



## **B. FACTS**

1. Respondent is licensed as a real estate salesperson (License No. S24520), and was at all times relevant hereto affiliated as a sales associate with Coleman Realtors located at 572 Main Street, East Greenwich, RI 02818.

2. On April 27, 2016, the Department received a Complaint from Complainant 1 and Complainant 2 (collectively the "Complainants") alleging violations of §§ 5-20.5-1 to -28 in connection with a real estate transaction for property located at 5 Queen Anne's Court, West Warwick, RI 02893 ("subject property"). The sale was subject to short sale approval.

3. On or about October 12, 2015, the Complainants first contacted Respondent in regards to a property located in Johnston for which Respondent was the listing agent. After viewing the Johnston property, the Respondent showed the Complainants the subject property later that day.

4. On or about October 13, 2015, the Complainants made an offer of \$200,000 on the subject property, with a \$6,000 deposit. The Complainants state that Respondent asked them to make the deposit check out to him, not Coleman Realtors. Complainant 1 wrote a personal check (#2884) in the amount of \$6,000 payable to "John Paliotta". Complainant 1 made a notation on the check that it was for "DEP."

5. On October 14, 2015, Complainant 1's bank statement showed that check #2884 was debited from his account. The Complainants allege that Respondent cashed the check.

6. Upon information and belief, the \$6,000 was never tendered to Coleman Realtors for deposit into Coleman's escrow account.

7. On or about November 4, 2015, Respondent advised the Complainants to submit a second, lower offer for the subject property. The Complainants executed a second offer on a Coleman

Realtors form in the amount of \$193,500, with a deposit of \$200 cash. A photocopy of two \$100 bills was attached to the copy of the offer that Respondent placed in the file at Coleman.

8. Upon information and belief, the \$200 was never tendered to Coleman Realtors for deposit into Coleman's escrow account.

9. On or about March 23, 2016, Complainant 1 contacted Respondent and asked whether his \$6,000 deposit was escrowed. In response to Complainant 1's statement that he was going to contact Coleman Realtors, Respondent replied: "Now you are f\*\*\*ing with my livelihood. Do not call Coleman Realty. I took this one outside the box."

10. On or about March 28, 2016, Complainant 1 called the Closing Attorney for the subject property, and asked whether his \$6,000 deposit was currently in escrow.

11. On or about March 30, 2016, once he discovered that Respondent had not placed the Complainants' deposit monies in escrow, the Closing Attorney directed Respondent to deliver \$6,000 to him, via bank check, as soon as possible.

12. On March 31, 2016, Respondent presented the Closing Attorney with a bank check in the amount of \$6,000. The Closing Attorney deposited that check in his own escrow account for safe keeping until the sale of the subject property was completed.

13. On or about April 11, 2016, the Complainants asked the Closing Attorney to terminate the deal and to refund their deposit. The Closing Attorney had both the Seller and the Complainants sign a release which stated that the Purchase & Sales Agreement dated October 13, 2015, was "terminated and of no further force or effect." After signing the release, Closing Attorney wrote a check to the Complainants in the amount of \$6,000, returning the full amount of their deposit.

14. On or about April 19, 2016, the Complainants met with Michael Young, Principal Broker of Coleman Realtors, at Coleman's office on the East Side of Providence. The Complainants

shared with Mr. Young what had occurred in their real estate transaction with Respondent, and they provided Mr. Young with a copy of their deposit check #2884, which was payable to Respondent.

15. On April 22, 2016, the Department received correspondence from Mr. Young's attorney which stated that Respondent was terminated from Coleman Realtors that same day as a result of Mr. Young learning that Respondent had received and cashed a personal check for deposit monies, which should have been surrendered to his principal broker for deposit into the firm's escrow account.

16. Respondent failed to notify the Department of his termination from Coleman Realtors.

17. During the investigation, the Department received evidence of at least two additional real estate transactions in which Respondent was involved from July 2015 through December 2015 that failed to comply with the relevant law cited below.

### **C. RELEVANT LAW**

1. Rhode Island General Laws § 5-20.5-1(4) defines "real estate broker" as any person or corporation who, for a fee, commission, or other valuable consideration, or who with the intention or expectation of receiving or collecting a fee, commission, or other valuable consideration, lists, sells, or purchases any real estate or who negotiates or attempts to negotiate any such activity.

