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

: IN THE MATTER OF:

: ETHELYN L. TATREAU,

: RESPONDENT.

: DBR No.: 08-L-0277

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 Order of Revocation ("Order") revoking the real estate
broker’s license of Ethelyn L. Tatreau ("Respondent").

The Director issues this Order for the following reasons:

1. Respondent holds a real estate broker’s license, License No. B15197, issued
May 1, 2006, 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. R.I. Gen. Laws § 5-20.5-6(b) provides that the Department, after a due and
proper hearing, may suspend, revoke, or refuse to renew any license upon proof that the
license was obtained by fraud or misrepresentation or upon proof that the holder of the
license has violated this statute or any rule or regulation issued pursuant to this statute.
3. R.I. Gen. Laws § 5-20.5-14(a)(5) authorizes the Department to suspend or revoke a license where a licensee fails to deposit money or other customers’ funds in an escrow account upon the execution of a purchase and sales agreement.

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. Rule 6 of Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons prohibits the commingling of funds by failing to segregate promptly any monies received that are held for the benefit of others.

6. 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.

7. R.I. Gen. Laws § 5-20.5-26(c) provides that it is unlawful for any licensee to whom any money or other property is entrusted as escrow funds, who intentionally appropriates to the licensee’s own use that money or property, or transfers the funds from an escrow account to a company or personal account prior to a closing, is guilty of the criminal offense of unlawful appropriation pursuant to R.I. Gen. Laws § 11-41-11.1.


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 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 certified mail, return receipt requested, to Respondent’s address on record with the Department.

13. The Department received the green return receipt card, attached as Exhibit B, confirming delivery of the Emergency Order on December 10, 2008.

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.


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.

[Signature]
A. Michael Marques
Director
Dated: 01-05-2009

Entered as an Administrative Order No. 09-002 on this 5th day of January, 2009.

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 5th day of January, 2009, that a copy of the within Order of Revocation was mailed by certified and first class mail, postage prepaid, to:

Ethelyn L. Tatreau
Pro Newport Real Estate
28 Memorial Boulevard West
Newport, Rhode Island 02840

and by first class mail, postage prepaid, to:

David A. Quiroa
9 Ledyard Street
Newport, Rhode Island 02840

Albert P. Ginchereau, Jr.
5 Taber Street
Newport, Rhode Island 02840

Nicolina M. Kelly
277 King Charles Drive
Portsmouth, Rhode Island 02871

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Newport, Rhode Island 02840

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44 Cole Street
Jamestown, Rhode Island 02825

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10 Green Lane
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Det. Kevin P. Sullivan
Criminal Investigation Division
City of Newport Police Department
120 Broadway
Newport, Rhode Island 02840
Kevin Hagan, Esq.
Special Assistant Attorney General
Department of Attorney General
Florence Murray Judicial Complex
Eisenhower Square
Newport, Rhode Island 02840

And by electronic mail to the following personnel of the Department of Business Regulation, 1511 Pontiac Ave, Cranston, Rhode Island 02920:

Maria D’Alessandro, Esq.
Associate Director

Michael P. Jolin, Esq.
Deputy Chief of Legal Services

William J. DeLuca
Acting Administrator – Real Estate

Thomas Broderick
Chief Public Protection Inspector

Leslie Pratt
Licensing Aide

Elaine Bouthillier
Licensing Aide

[Signature]