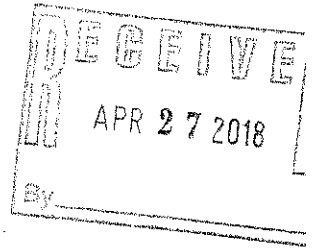




State of Rhode Island and Providence Plantations
 DEPARTMENT OF BUSINESS REGULATION
 1511 Pontiac Avenue, Bldg. 69-1
 Cranston, Rhode Island 02920



Division of Commercial Licensing
 Real Estate Section

IN THE MATTER OF :
 :
 BREANDA FERNANDES / EXCEL : COMPLAINT # 2018-03
 REALTY SCHOOL :
 :
 RESPONDENT :
 :
 :

CONSENT AGREEMENT

The Department of Business Regulation ("Department") and Brenda Fernandes ("Respondent") hereby agree that:

1. On or about February 1, 2018, the Department received a complaint from Paula Martel of Century 21 Topsail Realty. The complaint stated that Respondent taught a lead course for credit to students without being certified to teach such lead course and not having the lead course approved by the Department
2. Investigation by the Department revealed that Respondent had not received an approval letter for submitting a lead course from the Housing Resources Commission (HRC) nor had she submitted that letter and an application to the Department to be reviewed and

authorize her to offer and teach the lead course for Continuing Education credits in violation of Rhode Island General Law 5-20.5-19(b) Real Estate courses and schools – Regulation – Issue and revocation of permits – Exception. Also, Regulation 230-RICR-30-20-2.29(G)(5) Real Estate Schools and Instructors and Regulation 230-RICR-30-20-2.30(B) Continuing Education

3. Respondent provided an explanation for her conduct in that she believed that the course would have been approved in late November 2017 allowing her to teach it in early December 2017. The approval never occurred. Respondent cites a lack of judgement on her part in continuing to go forward with the course despite lack of authorization to conduct the class. She has refunded the tuition fee to all the students in attendance on that day and submitted a letter of apology to Ms. Martel for the inconvenience she caused her and her lack of judgement in this matter.

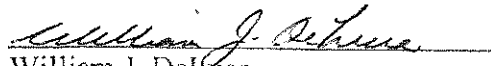
4. In an effort to affect a timely and amicable resolution of the issues raised in this Consent Agreement, the Department hereby directs Respondent to pay an administrative penalty in the amount of two hundred fifty (\$250.00) dollars.

5. By agreeing to enter into this Consent Agreement, Respondent voluntarily waives her right to the hearing process for purposes of this consent agreement, voluntarily waives her right to appeal this Consent Agreement to Superior Court, admits that the allegations in Paragraphs 1 through 3 are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to obtain and maintain the license in good-standing.

7. If Respondent fails to abide by any of the requirements of this Consent Agreement, the Department will initiate further administrative proceedings to impose penalties against Respondent including, but not limited to: (i) revocation and/or suspension, and (ii) 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


Brenda Fernandes, Respondent

Date: May 16, 2018

Date: Apr 20, 2018