2. Section 5-20.5-1(5) defines "real estate salesperson" as "any person employed or engaged as an independent contractor by or on behalf of a licensed real estate broker to do or deal in any activity as included or comprehended by the definitions of a real estate broker in subdivision (4) of this section, for compensation or otherwise."

3. Section 5-20.5-7 states that "a real estate salesperson shall communicate any change of employment or broker affiliation to the director, immediately upon or prior to such change."

4. Section 5-20.5-14(a), states that “[t]he director has power to...suspend or revoke a license or place a licensee on probation for a period not to exceed one year” if the licensee “is found to have committed any of following acts or practices.” The following subsections of section 5-20.5-14 are implicated by the instant complaint:

(1) Making any substantial misrepresentation;

(5) Failing to deposit money or other customers’ funds received by a broker or salesperson into an escrow account maintained by the broker which complies with the requirements set forth in § 5-20.5-6, upon execution of a purchase and sales agreement;

(7) Acting for more than one party in a transaction without the knowledge and consent, in writing, of all parties for whom he or she acts;

(9) Failing to furnish a copy of any listing, sale, lease or other contract relevant to a real estate transaction to all signatories of the contract at the time of execution;

(12) Accepting a commission or any valuable consideration by a salesperson for the performance of any acts specified in this chapter, from any person, except the licensed real estate broker with whom he or she is affiliated;

(15) Violating any rule or regulation promulgated by the department in the interest of the public and consistent with the provisions of this chapter;

(20) Any conduct in a real estate transaction, which demonstrates bad faith, dishonesty, untrustworthiness, or incompetence;

(33) . . . failure of a salesperson to notify the director, in writing, within ten (10) days of any change in his/her broker affiliation.

5. Section 5-20.5-14(b) authorizes the Department to levy an administrative penalty not exceeding one thousand dollars (\$1,000) for any violation under this section or the rules and regulations of the Department.

6. Section 5-20.5-17(a) provides that “any person acting as a broker or as a salesperson without first obtaining a license is guilty of a misdemeanor and upon conviction, is

punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or by imprisonment for a term not to exceed one year, or both; and if a corporation, is punishable by a fine of not less than one thousand dollars (\$1,000) nor more than two thousand dollars (\$2,000).”

7. Section 5-20.5-17(b) provides that “[i]n case any person has received any money, or the equivalent, as a fee, commission, compensation, or profit by or in consequence of a violation of any provision of this chapter, he or she, in addition, is liable to a penalty of not less than the amount of the sum of money received and not more than three (3) times the sum received, as may be determined by the court, which penalty may be recovered in any court of competent jurisdiction by any person aggrieved.”

8. Section 5-20.5-26(a)(1)(i) states that a “broker or salesperson shall not commingle deposit money or other customers’ funds and his or her own funds, use a customer’s funds as his or her own, or fail to keep an escrow or trustee account of funds deposited with him or her relating to a real estate transaction, for a period of three (3) years, showing to whom the money belongs, date deposited, date of withdrawal, to whom paid, and any other pertinent information that the commission requires.”

9. Section 5-20.5-26(c) states that pursuant to Rhode Island General Laws § 11-41-11.1, “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 is entrusted as escrow funds, or transfers the funds from an escrow account to a company or personal account prior to a closing, is guilty of unlawful appropriation.”

10. Section 42-35-14(c) provides that if the Department “finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its

order, summary suspension of license may be ordered pending proceedings for revocation or other action.”

11. Section 18(A)(6) of *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons* relating to “Escrow Accounts” provides that “a licensee shall not convert the money or property of others to his or her own use, apply such money or property to a purpose other than that for which it was paid or entrusted to him or her, or permit or assist any other person in the conversion or misapplication of such money or property.”

12. Section 18(B) of *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons* relating to “Salespersons Prohibited from Holding Client Funds” provides that “an affiliated licensee shall turn over all deposit monies received promptly to his or her principal broker or, at the direction of the principal broker, deposit the funds in the principal broker’s escrow account.”

#### **D. RESPONDENT’S LICENSING HISTORY**

1. The Respondent’s real estate salesperson’s license was suspended on July 21, 2011, as the result of a complaint in the matter of: John A. Paliotta, d/b/a Diamanti Realty, Inc., DBR No. 11-L-0043. (See attached Exhibit A.)

