

MARYLAND REAL ESTATE	*	BEFORE THE
COMMISSION		
v.		* MARYLAND REAL
NAIMA FIELDS		* ESTATE COMMISSION
		*
Respondent		* CASE NO. 2020-RE-260
* * * * *		* * * * *

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint and Guaranty Fund claim filed by Brett Gwin David ("Complainant"). Based on the complaint, the Commission determined that administrative charges against Naima Fields, the Respondent Real Estate Salesperson ("Respondent"), license registration number 05-17597, are appropriate and that an administrative hearing on those charges should be held. The Commission transmitted the matter to the Office of Administrative Hearings ("OAH"). The OAH scheduled a hearing for May 27, 2022 at 10:00 a.m.

Prior to the hearing, the Commission and the Respondent (the "Parties") agreed to enter into this Consent Order and Settlement Agreement to provide for the imposition of disciplinary measures which are fair and equitable in these circumstances and which are consistent with the best interest of the people of the State of Maryland.

The Parties agree and stipulate as follows:

1. Respondent Naima Fields McCaffrey is currently licensed by the Commission as a Real Estate Salesperson and holds license registration number 05-17597. At all times relevant to the matters set forth in this Consent Order and Settlement Agreement, the Commission has had jurisdiction over the subject matter and the Respondent.
2. On or about May 22, 2019, Complainant entered into a contract to purchase property located at 6009 Plumer Avenue in Baltimore Maryland (the "Property"). Respondent was the listing agent representing the sellers of the Property. The Complainant submitted an earnest money deposit to the Respondent, but the Respondent did not submit the earnest money deposit to the title company or to her broker in a timely manner.
3. The Parties, by entering into the Consent Order and Settlement Agreement, expressly waive the right to an administrative hearing on the charges and the Guaranty Fund claim and the making of

Findings of Fact and Conclusions of Law, any and all further proceedings before the Commission to which the Parties may be entitled in this matter and any rights to appeal from the Commission's Order.

4. The Respondent admits that her conduct violated Business Occupations and Professions Article § 17-322(b)(22) which provides:

§17-322. Denials, reprimands, suspensions, revocations, and penalties - Grounds.

(b) *Grounds.* – Subject to the hearing provisions of § 17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(22) fails to account for or to remit promptly any money that comes into the possession of the licensee but belongs to another person;

5. The Respondent agrees to pay a civil penalty in the amount of \$1,000, within (30) days of the execution of this Consent Order and Settlement Agreement.

6. The Respondent agrees to accept a reprimand against her license registration number 05-17597.

7. If the Respondent does not pay the civil penalty within the prescribed thirty (30) days, the Respondent's license registration number 05-17597 will be automatically suspended until the payment is made.

BASED ON THESE AGREEMENTS AND STIPULATIONS, IT IS THIS 27 DAY OF May, 2022 BY THE MARYLAND REAL ESTATE COMMISSION:

ORDERED that the Respondent's conduct violated BOP § 17-322(b)(22); and it is further

ORDERED that the Respondent must pay a civil penalty in the amount of \$1,000 within thirty (30) days of the execution of this Consent Order and Settlement Agreement; and it is further

ORDERED that the Respondent agrees to accept a reprimand against her license registration number 05-17597; and it is further

ORDERED that if the Respondent does not pay the civil penalty within the prescribed thirty (30) days, the Respondent's license registration number 05-17597 will be automatically suspended until

ORDERED that the records of the Maryland Real Estate Commission will reflect the contents of the Consent Order and Settlement Agreement.

5/26/2022

Date

DocuSigned by:

SIGNATURE ON FILE

Respondent Naima Fields

MARYLAND REAL ESTATE COMMISSION:

9/13/2022

Date

By:

SIGNATURE ON FILE