

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULAITON
233 RICHMOND STREET
PROVIDENCE, RHODE ISLAND 02903

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| IN THE MATTER OF: | : | |
| | : | |
| JOHN STEVENS, | : | DBR No. 07-L-0240 |
| | : | |
| RESPONDENT. | : | |

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and John Stevens (“Respondent”) hereby agree that:

1. On or about November 16, 2007 Respondent filed a license application for a real estate salesperson license (“License Application”).
2. Respondent executed a waiver allowing the Department to obtain any criminal record or other disposition from the Bureau of Criminal Identification (“BCI”) of the Department of Attorney General as part of the application process.
3. The BCI record showed that Respondent was arrested for domestic-felony assault and assault with intent to commit a felony on June 2, 2004. Respondent pled *nolo contendere* and received a suspended sentence of fifteen (15) years, fifteen (15) years probation, and a fine.
4. Based on Respondent’s prior criminal record, the Department had cause to question whether Respondent possessed the requisite qualifications for licensure and whether the License Application should be denied pursuant to R.I. Gen. Laws § 5-20.5-14 in a Notice of Intent to Deny, dated July 27, 2007 (“Notice”).
5. Upon request for further explanation, Respondent wrote that during an argument with his live-in girlfriend, she picked up a knife and pointed it at him. They engaged in a struggle

and landed on the floor. After Respondent took the knife away, she clutched his groin area. Respondent responded by grabbing her neck. After the struggle ended, he left. The police called him and asked him to come into the police station and surrender himself, which he did.

6. In his letter of explanation, Respondent states that he suffers from depression and is on different medications. At the time of the incident, he was taking Ambien, a medication for sleep disorders, and states that it is known for causing bizarre behavior. He avers that he is no longer using this medicine and since that time has not had any episodes similar to the one resulting in his arrest on June 2, 2004. Respondent also states that he has been compliant with his counseling and medication for depression.

7. In his letter of explanation, as well as an interview with the Department on December 3, 2007, Respondent acknowledged that he made mistakes, expressed remorse, and took responsibility for his past conduct.

8. Respondent has provided evidence of rehabilitation, responsibility, character, honesty and trustworthiness, including, but not limited to the following:

a. A letter from Tara Behan, Case Manager, at Gateway Healthcare, in which she writes that Respondent has been compliant with treatment, meets with her every three weeks, and with a doctor every three months. She states that he has a positive attitude and continually works towards self-improvement. She also avers that he does not pose a threat to others.

b. A letter from Christine E. Rayner, M.D., in which she attests to his compliance with her medication recommendations.

c. A letter from Diana Siravo-Marcotte, a Vocational Rehabilitation Counselor with the Department of Human Services, in which she recommends Respondent for a real estate salespersons license. She writes that she has worked with

Respondent for five years and that he has always displayed a high degree of integrity, responsibility, and ambition. She states that he is dependable and reliable with appointments and believes that he would be an asset to any real estate office.

9. Respondent is hereby issued a conditional real estate salesperson license (subject to compliance with all other statutory and regulatory requirements) until April 30, 2014, subject to the following terms:

a. Respondent shall strictly comply with all terms and requirements for licensure under R.I. Gen. Laws §§ 5-20.5-1, *et seq.*, and 5-20.6-1, *et seq.*;

b. Respondent understands and acknowledges that engaging in or being a party to any criminal conduct whatsoever shall be a basis for revocation of his license;

c. Respondent understands and acknowledges that engaging in or being associated with any conduct whatsoever that calls into question his honesty, trustworthiness, integrity, and/or competency shall be a basis for revocation of his license;

d. Respondent agrees to continue treatment for his mental health issues, including counseling, medication, etc., as prescribed and recommended by his physician and counselors;

e. Respondent understands and acknowledges that his failure to follow the recommendations of his physician and counselors regarding his mental health shall be a basis for revocation for his license;

f. Respondent shall immediately report to the Department any charge, allegation, complaint or other action that involves any criminal, civil or other legal matter; and


g. Respondent understands and acknowledges that his failure to report such action as described in Paragraph 9f, above, shall be a basis for revocation of his license.

10. By agreeing to enter into this Consent Agreement, Respondent voluntarily waives his right to the hearing process as provided in the Notice, voluntarily waives his right to appeal this Consent Agreement to Superior Court, admits that the allegations in paragraphs 1 through 8 are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to obtain and maintain the license in good-standing.


11. If Respondent fails to abide by any of the requirements of this Consent Agreement, the Department will initiate further administrative proceedings to impose penalties against Respondent including, but not limited to: (i) revocation and/or suspension and (ii) such additional administrative penalties that the Department deems appropriate. In accordance with R.I. Gen. Laws § 42-35-9, Respondent shall be provided with notice and an opportunity for a hearing if the Department initiates the administrative hearing process.

12. Upon successful compliance with the terms of this Consent Agreement, Respondent will be issued an unconditional license on May 1, 2014.

CONSENTED TO AS TO FORM AND SUBSTANCE BY:



Michael P. Jolin, Esq.
Deputy Chief of Legal Services
Department of Business Regulation



John Stevens, Respondent
P.O. Box 24
Peacedale, Rhode Island 02883

Date: 1-9-09

Date: 05-15-2008