2. The complaint was resolved by consent order which was approved by the Director and entered as Administrative Order No. 11-058 on July 21, 2011. Therein, the Director found that Respondent had, in fact, violated Rhode Island General Laws §§ 5-20.5-26(a)(1)(i); 5-20.5-14(a)(5), (12), (15), & (20); 5-20.5-17(a); *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons* § 18(A)(3) & (6), and (B).

3. In the Consent Order, Respondent agreed to the following:

- a) To pay a \$7500 administrative penalty;
- b) To a 30-day suspension of his real estate salesperson’s license;
- c) To successfully complete 12 credit hours of real estate education in the area of Ethics;

- d) To the Department's monitoring of all real estate transactions in which the Respondent participated for a period of two years;
- e) That he would not "receive or hold any cash, checks, or other negotiable instruments belonging to real estate clients, or relating to any real estate transactions, in his own name, or in the name of Diamanti Realty for any purpose whatsoever, and the receipt of any funds related to real estate transaction in which he participates shall be handled solely by his principal broker"; and
- f) If the Respondent's affiliation or employment with Realty Associates was terminated or interrupted for any reason, both the Respondent and his principal broker would notify the Department within 10 days.

**E. BASIS FOR EMERGENCY ACTION**

1. Based upon the foregoing, the Department has cause to believe that Respondent has engaged in unlicensed real estate brokering activities in violation of the licensing requirements of Rhode Island General Laws §§ 5-20.5-1 to -28.

2. The Department has further cause to believe that the Respondent has violated the provisions of Rhode Island General Laws § 5-20.5-7; § 5-20.5-14(a)(1), (5), (7), (9), (12), (15), (20), & (33); § 5-20.5-26(a)(1)(i) & (c); and CLR 11 § 18(A)(6) & (B).

The Director finds that, due to Respondent's failure to demonstrate trustworthiness, competence and diligence based on Respondent's conduct discussed in Section B, the public welfare imperatively requires that Respondent's license be summarily suspended, and that an Order be entered prohibiting said Respondent from participating in any real estate transactions, including collecting any commissions or other monies, forthwith, pursuant to Rhode Island General Laws § 42-35-14(c).



**G. ORDER**

Accordingly, it is hereby ORDERED:

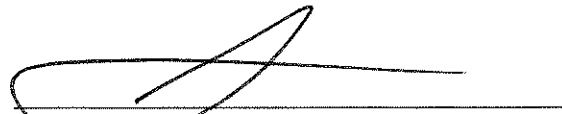
1. That, pursuant to § 42-35-14(c), Respondent's salesperson License No. S24520 is immediately suspended;
2. That, Respondent shall cease and desist from any activity requiring licensure, pursuant to §§ 5-20.5-1 to -28 and CLR 11.
3. That, Respondent shall notify all parties with whom he is currently engaged in licensed activity that his License has been suspended pursuant to this Order.
4. That, Respondent shall notify the Department of all pending real estate transactions in which he is involved and the names of all affiliated salespersons or brokers.
5. That, within three (3) business days of the receipt of this Order, Respondent shall provide to the Department:
  - a. Copies of any and all offers and purchase & sales agreements between the Complainants and the Seller, relative to the sale of 5 Queen Anne's Court, West Warwick, specifically including the \$200,000 offer on or about October 13, 2015, and the \$193,500 offer on or about November 4, 2015.
  - b. Records related to any and all real estate transactions in which the Respondent participated in from June 1, 2014, to the present;
  - c. Bank statements for any and all accounts held in the name of John Paliotta individually, for the period from June 1, 2014 to the present, including records from [REDACTED] Bank Account # [REDACTED]; and
  - d. Any documents not otherwise described herein necessary and sufficient to verify and explain the proper deposit of any funds or other record entries related to any and all real estate transactions in which Respondent participated in any manner.

6. That, Respondent shall appear before a Hearing Officer at the Department for a **Pre-Hearing Conference on July 21, 2016, at 1:00 p.m.** at the Department's offices located at **1511 Pontiac Avenue, Bldg. 68-69, Cranston, RI 02920**, in accordance with CMR 2 § 6.

Pursuant to Rhode Island General Laws § 42-6-8, the Director hereby appoints Catherine Warren as Hearing Officer for the purpose of conducting the hearing and rendering a decision in this matter. The proceedings shall be conducted in conformity with the APA and CMR 2. It shall be the Respondent's sole responsibility or his/her or its representative to present his/her or its defense to the Hearing Officer. CMR 2 § 5. The Respondent may be represented by legal counsel admitted in the State of Rhode Island. CMR 2 § 7.

