

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

IN THE MATTER OF:	:	
	:	
SCOTT W. SENSABAUGH,	:	DBR No. 13RE091
	:	
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 Order of Revocation (“Order”) revoking the real estate salesperson’s license of Scott Sensabaugh (“Respondent”).

I. STATEMENT OF FACTS

1. Respondent was licensed by the Department as a real estate salesperson October 12, 2010 and held under license number RES.003471. That license expired on April 30, 2014.
2. The Respondent has made no attempt to renew the real estate salesperson license since the date of its expiration.
3. In August of 2013, the principal broker for Keller Williams Realty notified the Department that the Respondent was no longer affiliated with the agency. The Respondent failed to notify the Department of his change in affiliation.
4. On July 26, 2013, a jury in the State of New Hampshire returned guilty verdicts against the Respondent for the following criminal charges:

- a. Charge No. 759788C – Aggravated Felonious Assault by fellatio when the victim was physically helpless to resist;
- b. Charge No. 759797C – Sexual Assault by sexual contact at a motel when the victim was physically helpless to resist;
- c. Charge No. 7599798C – Sexual Assault by sexual contact at a campground when the victim was physically helpless to resist.

5. The Respondent failed to notify the Department that he had been convicted of the above-listed crimes in the State of New Hampshire.

6. On or about May 30, 2010, the Director issued Respondent a Notice of Intent to Revoke License and Provide Opportunity for Hearing (“Notice”) based upon the Department’s investigation which was initiated after the report of his former principal broker.

4. The Notice of Intent to Revoke was sent by first class mail, postage prepaid, and also by certified mail, return receipt requested, to Respondent’s last known business address on record with the Department, in accordance with the provisions of R.I. Gen. Laws § 5-20.5-15(4), Section 9 of Central Management Regulation 2 – *Rules of Procedure for Administrative Hearings*, and R.I. Gen. Laws § 42-35-14(c) regarding service of process.

7. Section 13 of Commercial Licensing Regulation 11 – *Real Estate Brokers and Salespersons* (“CLR 11”) requires that any licensee who is convicted of any felony or misdemeanor, or is disciplined by any governmental agency in connection with any other occupational license, 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.

8. Section 3 of CLR 11 requires that every licensee shall ensure that the Department has on record the licensee’s current firm affiliation, trade name, residence address and firm address and further that every licensee shall notify the Department in writing of each change of personal name, firm affiliation, trade name, residence address and firm address within ten days of the change.


9. In accordance with the provisions of Section 9(D) of CLR 11, failure to renew a license prior to May 1 of every even numbered year shall result in the institution of administrative disciplinary proceedings.

10. Pursuant to R.I. Gen. Laws § 5-20.5-14(a)(15), the Director of the Department has the power to suspend or revoke a real estate license where a licensee is found to have violated any rule or regulation promulgated by the Department in the interest of the public, and consistent with the provisions of Chapter 20.5 of Title 15.

II. RECOMMENDATIONS

Based on the Respondent's violations as described in the foregoing findings of fact; specifically his failure to notify the Department of his change in affiliation status and his criminal convictions, the Hearing Officer recommends that the Respondent's real estate salesperson's license (RES.0034713) be permanently revoked, as authorized by R.I. Gen Laws §§ 5-20.5-14(a) and 42-35-14.

Dated: 2 July 2014



Ellen R. Balasco, Esq.
Hearing Officer

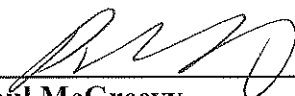
ORDER

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

ADOPT **REJECT** **MODIFY**

It is hereby ORDERED that Respondent's real estate salesperson license is permanently revoked.

Dated: 2 July 2014



Paul McGreevy
Director

ENTERED as Administrative Order 14- 38 , on the 2nd day of July , 2014.

CERTIFICATION

I hereby certify on this 2nd day of July, 2014, that a copy of the within Notice was sent by first class mail, postage prepaid, to:

SCOTT W. SENSABAUGH, 44 ORCHARD STREET, CRANSTON, RHODE ISLAND 02910

by also by electronic mail to the following parties at the Department of Business Regulation:

Maria D'Alessandro, Deputy Director of Commercial Licensing

William DeLuca, Administrator - Real Estate