STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS DEPARTMENT OF BUSINESS REGULATION 1511 PONTIAC AVENUE, BLDGS. 68-69 CRANSTON, RHODE ISLAND 02920

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:	DBR COMPLAINT # 2019-22
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CONSENT AGREEMENT

The Department of Business Regulation ("Department") and Joanna Ruiz ("Respondent") hereby agree that:

- 1. Respondent is a licensed Real Estate Salesperson, holding License Number RES.0041718 pursuant to R.I. Gen. Laws § 5-20.5-1 et seq.
- 2. On or about August 1, 2019, the Department received a complaint that the Respondent was engaged in unprofessional activity while engaged in a real estate transaction in the State of Rhode Island.
- Complainant reported that Respondent and her client had entered into a Purchase and Sales Agreement to sell property located at 17 Hymer Street Providence, Rhode Island on June 12, 2019.
- 4. Complainant reported that Respondent was aware that her client, the seller, was unable to provide the property without tenants in the house and was unable to correct several deficiencies required in the purchase and sales agreement.
- 5. Complainant reported that after the closing held on June 28, 2019, he was informed by both the seller and the Respondent that the tenants were still in the house having refused to

vacate and that the agreed upon deficiencies in the purchase and sales agreement were not completed. This caused the Complainant to pay an additional month of rent and expend funds to correct the deficiencies. The Complainant has filed an action in small claims court for recovery from the seller.

- 6. The Department's position is that Respondent failed to disclose to the complainant or the complainant's representative the described facts listed, made false promises and did induce Complainant to enter into a contract or agreement when he or she could not or did not intend to keep that promise in violation of R.I. Gen. Laws § 5-20.5-14(a)(2) and 230-RICR-30-20-2.22(A).
- 7. To effect a timely and amicable resolution of the concerns raised in this Consent Agreement, the Respondent agrees to pay an administrative penalty in the amount of five hundred (\$500.00) dollars, payable to the "General Treasurer, State of Rhode Island," upon the execution of this document.
- 8. By agreeing to enter into this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Acts, R.I. Gen. Laws § 42-35-1, et seq.
- 9. If Respondent fails to comply with any term or condition of this Consent Agreement, Respondent will be in violation hereunder and the Department shall be entitled to immediately to take enforcement or other action in accordance with applicable law, including, but not limited to: revocation, suspension, and/or any 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.

CONSENTED TO AS TO FORM AND SUBSTANCE BY:

William J. DeLuca	
William J. DeLuca	Joanna Ruiz Respondent
Real Estate Administrator	Respondent
Department of Business Regulation	
Date: /2 /27 /19	Date: 12/20/19
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