

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
JOHN O. PASTORE CENTER, BLDGS. 68-69  
1511 PONTIAC AVENUE  
CRANSTON, RHODE ISLAND 02920

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IN THE MATTER OF:

ROBERT A. SWEET

RESPONDENT.

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DBR No.: 10-L-0136

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and Robert A. Sweet (“Respondent”) hereby consent and agree as follows:

1. Respondent is a licensed real estate salesperson, License Number S30149, pursuant to the terms and provisions of R.I. Gen. Laws § 5-20.5-1, *et seq.*, and *Commercial Licensing Regulation 11– Real Estate Brokers and Salespersons*.

2. The above-numbered license was first issued by the Department on January 9, 2004, was renewed on May 1, 2006, and expired on April 30, 2008.

3. The Respondent failed to file a renewal application for the 2008-2010 renewal cycle at any time prior to or after his license last expired, and failed to pay the required renewal fee.

4. The Respondent failed to submit proof of his compliance with the continuing education requirements for the 2008-2010 license renewal cycle.

5. Legal counsel, acting on behalf of the Respondent, contacted the Department in July, 2010 and provided a detailed explanation for the Respondent’s failure to comply with

the license renewal requirements as set forth above. Specifically, his explanation stated that the restructuring of the brokerage with which the Respondent was affiliated, along with the relocation of the office of said brokerage resulted in the renewal paperwork and fees not being properly remitted to the Department on behalf of the Respondent.

6. Based on representations of legal counsel, the Respondent was unaware that his renewal had not been effectuated until the end of the renewal cycle in question, at which time he engaged counsel to contact the Department to settle the matter and seek reinstatement on his behalf.

7. Legal counsel further represented that the Respondent also completed the pre-licensing courses pertaining to real estate brokers during the 2006 calendar year, which exceeds the requirements for his salesperson license, and that the Respondent has completed twelve (12) of the required twenty four (24) hours of continuing education for the 2008-2010 renewal period.

8. Based on the foregoing, the Department has reason to believe that Respondent has technically violated R.I. Gen. Laws §§ 5-20.5-6, Section 9 and Section 30 of Commercial Licensing Regulation 11 - *Real Estate Brokers and Salespersons*.

9. The Department finds that the Respondent's actions described herein were the result of an inadvertent oversight, and were not motivated by an intention to defraud or misrepresent his qualifications for licensing to the Department or to the general public.

10. Based on these mitigating factors, the Department agrees by the execution of this Consent Agreement to resolve these technical violations in the manner described herein.

11. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent voluntarily waives his right to the administrative hearing process; voluntarily waives his right to appeal this Consent Agreement; admits that the allegations in paragraphs 1 through 9 are true; that he is willing to remedy this matter; and that he is willing to take all necessary action as delineated in the following paragraphs of this Consent Agreement in order to maintain his license in good-standing, and to renew his license for the current licensing period.

- A. Respondent shall pay an administrative penalty of FIVE HUNDRED (\$500.00) DOLLARS on the date of execution of this Consent Agreement. Said payment shall be made in the form of a check payable to the General Treasurer, State of Rhode Island.
- B. Respondent shall pay licensing renewal fees of ONE HUNDRED THIRTY (\$130.00) DOLLARS and ONE HUNDRED \$100.00 DOLLARS for a late fee, payable to the Department on the date of execution of this Consent Agreement.
- C. Respondent shall submit certificates of course completion of twenty four (24) credits which were required for the 2008-2010 renewal cycle with his executed copy of this Agreement.
- D. Respondent shall have until December 31, 2010 to complete and submit certificates proving completion of the twenty-four (24) clock hours of continuing education courses which were required for the 2010-2012 renewal period.


12. Respondent hereby acknowledges and agrees that failure to abide by any of the requirements of this Consent Agreement, including late or missed payments, shall be grounds for the Department to initiate administrative proceedings to impose penalties against Respondent including, but not limited to: revocation and/or suspension of his license, and such additional administrative penalties that the Department deems appropriate.

**THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:**

Department of Business Regulation:

Respondent:

  
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Ellen R. Balasco, Esq.  
Deputy Chief of Legal Services

  
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Robert A. Sweet

Date: 10/25/10

Date: 10/21/10