

MARYLAND REAL ESTATE
COMMISSION

v.

ANTHONY H. LACEY,

Respondent

and

CLAIM OF ALHAJI BAH
AGAINST THE REAL ESTATE
COMMISSION GUARANTY FUND

* BEFORE THE MARYLAND
* REAL ESTATE COMMISSION
* COMPLAINT NO.: 2010-RE-510

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CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") based on a complaint filed by Alhaji Bah against Anthony H. Lacey ("Respondent"). Based on that complaint, the Commission determined that administrative charges against the Respondent were appropriate and that a hearing on those charges, as well as the Guaranty Fund claim filed by Mr. Bah, should be held. The matter is scheduled to be heard at the Office of Administrative Hearings on April 20, 2012; however, the Commission and the Respondent have reached an agreement to resolve the administrative charges. The Commission and the Respondent consent to the entry of this Order as final resolution of Complaint No. 2010-RE-510 (as to the administrative charges only).

IT IS STIPULATED BY THE PARTIES THAT:

1. At the time of the events at issue, the Respondent was licensed as a real estate salesperson (License No. 05-576437) and was affiliated with Re/Max Advantage Realty.
2. The Respondent is currently affiliated as a salesperson with Re/Max Advantage Realty, and his license expires January 7, 2013.

3. On or about December 27, 2007, Alhaji Bah, seller, and Re/Max Advantage Realty, by the Respondent, entered into an Exclusive Right to Sell Brokerage Agreement for 13300 Catawba Manor Way, Clarksburg, Maryland.

4. That listing agreement provided that it was to expire February 28, 2008.

5. When he entered into the listing agreement, Mr. Bah was not current on his mortgage payments, so there was urgency concerning the sale of the property.

6. The Respondent received approximately twenty (20) contract offers but did not timely present all offers to Mr. Bah and did not communicate consistently with Mr. Bah.

7. The Respondent's written listing agreement with Mr. Bah expired February 28, 2008, but the Respondent continued to list the property and act as the listing agent for several months after that date without a written listing agreement.

8. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and with the advice of counsel.

9. By entering into this Consent Order, the Respondent expressly waives the right to any hearing or any further proceedings to which he may be entitled in this matter and any rights to appeal from this Consent Order.

10. The Respondent agrees to abide by the Maryland Real Estate Brokers Act, Maryland Annotated Code, Business Occupations and Professions Article, §17-101 *et seq.*, and regulations of the Commission in future real estate transactions.

BASED ON THESE STIPULATIONS, IT IS, THIS 19th day of April, 2012, BY THE
MARYLAND REAL ESTATE COMMISSION,

ORDERED that Respondent has violated Maryland Annotated Code, Business Occupations and Professions Article, §§17-322(b)(32) and (33), and 17-532(c)(1)(ii)3, as well as Code of Maryland Regulations 09.11.01.12, and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$5,000.00 for those violations, which amount is payable to the Commission within forty-five days of the date this Order is signed by the Commission, and it is further

ORDERED that, if payment of the civil penalty is not made within that 45-day period, the Respondent's real estate license shall be automatically suspended until payment is made, and it is further

ORDERED that the Commission's records and publications shall reflect the terms of this Consent Order.

SIGNATURE ON FILE

ANTHONY H. VACEY

DATE

for COMMISSIONER *Maile S. Johnson*
MARYLAND REAL ESTATE COMMISSION