

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

IN THE MATTER OF: :
: :
JONATHAN WEINSTEIN : **DBR No. 2015-18**
: :
RESPONDENT. : :
:

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and Jonathan Weinstein (“Respondent”) hereby consent and agree that:

1. Respondent is licensed as a real estate broker (License No. B16858) by the Department to engage in the business of real estate, and was, at all times relevant hereto, acting as the Principal Broker for RentProv Realty, Inc. located at 165 Atwells Avenue, in the City of Providence, Rhode Island. (the “Agency”).

2. Between May 19, 2014 through July 24, 2014, Alex Bulbulian was engaged as an independent contractor by Respondent and RentProv Realty to identify and assist tenants for residential apartments listed for rent by RentProv Realty.

3. Mr. Bulbulian did meet with potential tenants for the purpose of showing them residential apartments and qualifying them to determine that they were suitable and acceptable tenants on behalf of RentProv Realty.

4. Mr. Bulbulian was not at the above-referenced time, and is not presently licensed

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by the Department of Business Regulation as a Real Estate Salesperson and/or Broker to conduct Real Estate activities.

5. By engaging or allowing this unlicensed individual to conduct real estate activities as described, the Respondent has violated the provisions of R.I. Gen. Laws § 5-20.5-1 *et seq.*, and Commercial Licensing Regulation 11 – *Real Estate Brokers and Salespersons*. (“CLR 11”)

6. R.I. Gen Laws § 5-20.5-1 defines “real estate salesperson” as any person employed or engaged as an independent contractor by or on behalf of a licensed real estate broker to do or deal in any manner as included or comprehended by the definitions of a real estate broker in subdivision (4) of this section, for compensation or otherwise.

7. R.I. Gen Laws § 5-20.5-14(31) provides that a licensee has violated this section by “Offering, promising giving or paying directly or indirectly any part or share of his or her commission or compensation arising or accruing from any real estate transaction to any person who is not licensed as a real estate broker, but who by law should be licensed, or who is not a real estate salesperson employed by that licensee”.

8. CLR 11, Section 4 (C) requires that a principal broker shall be responsible for the compliance of his or her non-licensed employees or independent contractors with the Rhode Island General Laws pertaining to real estate licensure and this regulation.

BASED ON THE FOREGOING, the Department has reason to believe that Respondent violated Chapter 5-20.5 of the Rhode Island General Laws, and Commercial Licensing Regulation 11 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 administrative hearing and to allow Respondent to maintain his license in good-standing, Respondent agrees to the following:

- a. Upon execution of this Agreement, the Respondent shall pay an administrative penalty in the amount of \$1,500.00 to the Rhode Island General Treasurer, for failing to adequately supervise the real estate transactions of Mr. Bulbulian in violation of the laws and regulation cited in paragraphs 4, 5 and 6 herein. The total amount of the penalty shall be paid upon the execution of this Agreement.
- b. The Respondent shall not employ or engage the services of any person not duly licensed by the Department to engage in real estate activities on behalf of himself or RentProv Realty at any time in the future.

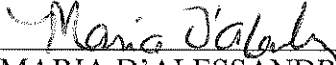
By agreeing to resolve this matter through the execution of this Consent Agreement the Respondent voluntarily waives his right to the administrative hearing process, voluntarily waives his right to appeal any finding therefrom to the superior Court, and agrees to take all necessary action as delineated in this Consent Agreement to maintain his license in good standing.

The Respondent hereby acknowledges and agrees that failure to abide by any of the requirements of this Consent Agreement shall be grounds for the Department to initiate further administrative proceedings to impose penalties against Respondent including, but not limited to: (i) revocation and/or suspension, and (ii) such additional administrative penalties that the Department deems appropriate, pursuant to R.I. Gen. Laws § 5-20.5-14.

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

Department of Business Regulation:

Respondent:

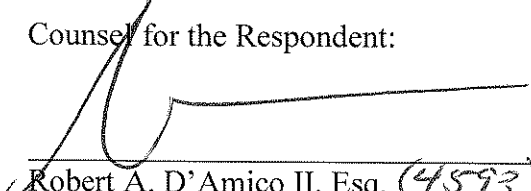


MARIA D'ALESSANDRO, ESQ.
Deputy Director of Commercial Licensing,
Securities and Racing and Athletics



JONATHAN WEINSTEIN

Counsel for the Respondent:



Robert A. D'Amico II, Esq. (4593)
D'Amico Burchfield, LLP
536 Atwells Avenue
Providence RI 02909

DATE: 8/18/15

DATE: 8/12/15