

MREC v. Carl Beatty and Anna Marie Beatty
Claim of Sharon Candore v. MREC GF
OAH # DLR-REC-24-11-41665/41669
Agency # 11-RE-085

Consent Agreement

This matter is before the Maryland Real Estate Commission based on a complaint and guaranty fund claim filed by Sharon Candore. Following an investigation the Commission issued a Statement of Charges and Order for Hearing dated October 11, 2011 against Carl Beatty and issued a Statement of Charges and Order for Hearing dated October 11, 2011 against Anna M. Beatty. The matters were transmitted to the Office of Administrative Hearings and a hearing was scheduled for March 15, 2012 at the OAH in Prince Frederick, Maryland. Prior to the hearing the parties agreed to a settlement of the regulatory charges and guaranty fund claim.

The parties agree and stipulate as follows:

1. At all times relevant Carl Beatty, lic. # 05-81904, has been licensed by and is subject to the jurisdiction of the Commission.

2. At all times relevant Anna Marie Beatty, lic. # 05-519666 has been

licensed by and is subject to the jurisdiction of the Commission.

3. In the Statement of Charges and Order for Hearing the Commission alleged that both Carl Beatty and Anna Beatty violated the Maryland Real Estate Brokers Act, Bus. Occ. & Prof. Art. §17-322(b)(4), (33) and Code of Maryland Regulations, 09.11.01.01.D. and determined that Ms. Candore is entitled to a hearing on her Guaranty Fund claim.

4. To resolve the charges, Carl Beatty admits that he violated §17-322(b)(33) and COMAR 09.11.02.01 by failing to make a reasonable effort to ascertain all material facts concerning 556 Bridgeport Place, Prince Frederick, Maryland, a property purchased from by Ms. Candore, so that he may fulfill his obligation to avoid error, exaggeration, misrepresentation or concealment of material facts. Specifically he admits he failed to ascertain that the property had an issue related to water intrusion on the first floor.

5. The Commission agrees to dismiss the charge that Carl Beatty violated BOP §17-322(b)(4).

6. The Commission agrees to dismiss all charges against Anna Mane Beatty.

7. As penalty for his violation of COMAR 09.11.02.015 Carl Beatty agrees to accept a REPRIMAND against his license number 05-81904.

8. To resolve the Guaranty Fund claim Carl Beatty and Anna Beatty agree to pay and Sharon Candore agrees to accept the sum of \$3000. by cashier's check payable on March 15, 2012. Upon payment Sharon Candore agrees her claim against the Guaranty Fund is dismissed.

9. Carl Beatty and Anna Beatty each acknowledge and agree that they enter into this agreement freely and voluntarily, each acknowledges having the right to advice of counsel and each agrees to waive any and all rights of appeal from this Consent Agreement.

10. The Commission agrees this shall be the full and final resolution of case No. 11-RE-085.

11. The parties agree this matter shall be withdrawn from CAH for settlement purposes pursuant to COMAR 09.01.03.07.

Maryland Real Estate Commi

3/16/2012

SIGNATURE ON FILE

By Katherine E. Connolly
Executive Director

SIGNATURE ON FILE

3/15/2012

Date

Cari W. Beatty, Respondent

SIGNATURE ON FILE

3-15-2012

Date

Anna M. Beatty, Respondent

SIGNATURE ON FILE

3-15-12

Date

Sharon Cardese, Claimant