All interested parties with questions regarding this Order please contact the prosecuting attorney, Amy C. Stewart, Esq., at (401) 462-9619 or [amy.stewart@dbr.ri.gov](mailto:amy.stewart@dbr.ri.gov) and reference the case name and number.

Entered this 1st day of July, 2016

  
Macky McCleary  
Director

**All are welcome at the Rhode Island Department of Business Regulation ("DBR"). If any reasonable accommodation is needed to ensure equal access, service or participation, please contact DBR at 401-462-9551, RI Relay at 7-1-1, or email DBR.dirofficeinq@dbr.ri.gov at least three (3) business days prior to the hearing.**

**CERTIFICATION**

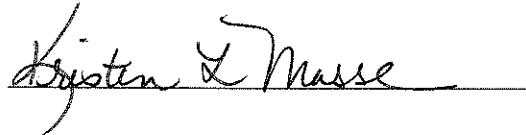
I hereby certify on this 1<sup>st</sup> day of July 2016, that a copy of the within Emergency Order and Notice was sent by first class mail, postage prepaid, and also by certified mail, return receipt requested, to:

◦ John Paliotta  
11 St. Mary's Drive  
Cranston, RI 02910

Timothy J. Dodd, Esq.  
215 Broadway  
Providence, RI 02903

AND BY E-MAIL TO:

1. Timothy J. Dodd, Esq., [doddlawoffices@aol.com](mailto:doddlawoffices@aol.com)
2. Maria D'Alessandro, Esq., Deputy Director, Securities, Commercial Licensing, Racing & Athletics
3. Catherine Warren, Esq., Hearing Officer
4. William DeLuca, Real Estate Administrator
5. Amy C. Stewart, Esq., Legal Counsel

  
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4. The Complainant was instructed by the Respondent to name Diamante Realty as payee on the deposit check at the time the deposit was made. Those funds were deposited into a non-escrow account containing the personal funds of the Respondent.

5. On December 15, 2010 a written offer for the property was sent by facsimile to the listing agency of Gower and Co.

6. Subsequent to the Complainant's written offer, Respondent advised the Complainant that the subject property could not be financed, and must be sold as a "cash only" transaction. When Complainant responded that he would be unable to pay cash for the property, Respondent promised that he would attempt to arrange "private financing" for the Complainant to complete the purchase.

7. On May 7, 2011, Complainant contacted Respondent to inquire about the status of the offer, which time the Respondent allegedly told Complainant that the proof of funds was sent to the listing agency and that on May 9, 2011 everything should be ready to close on the property.

8. On May 7, 2011, Complainant noticed work being done on the property and inquired about this to Respondent, who allegedly called the listing agency and was told they "no longer had the listing."

9. On May 7, 2011, Complainant learned, after contacting the listing broker that the subject property had been sold to another buyer in February of 2011. A representative of that listing agency stated that they received the written offer, but never received any deposit check or proof of funds, even after repeated attempts to contact the Respondent for the money, so the Complainant's offer had never been presented to the bank/seller.

10. On May 11, 2011, the Complainant went to Respondent's home to request the return of his deposit monies, and the Respondent refunded the five thousand (\$5,000.00) dollar deposit to the Complainant by bank check.

11. On May 17, 2011, the Principal Broker for Re/Max 1<sup>st</sup> Choice filed a Complaint with the Department against Respondent, stating "it has been brought to my attention and confirmed by one of our affiliate licenses (sp) John Paliotta violated the rules and Regulations of the Department of Business Regulation, by accepting deposit monies upon writing offer's to purchase property and instruct the consumer to make said deposit monies payable directly to him. He then. . . used said monies for his own personal use."

12. During the course of its investigation into the circumstances surrounding these two complaints against the Respondent, the Department received evidence that the Respondent had listed, offered and/or participated in a significant number of real estate transactions which dated back to 2006 in which he solicited and accepted deposit funds made payable to himself personally or his wholly owned corporation, Diamante Realty.

13. The funds received by the Respondent were deposited into non-escrow accounts, which were maintained outside the Re/Max 1<sup>st</sup> Choice brokerage. The Respondent admitted that he had commingled client deposit monies with personal and business monies in these bank accounts..

14. After the conclusion of this investigation, it has become evident that the Respondent, while affiliated with Re/Max 1<sup>st</sup> Choice, has engaged in a course of conduct which violates numerous Rhode Island statutes and Commercial Licensing regulations as set forth herein.

