

BEFORE THE MARYLAND REAL ESTATE COMMISSION

MARYLAND REAL ESTATE *
COMMISSION *

CASE NO. 643-RE-2021

V.

KASHIF AHMED *
LONG & FOSTER REAL ESTATE *
4650 EAST WEST HIGHWAY *
BETHESDA, MARYLAND 20814 *
LIC. REG. NO. 05-659280 *
RESPONDENT *

* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Brad Hamilton ("Complainant"). Based on the complaint and the response thereto received from Respondent Real Estate Salesperson Rodney Smith, license registration number 05-659280, a Commission Panel determined it is 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 agreed 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. The Respondent is licensed as a real estate salesperson, license registration number 05-659280, and is currently affiliated with Long & Foster Real Estate.
3. The Respondent had scheduled an appointment to show the Complainant's property to clients. Due to internet connection circumstances, the time frame to view the property was cut short and the Respondent gave the sentry lock passcode to his clients as he was on his way to the property to meet them.
4. The Complainant (seller) had already arrived home and confronted the clients entering his home without a licensed agent in attendance.
5. The Respondent admits that by his acts and omissions described above he has violated Business and Occupations Article, Annotated Code of Maryland ("BOP") §17-322(b)(25):

§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.

c. *Penalty.*- (1) Instead of or in addition to reprimanding a licensee or suspending or revoking a license under this section, the Commission may impose a penalty not exceeding \$5,000 for each violation.

* * *

9. The Respondent consents to the entry of an Order by the Commission that he has violated BOP §§17-322(b)(25).

10. 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.

11. The Respondent agrees to pay a civil penalty in the amount of \$1,500.00 for the violations. The total of \$1,500.00 will be paid to the Real Estate Commission within 30 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 thirty (30) days of this Consent Order and Settlement Agreement, his real estate license registration number 05-659280 shall be automatically suspended and shall continue to be suspended until the payment is made.

12. 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.

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

14. The Commission agrees to accept this Consent Order and Settlement Agreement as the full and final resolution of Case No. 643-RE-2021.

BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS _____
DAY OF 12/30/2021, 2021 BY THE MARYLAND REAL ESTATE
COMMISSION:

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

ORDERED that the Respondent shall pay to the Commission \$1,500.00 in accordance
with paragraph 11 this Consent Order and Settlement Agreement; and it is further

ORDERED that should the Respondent fail to pay to the Complainant \$1,500.00 in
accordance with paragraph 11 this Consent Order and Settlement Agreement, the Respondent's
real estate broker's license registration number 05-659280 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:

SIGNATURE ON FILE

By: _____
Michael L. Kasnic, Executive Director

AGREED:

SIGNATURE ON FILE

Kashif L. Ahmed
Respondent

Date 12/1/21