

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE, BLDG. 68-1
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:

RONALD DUQUETTE

RESPONDENT.

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: **DBR No. 12RE097**
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CONSENT AGREEMENT

It is hereby agreed between the Department of Business Regulation (“Department”) and Ronald Duquette (“Respondent”) as follows:

1. Respondent is licensed as a real estate salesperson (License No. S 26596) to engage in the business of real estate, and is affiliated with Century 21 Crossroads in Chepachet, Rhode Island (the “Agency”).

2. On, July 26, 2012 the Department received a complaint from Maria Gomes (“Complainant”) alleging violations of R.I. Gen. Laws § 5-20.5-1, *et seq.* in connection with a real estate transaction involving property located at 223 Pine Orchard Road, Glocester, Rhode Island.

3. The complaint alleged that the Respondent, while acting as a seller’s agent, made substantial misrepresentations during the transaction, including the preparation of a MLS listing which falsely identified the subject parcel as not being a short sale.

4. The complaint further alleged that the Respondent allowed the execution and accepted a purchase and sales agreement which included the provision that a deposit was paid at the time of execution, when it was not, in fact, tendered to him, and that he failed to provide copies of that agreement to all signatories.

5. Based on the response to the Complaint provided to the Department by the Respondent, and a review of the documentary evidence provided, the Department has determined that the Respondent did make a substantial misrepresentation by stating that the sale of the subject property would not be a short sale, that he did accept a purchase and

sales agreement without the receipt of the required deposit monies, and that he did fail to provide the executed agreement to all signatories.

6. R.I. Gen. Laws § 5-20.5-14(a)(1), authorizes the Department to suspend or revoke a license where a licensee makes any substantial misrepresentation in a real estate transaction.

7. R.I. Gen. Laws § 5-20.5-14(a)(9) authorizes the Department to suspend or revoke a license where a licensee fails to furnish a copy of any contract relative to a real estate transaction to all signatories at the time of execution.

8. R.I. Gen. Laws § 5-20.5-14(a)(20) authorizes the Department to suspend or revoke a license for having engaged in conduct that demonstrates bad faith, untrustworthiness or incompetence in a real estate transaction.

9. R.I. Gen. Laws § 5-20.5-14(b) authorizes the Department to levy an administrative penalty not exceeding One Thousand (\$1,000) Dollars for each violation under this section or of any rules and regulations of the Department.

10. 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.

BASED ON THE FOREGOING, the Department has reason to believe that Respondent violated R.I. Gen. Laws, § 5-20.5-14(a)(1), (9) and (20) as described previously herein. Accordingly, the Department has sufficient cause to assess an administrative penalty pursuant to R.I. Gen. Laws § 5-20.5-14(b).

In an effort to effect a timely and amicable resolution of the issues raised in this Consent Agreement without an administrative hearing or a finding of a violation of R.I. Gen. Laws § 5-20.5-1, *et seq.* and to allow Respondent to maintain his license in good standing, Respondent agrees to make a payment of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) as an administrative penalty, payable to the Rhode Island General Treasurer.


In consideration thereof, the Respondent voluntarily waives his right to the administrative hearing process and voluntarily waives his right to appeal this matter to the Rhode Island Superior Court.

In making its offer to the Respondent to settle this complaint without further administrative action, the Department has considered the mitigating factors contained in the statement of the Respondent, and the documents submitted by both parties.

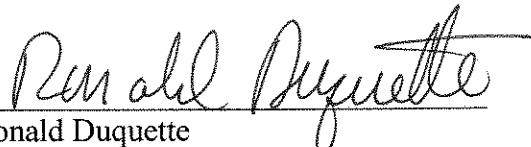
If Respondent fails to abide by any of the requirements of this Consent Agreement, the Department will initiate administrative proceedings to impose penalties against Respondent including, but not limited to: (i) suspension, (ii) revocation, and/or (iii) such additional administrative penalties as deemed appropriate by the Department

THE DEPARTMENT OF BUSINESS REGULATION AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation
By its Legal Counsel:


Ellen R. Balasco, Esquire
Deputy Chief of Legal Services
Department of Business Regulation

Respondent:


Ronald Duquette
Century 21 Crossroads

Date: 6/6/13

Date: 6/6/13