

Maryland Real Estate Commission

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BEFORE THE

v.

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MARYLAND REAL

DAVID A. MOYA

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ESTATE COMMISSION

RESPONDENT

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Case No.: 328-RE-2023

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Consent Order

This matter comes before the Maryland Real Estate Commission (“Commission”) as the result of an audit of continuing education hours conducted by the Commission in connection with the 2022 renewal application of David A. Moya. As a result of the audit, it was determined that the Respondent did not complete the required hours of continuing education instruction for renewal of his license. As a means of resolving this matter, the Commission and the Respondent have agreed to enter into this Consent Order, and agree and stipulate to the following:

1. On September 30, 2022, the Respondent submitted an electronic application for the renewal of his salesperson’s license for the (2021-2022) renewal period.
2. Pursuant to Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code, the Respondent was required to complete 15 hours of continuing education instruction during the two-year period preceding the renewal date of September 30, 2022.
3. The Respondent failed to complete the required number of hours, but certified on the renewal application dated September 30, 2022, that the continuing education requirement had been fulfilled. The failure to obtain the continuing education hours

was in violation of Section 17-315 of the Business Occupations and Professions Article, Maryland Annotated Code.

4. The Respondent agrees that his 15-hour continuing education requirement were not completed when he answered "Yes, to the question that he completed the required continuing education course needed to renew his salesperson's license".

5.. As a term and condition of this Consent Order, the Respondent agrees to pay a fine in the amount of Fifteen Hundred Dollars (\$1500) in connection with the violation of Section 17-315, Business Occupations and Professions Article, Maryland Annotated Code. In addition, the Respondent will pay a fee in the amount of \$100 for the administrative costs associated with this matter. The fee and fine are to be paid within sixty (60) days of the date of this Consent Order.

6. The Respondent also agrees that the 3.0 Legislative, 3.0 Agency/Brokerage Relationships, 3.0 Ethics, 1.5 Fair Housing, and 4.5 Electives continuing education courses that he submitted after his audit when he renewed his salesperson's license was outside the renewal period and cannot be submitted for his 2024 renewal period.

7. By entering into the Consent Order, the Respondent expressly waives the right to an administrative hearing before a Commission panel or the Office of Administrative Hearings, the making of Findings and Conclusions of Law, any further proceedings before the Commission, and any rights to appeal from this Consent Order.

8. The Respondent agrees that all licenses held by the Respondent will automatically be suspended by the Commission, without a hearing, if the Respondent fails to comply with the terms of this Consent Order. The Respondent further agrees that the

suspension of license will continue until the Respondent evidences compliance and issuance of charges and a hearing will be scheduled.

WHEREFORE, based on these stipulations and agreements, it is hereby this 16th day of June, 2024, ORDERED by the Commission:

- I. That the Respondent has been found to have violated Section 17-315 and 17-322 of the Business Occupations and Professions Article, Maryland Annotated Code and it is further,
- II. That Respondent shall pay a civil penalty of \$1,600.00 to the Commission for the violation upon Respondent's execution of this Consent Order, and it is further
- III. That Respondent also agrees that the 3.0 Legislative, 3.0 Agency/Brokerage Relationships, 3.0 Ethics, 1.5 Fair Housing, and 4.5 Electives continuing education courses that he submitted after his audit when he renewed his salesperson's license was outside the renewal period and cannot be submitted for his 2024 renewal period.
- IV. The Respondent agrees that all licenses held by the Respondent will automatically be suspended by the Commission, without a hearing, if the Respondent fails to comply with the terms of this Consent Order. The Respondent further agrees that the suspension of license will continue until the Respondent evidences compliance and issuance of charges and a hearing will be scheduled.
- V. That the Commission's records and publications reflect the violation and civil penalty imposed on the Respondent

SIGNATURE ON FILE

David A. Moya
Respondent

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Michael L. Kasnic
Executive Director

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