

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

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V.

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**GREGORY A. MORRIS
Long & Foster Real Estate
1210 Light Street
Baltimore, Maryland 21230 ***

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Case No: 2010-RE-461 GF

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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of a complaint filed by Pamela Fica and Joseph Friedman (“Complainants”). Based on review of the complaint, the Commission determined that an investigation and administrative charges against the Respondent, real estate salesperson, Gregory A. Morris, license registration number, 05-619989 (“Respondent”), are appropriate and that an administrative hearing on those charges should be held.

To resolve this matter without a investigation and formal hearing, the Commission and the Respondent have agreed to enter into this Consent Order 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. At all times relevant to the matters set forth in this Consent Order, the Commission has had jurisdiction over the subject matter and the Respondent.
2. The Respondent’s license was, at the time of the events at issue, affiliated with Long & Foster Real Estate, Inc., as a salesperson, license registration number 05-619989.
3. Complainants alleged in their complaint that they retained Respondent to represent them in a purchase of a home. After an unsuccessful home inspection, the Complainants voided the contract and the earnest money deposit was to be returned to the Complainants. Complainants further alleged that Respondent assured the Complainants that since they were in their time period to cancel the contract they would be reimbursed the deposit.
4. In the meantime, the Respondent failed to promote the best interest of his clients by faxing a blank release form to Complainants with a request to sign the release and he would complete the rest of the form when it was faxed back to him. The Respondent never completed the form and faxed the form over to

the seller's agent who then completed the form to give the earnest money deposit to his clients.

5. The Respondent admits by failing to complete the Release form he failed to promote the best interest of his clients and failed to have all written obligation in written form has violated COMAR 09.11.02.02 (A) and 09.11.02.01 (H) which provides:

**Title 09 Department of labor, Licensing and Regulation
Subtitle 11 Real Estate Commission
Chapter 02 Relations to Client**

02. (A)

In accepting employment as an agent, the licensee shall protect and promote the interests of the client. This obligation of absolute fidelity to the client's interest is primary, but it does not relieve the licensee from the statutory obligation towards other parties to the transaction.

**Title 09 Department of labor, Licensing and Regulation
Subtitle 11 Real Estate Commission
Chapter 02 Relations to the Public**

01. (H)

For the protection of all parties with whom the licensee deals, the licensee shall see to it that financial obligations and commitments regarding real estate transactions are in writing, expressing the exact agreement of the parties, and that copies of these agreements are placed in the hands of all parties involved within a reasonable time after the agreements are executed.

7. The Respondent consents to the entry of an Order that his conduct, as described in this Consent Order, violates COMAR 09.11.02.02 (A) and 09.00.02.01 (H) he agrees to pay a civil penalty in the amount of \$250.00 to the Commission within thirty (30) days of the execution of this Consent Order and to take a three (3) hour Risk Management continuing education class which will be within ninety days (90) from the date of the receiving this Consent Order. The class reference in this Consent Order is in addition to the continuing education requirements and Respondent must submit both certificates to the Commission within ninety (90) days. Should Respondent failed to complete the classes' and/ or submit proof of completion by within the Ninety (90) days, the Commission will suspend Respondent's license until he has completed the classes and provides the Commission proof of completion.

8. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 2010-RE-461 GF.

December ~~September~~ **BASED ON THESE STIPULATIONS, IT IS THIS 22^{6th} DAY OF December 2010 BY THE MARYLAND REAL ESTATE COMMISSION.** *KCC*

ORDERED that the Respondent violated COMAR 09.11.02.02 (A) and 09.11.02.01 (H) for failing to promote the best interest of his clients and for failing to provide all obligations are in written form; and it is further

ORDERED the Respondent will pay a civil penalty in the amount of \$250.00 within thirty (30) days of the execution of this Consent Order.

ORDERED that should the Respondent fail to pay the civil penalty within the 30 days after signing the Order, the Commission will suspend the license of the Respondent until such time as the payment is made and will proceed with charges against the Respondent and perform an investigation for the violations of COMAR 09.11.02.02 (A) and 09.11.02.01 (H).

ORDERED that Respondent will take a three (3) hour Risk Management continuing education class which will be within ninety days (90) from the date of the receiving this Consent Order.

ORDERED that should the Respondent fail to complete the class and/ or submit proof of completion by within the Ninety (90) days, the Commission will suspend Respondent's license until he has completed the classes and provides the Commission proof of completion

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

AGREED:

10/22/10
Date

RESPONDENT'S SIGNATURE
APPEARS ON ORIGINAL ORDER

Gregory A. Morris, Respondent

MARYLAND REAL ESTATE COMMISSION:

By: [Signature]
K...
(COMMISSIONER'S SIGNATURE
APPEARS ON ORIGINAL ORDER)