

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER. 68-1
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920

IN THE MATTER OF:	:	
	:	
TASHIA Y. BODDEN,	:	DBR No. 10-L-0029
	:	
RESPONDENT.	:	

FINAL ORDER OF REVOCATION

Pursuant to R.I. Gen. Laws §§ 5-20.5-1, *et seq.*, 42-14-16, and 42-35-14, the Director (“Director”) of the Rhode Island Department of Business Regulation (“Department”) hereby issues this Final Order of Revocation (“Order”) revoking the real estate broker’s license of Tashia Y. Bodden (“Respondent”).

The Director issues this Order for the following reasons:

1. Respondent was issued a real estate broker’s license, License No. B15917, issued June 8, 2005, pursuant to the terms and provisions of R.I. Gen. Laws § 5-20.5-1, *et seq.*, and *Commercial Licensing Regulation 11– Real Estate Brokers and Salespersons*.
2. On June 11, 2009, the United States Attorney for the District of Rhode Island filed a criminal information against the Respondent charging her with one count of Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. 1349.
3. On information and belief, the criminal charge against the Respondent resulted from her activities as a co-conspirator in a \$1.7 million dollar scheme to

defraud banking institutions and private home buyers by providing false information regarding employment and credit, falsifying tax records and creating “straw” real estate transactions for her own financial gain.

4. On August 4, 2009, the Respondent entered a plea of guilty to said criminal charge in the United States District Court for the District of Rhode Island.

5. On March 17, 2010, in accordance with the terms of a plea agreement entered into with the U.S. District Attorney, the Respondent was sentenced to serve one day of incarceration in a Federal jail, and six (6) months of electronically monitored home confinement for violation of 18 U.S.C. 1349. As an additional provision of that plea agreement, the Respondent is prohibited from engaging in any mortgage brokering.

6. The Respondent never notified the Department of the pending charges against her, or of her guilty plea and subsequent plea agreement and sentencing.

7. On March 19, 2010, the Director issued an Emergency Order Summarily Suspending License, Notice of Intent to Revoke License, Impose Administrative Penalty, and Provide Notice of Opportunity for Hearing (“Emergency Order”).

9. The facts set forth in the Emergency Order, attached as Exhibit A, are incorporated by reference in this Order of Revocation.

10. As detailed in the Emergency Order, the Director determined that Respondent’s conduct, her guilty plea to the charge of Conspiracy to Commit Bank Fraud, and her failure to provide a written report to the Department of said criminal conviction demonstrated a lack of trustworthiness, competence, and diligence that imperiled the public welfare and required that her license be summarily suspended pursuant to R.I. Gen. Laws § 42-35-14(c).

11. The Emergency Order provided that if Respondent failed to request a hearing within twenty (20) days of the date of the Emergency Order, no hearing would be held and the Director would revoke Respondent's license.

12. Pursuant to R.I. Gen. Laws § 5-20.5-15(a)(4), all notices may be served by certified mail to the last known business address of the addressee.


13. The Emergency Order was sent by first class mail, postage prepaid, and by certified mail, return receipt requested, to Respondent's address on record with the Department, and also to the last known address on record with the United States Attorney's Office.

14. The Department used Respondent's most recent business address on record with the Department for notice purposes, and as such, the Emergency Order was properly served on Respondent.

15. Respondent failed to request a hearing within twenty (20) days as required in the Emergency Order and R.I. Gen. Laws § 5-20.5-15(a)(1).

THEREFORE, due to Respondent's violations as alleged above, her failure to respond to the Emergency Order and the allegations contained therein, and the failure to request a hearing, the Director finds Respondent in violation of a directive of the Department and R.I. Gen. Laws §§ 5-20.5-6(b), 5-20.5-14(a)(5), 5-20.5-14(a)(15), 5-20.5-14(a)(20), 5-20.5-26(c), and Rule 6 of *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons*.

Accordingly, it is hereby ORDERED that Respondent's real estate broker license is revoked pursuant to R.I. Gen. Laws § 42-35-14.



A. Michael Marques
Director
Dated: 04/06/2010

Entered as Administrative Order No. 10- 051 on this 6th day of April, 2010.

