

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

IN THE MATTER OF:

DANIEL SAFFER

DBR COMPLAINT # 2023-13

RESPONDENT.

CONSENT AGREEMENT

The Department of Business Regulation ("Department") and Daniel Saffer ("Respondent") hereby agree that:

1. Respondent is a licensed Real Estate Broker, holding License Number 0016127 pursuant to R.I. Gen. Laws § 5-20.5-1 *et seq.*

2. On or about July 7, 2023, the Department received a complaint that the Respondent failed to pay a commission check within a timely manner to an agent, Luis De La Rosa, affiliated with his firm PVD Properties LLC.

3. Complainant reported that on June 15, 2023, a real estate transaction had closed, and the commission check for that transaction was picked up, delivered to Mr. Saffer, and deposited on June 23, 2023.

4. Complainant alleged that on several occasions he attempted to pick up his commission check but it was unavailable. Once the check was picked up and presented for payment, Bank of America refused to cash it.

5. The Department's position is that Respondent failed pay the commission in a timely manner and was in violation of the State of Rhode Island Real Estate Regulations, 230-RICR-30-20-2, Section 2.21 A – Commission, failure to pay commission to an affiliated licensee within ten (10) days from the receipt of the commission.

6. In an effort 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) dollars, payable to the "General Treasurer, State of Rhode Island," upon the execution of this document.

7. Respondent admits that the allegations in Paragraphs 1 through 4 are true and agrees to take all necessary action to correct the error in order to maintain his license in good-standing.

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
Real Estate Administrator
Department of Business Regulation

Date: 11/1/23



Daniel Saffer
Respondent

Date: 8/25/23