15. The Respondent admits having committed violations of the relevant provisions of the Rhode Island General Laws and Commercial Licensing Regulation 11 as set forth in Paragraphs A through I below.

#### RELEVANT LAW

A. R.I. Gen. Laws § 5-20.5-26(a)(1)(i) states that a “salesperson shall not commingle deposit money... and his or her own funds, use a customer’s funds as his or her own, or fail to keep an escrow or trustee account of funds deposited with him or her relating to a real estate transaction.”

B. 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 received by a salesperson upon execution of a purchase and sales agreement.

C. R.I. Gen. Laws § 5-20.5-14(a)(12) authorizes the Department to suspend or revoke a license where a salesperson accepts a commission or any valuable consideration for the performance of any acts specified in this chapter, from any person except the licensed real estate broker with whom he or she is affiliated.

D. 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.

E. R.I. Gen. Laws § 5-20.5-14(a)(20) authorizes the Department to suspend or revoke a license where a licensee performs any conduct in a real estate transaction, which demonstrates bad faith, dishonesty, untrustworthiness, or incompetency.

F. R.I. Gen. Laws § 5-20.5-17(a) provides that any person acting as a broker without first obtaining a license is guilty of a misdemeanor and upon conviction, is punishable by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for a term not a exceed one year or both and if a corporation, is punishable by a fine of not less than one thousand dollars nor more than two thousand dollars.

G. Section 18(A)(3) of *Commercial Leasing Regulation 11 – Real Estate Brokers and Salespersons* provides that funds designated for escrow shall be deposited in the escrow account of the principal broker of the seller unless otherwise agreed to in writing by the parties to the real estate transaction.

H. Section 18(A)(6) of *Commercial Leasing Regulation 11 – Real Estate Brokers and Salespersons* provides that a licensee shall not convert the money or property of others to his or her own use, apply such money or property to a purpose other than that for which it was paid or entrusted to him or her, or permit or assist any other in the conversion or misapplication of such money or property.

I. Section 18(B) of *Commercial Leasing Regulation 11 – Real Estate Brokers and Salespersons* prohibits a salesperson from holding client funds. An affiliated licensee shall turn over all deposit monies received promptly to his or her principal broker or, at the direction of the principal broker, deposit the funds in the principal broker's escrow account.

BASED ON THE FOREGOING, the Department finds that there is reason to believe that Respondent has violated R.I. Gen. Laws §§ 5-20.5-26(a)(1)(i), 5-20.5-14(a)(5), 5-20.5-14(a)(12),

5-20.5-14(a)(15), 5-20.5-14(a)(20), 5-20.5-17(a); and Sections 18(A)(3), 18(A)(6) and Section 18(B) of *Commercial Leasing Regulation 11 – Real Estate Brokers and Salespersons*.

Accordingly, The Department has sufficient cause to suspend or revoke Respondent's license pursuant to R.I. Gen. Laws § 5-20.5-14(a) and assess an administrative penalty for each such violation, pursuant to R.I. Gen. Laws § 5-20.5-14(b).

In order to affect a timely and amicable resolution of the issues described in this Consent Order without an administrative hearing and to allow Respondent to regain good-standing status of his license in the future, Respondent agrees to the following:

1. Respondent shall pay an administrative penalty in the amount of seven thousand five hundred (\$7,500.00) dollars, to the Rhode Island General Treasurer, for violations of the Rhode Island General Laws and Department of Business Regulation Commercial Licensing Regulation 11, as set forth in the Relevant Law section herein. The penalty shall be paid at a rate of \$1,250.00 per month, with the first payment being due on the date he affixes his signature to this Order. The total amount shall be paid in full within six (6) months from the date execution of this Order
2. The Respondent's real estate salesperson's license, number S24520, shall be suspended for a period of 30 days, beginning on the date of execution of this Order by the Department. During that time, the Respondent is prohibited from participating in any manner in any real estate transaction as defined in the Rhode Island General Laws, including the receipt of commissions or compensation of any kind for such transactions.
3. The Respondent shall successfully complete twelve (12) credit hours of real estate education in the area of Ethics within six months from the date of execution of this Order by the Department. These courses may not be used to qualify as continuing education required for renewal, and will not be accepted for that use.