THIS ORDER OF REVOCATION CONSTITUTES A FINAL DECISION OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW WITH THE COURT. RESPONDENT'S LICENSE SHALL BE REVOKED EFFECTIVE THE DATE OF THIS ORDER. NOTIFICATION OF THE REVOCATION MAY BE PUBLISHED IN THE PROVIDENCE JOURNAL.

CERTIFICATION

I hereby certify on this 7th day of April, 2010, that a copy of the within Final Order of Revocation was mailed by certified mail, return receipt requested, and also by first class mail, postage prepaid, to Tashia Y. Bodden at the following two addresses: 7 Winslow Avenue, Warwick, RI 02886 and 107 Warwick Avenue, Cranston, RI 02905 and by electronic mail to the following parties at the Department of Business Regulation:

Maria D'Alessandro, Esq., Associate Director, Commercial Licensing

William DeLuca, Acting Administrator – Real Estate

Ellen R. Balasco, Esq., Deputy Chief of Legal Services



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1511 PONTIAC AVENUE
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IN THE MATTER OF:
:
TASHIA Y. BODDEN,
:
RESPONDENT.
:

91 7108 2133 3934 3124 4222

91 7108 2133 3934 3124 4215

DBR No. 10-L-0029

**EMERGENCY ORDER SUMMARILY SUSPENDING LICENSE,
NOTICE OF INTENT TO REVOKE LICENSE, IMPOSE ADMINISTRATIVE
PENALTY, AND PROVIDE NOTICE OF OPPORTUNITY FOR HEARING**

Pursuant to R.I. Gen. Laws §§ 5-20.5-1, *et seq.*, and 42-35-14(c), the Director (“Director”) of the Department of Business Regulation (“Department”) hereby issues this Emergency Order Summarily Suspending License, Notice of Intent to Revoke License, Impose Administrative Penalty, and Provide Notice of Opportunity for Hearing (“Emergency Order”) to Tashia Y. Bodden (“Respondent”).

Upon receipt of a written request for a hearing within thirty (30) days of the date of this Order, a Hearing Officer will be appointed by the Director and the matter will be set down for hearing no less than twenty (20) and no more than sixty (60) days from the date such request is received. The Director will promptly notify the Respondent of the time and place for any hearing. If no hearing is requested and none is ordered by the Director, this Order shall become permanent thirty (30) days after entry and shall remain in effect unless or until it is modified or vacated by the Director or his successor.

The Director makes the following findings of fact and conclusions of law with respect to entry of this Emergency Order:

A. STATUTORY/REGULATORY JURISDICTION

The Department has jurisdiction over this matter pursuant to R.I. Gen Laws § 5-20.5-1, *et seq.*, R.I. Gen Laws § 42-14-1, *et seq.*, R.I. Gen Laws § 42-35-1, *et seq.*, and *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons*.

B. FACTS

1. Respondent is licensed by the Department as a broker to engage in the business of real estate, holding license No. B15917, pursuant to the terms and provisions of R.I. Gen. Laws § 5-20.5-1, *et seq.*, and *Commercial Licensing Regulation 11– Real Estate Brokers and Salespersons*.

2. On June 11, 2009, the United States Attorney for the District of Rhode Island filed a criminal information against the Respondent charging her with one count of Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. 1349.

3. On information and belief, the criminal charge against the Respondent resulted from her activities as a co-conspirator in a \$1.7 million dollar scheme to defraud banking institutions and private home buyers by providing false information regarding employment and credit, falsifying tax records and creating “straw” real estate transactions for her own financial gain.

4. On August 4, 2009, the Respondent entered a plea of guilty to said criminal charge in the United States District Court for the District of Rhode Island.

5. On March 17, 2010, in accordance with the terms of a plea agreement entered into with the U.S. District Attorney, the Respondent was sentenced to serve one day of incarceration in a Federal jail, and six (6) months of electronically monitored home confinement for violation of 18 U.S.C. 1349. As an additional provision of that plea agreement, the Respondent is prohibited from engaging in any mortgage brokering activities.

6. At no time did the Respondent notify the Department of the pending charges against her, or of her guilty plea and subsequent plea agreement and sentencing.

C. RELEVANT LAW

1. R.I. Gen. Laws § 5-20.5-14(a)(1) authorizes the Department to suspend or revoke a license where a licensee makes a substantial misrepresentation in a real estate transaction.

