OAH scheduled a hearing for July 30, 2019 at 10:00 a.m. in Hunt Valley, Maryland.

Prior to 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 Erica Mina is currently licensed by the Commission as a real estate salesperson and holds license registration number 05-650052. 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 April 8, 2016, Complainant Charmaine Sheeler filed a complaint against the Respondent for a transaction involving the management of property owned by Complainant located at 4811 Variation Road in Nottingham, Maryland (the “Property”). Respondent acted as the property manager under an Exclusive Rental Management Agreement (the “Agreement”) dated January 10, 2015.
3. During the time in which Respondent was attempting to find a suitable tenant for the Property, she allowed potential tenants to enter the Property unescorted by giving the potential tenants the lockbox code upon their arrival at the Property.

4. The Respondent admits that her conduct violated Business Occupations and Professions Article § 17-322(b)(25) which provides:

§ 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 dealings;

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 BOP § 17-322(b)(25) and she agrees to pay a civil penalty of \$750.00 within fourteen (14) days of the execution of this Consent Order and Settlement Agreement.

7. If the Respondent does not pay the \$750.00 civil penalty within the proscribed fourteen (14) days, the Respondent's license registration number 05-650052 will be automatically suspended until the payment is made.

29th DAY OF July, 2019 BY THE MARYLAND REAL ESTATE COMMISSION:

ORDERED that the Respondent's conduct violated BOP § 17-322(b)(25); and it is further

ORDERED that the Respondent be assessed a civil penalty of \$750.00 for the violation, which amount is payable to the Commission within fourteen (14) days of the execution of this Consent Order and Settlement Agreement; and it is further

ORDERED that if payment of the civil penalty is not made within fourteen (14) days, the Respondent's license registration number 05-650052 will be automatically

suspended until the payment is made; and it is further

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

7/29/2019
Date

SIGNATURE ON FILE
Respondent Erica Mina

MARYLAND REAL ESTATE COMMISSION:

7/29/2019
Date

By: SIGNATURE ON FILE