4. The Respondent agrees that the Department may, in its discretion, monitor all real estate transactions in which the Respondent participates for a period of two years, commencing on the date of execution of this document. To effectuate said monitoring, the Respondent shall remain affiliated with his current principal broker, Garry Reilly of Realty Associates. Random or scheduled monitoring shall include the production of any and all documents required to be maintained by real estate brokers under R.I. Gen Laws §§ 5-20.5-1 *et seq.* and/or Commercial Licensing Regulation 11 – *Real Estate Brokers and Salespersons* on demand of the Department.
5. The Respondent agrees that he will not receive or hold any cash, checks, or other negotiable instruments belonging to real estate clients, or relating to any real estate transaction, in his own name, or in the name of Diamanti Realty for any purpose whatsoever, and the receipt of any funds related to real estate transactions in which he participates shall be handled solely by his principal broker. The Respondent may receive payments from the Principal Broker only for earned commissions or other employment compensation.
6. If the Respondent's affiliation or employment with Realty Associates is terminated or interrupted for any reason, both the Respondent and his principal broker shall notify the Department within ten (10) days, including a statement of the reasons therefore.

WHEREFORE, it has been determined by the Department that it is in the public interest to resolve the above-referenced matters without the continuation of the administrative hearing process. In making its determination, the Department has considered the following mitigating factors and their effect on the appropriateness of the penalties assessed against the Respondent for the violations alleged:


- I. The Respondent has been licensed by the Department as a real estate broker for a period of 20 years, and has no prior complaints involving similar offenses, and has no history of disciplinary actions by the Department prior to the filing of this complaint,
- II. The Department has discovered no evidence that the Respondent has misappropriated client funds for his personal use resulting in financial losses to real estate consumers,
- II. The Respondent has shown an understanding and acknowledgement of the violations, has expressed remorse therefore, and has undertaken remedial actions and practices to insure that such violations do not take place in the future;
- III. The Respondent has made a good faith attempt to cooperate with the Department's inquiries and demands during its investigation of the complaints against him.
- IV. The Respondent has become affiliated with a licensed real estate broker in good standing with the Department, who has full knowledge of the complaints and investigation described in this Order, and who has agreed to monitor the business practices of the Respondent and report any irregularities or violations of laws or regulations to the Department upon discovery.

By agreeing to resolve this matter through the execution of this Consent Order, the Respondent voluntarily waives his right to the administrative hearing process, voluntarily waives his right to appeal any finding to the Superior Court, and agrees to take all necessary action as delineated in this Consent Order.

Respondent hereby acknowledges and agrees that failure to abide by any of the requirements of this Consent Order shall be grounds for the Department to initiate further administrative proceedings to impose penalties against Respondent including, but not limited to: (i) revocation and/or suspension of his license, and (ii) such additional administrative penalties that the Department deems appropriate, pursuant to R.I. Gen. Laws § 5-20.5-14.


**THE DEPARTMENT AND THE RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:**

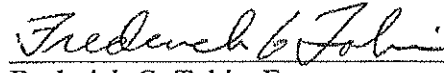
**Department of Business Regulation**  
By its Legal Counsel:

  
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Ellen R. Balasco, Esq.  
Deputy Chief of Legal Services

Date: 7/20/11

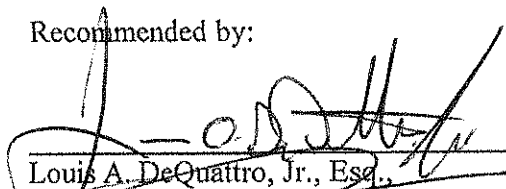
**Respondent:**

  
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John A. Paliotta  
Date: 7/20/11

  
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Frederick G. Tobin, Esq.  
Counsel for Respondent

Date: 7/20/11

Recommended by:

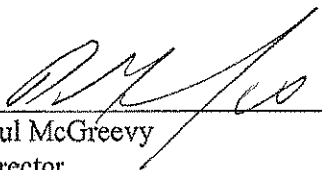
  
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Louis A. DeQuattro, Jr., Esq.,  
Hearing Officer

Date: 7/20/2011

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

  
\_\_\_\_\_  
Paul McGreevy  
Director

Date: 21 July 2011

ENTERED as Administrative Order No. 11- 058 on the 21<sup>st</sup> day of July, 2011.

THIS CONSENT ORDER CONSTITUTES A FINAL ORDER 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 THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING HER RIGHT TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, REFERRAL MAY BE MADE TO THE RHODE ISLAND ATTORNEY GENERAL FOR FURTHER PROSECUTION.