2. R.I. Gen. Laws § 5-20.5-14(a)(14) authorizes the Department to suspend or revoke a license where a licensee has been convicted in a federal court of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud or any similar offense, or has pled guilty to any such offense.

3. R.I. Gen. Laws § 5-20.5-14(a)(15) authorizes the Department to suspend or revoke a license where a licensee violates any rule or regulation promulgated by the commission or the Department.

4. R.I. Gen. Laws § 5-20.5-14(a)(20) authorizes the Department to suspend or revoke a license where a licensee demonstrates bad faith, dishonesty, untrustworthiness, or incompetency.

5. Section 13 of Commercial Licensing Regulation 11 – *Real Estate Brokers and Salespersons* requires that any licensee who is convicted of, or otherwise pleads guilty or nolo contendere to any felony or misdemeanor shall file with the Department a written report of such

conviction or disciplinary action within sixty (60) days of the final judgment or final order in the case.

6. R.I. Gen. Laws § 42-35-14(c) provides that if the Department finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of license may be ordered pending proceedings for revocation or other action.

7. Based on the foregoing, the Department has sufficient cause to initiate administrative proceedings to sanction Respondent's license via suspension or revocation pursuant to R.I. Gen. Laws § 5-20.5-15(a).

D. BASIS FOR EMERGENCY ACTION

Based on the foregoing, the Department has reason to believe that Respondent violated the provisions of R.I. Gen. Laws § 5-20.5-14(a)(1), (14), (15), (20), and Section 13 of Commercial Licensing Regulation 11 – *Real Estate Brokers and Salespersons*.

The Director finds that, due to the Respondent's guilty plea to the criminal charge of Conspiracy to Commit Bank Fraud, and based on Respondent's conduct described in Section B, *supra*, the public welfare imperatively requires that Respondent's license be summarily suspended, pursuant to R.I. Gen. Laws § 42-35-14(c).

E. ORDER

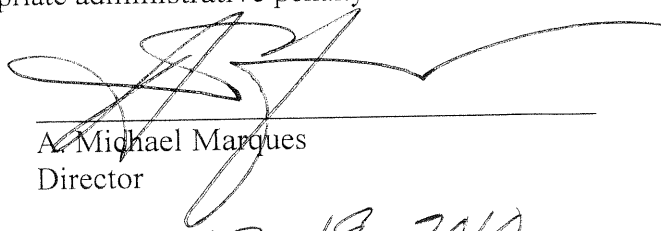
Accordingly, it is hereby ORDERED:

1. That, pursuant to R.I. Gen. Laws § 42-35-14(c), Respondent's real estate brokers license No. B15917 is immediately suspended;
2. That Respondent shall cease and desist from any activity requiring licensure as defined in the Rhode Island General Laws pertaining to real estate and *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons*.

F. NOTICE OF INTENT TO REVOKE

Pursuant to R.I. Gen. Laws § 5-20.7-15(a), Respondent may, within twenty (20) days, file with the Director a request for a hearing setting out her answer to the grounds for suspension, revocation or administrative penalty specified in this Notice. The Director shall consider the answer and set a date for the hearing, notifying the Respondent of that date at least twenty (20) days prior to the hearing date.

If Respondent fails to request a hearing within twenty (20) days of the date of this Notice, no hearing shall be held on this matter and the Director shall order the revocation of Respondent's license or some other appropriate administrative penalty.



A. Michael Marques
Director

Dated: 03-19-2010

Entered as Administrative Order No. 10- 044 on this 19th day of March, 2010.

CERTIFICATION

I hereby certify on this 19th day of March, 2010, that a copy of the within Emergency Order was mailed by certified mail, return receipt requested, and also by first class mail, postage prepaid, to:

Tashia Y. Bodden 7 Winslow Avenue Warwick, RI 02886	Tashia Y. Bodden 107 Warwick Avenue Cranston, RI 02905
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and by electronic mail to:

Maria D'Alessandro, Esq.
Associate Director, Commercial Licensing
Department of Business Regulation

William DeLuca
Acting Administrator – Real Estate
Department of Business Regulation

Ellen R. Balasco, Esq.
Deputy Chief of Legal Services
Department of Business Regulation

