

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: :
 :
JONATHAN WEINSTEIN : DBR No. 15RE024
 :
RESPONDENT. :

CONSENT AGREEMENT

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

1. Respondent is licensed as a real estate broker (License No. B16858) 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. Based on a complaint which had been filed against the Respondent, the Department initiated an administrative enforcement action against him after a finding that he had 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”).

3. That action culminated in the execution of a Consent Agreement on August 18, 2015 in which the Respondent was assessed an administrative penalty, and agreed not to engage, employ or allow unlicensed individuals to conduct real estate activities on behalf of RentProv Realty in the future.

4. The Department has received reliable information that the Respondent is again engaging, employing, or allowing unlicensed individuals to conduct real estate activities in representation of RentProv Realty.

5. By doing so, 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*.
Div of Commercial Licensing and Racing and Athletics

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Real Estate

Salespersons. (“CLR 11”) and has breached the terms of the Consent Agreement executed on August 18, 2015.

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 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 the within cited statutes, and therefore 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 and to allow Respondent to maintain his license in good standing, the Respondent agrees:

1. Upon execution of this Agreement, the Respondent shall pay an administrative penalty in the amount of \$ 3,500.00 to the Rhode Island General Treasurer, for failing to adequately supervise the real estate transactions of his unlicensed staff 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.
2. 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.

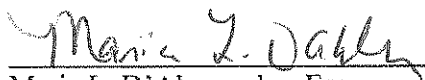
By agreeing to resolve this matter through the execution of this Consent Agreement, the Respondent voluntarily waives his right to the administrative hearing process, voluntarily waives his right to appeal any finding therefrom to the Superior Court, and agrees to take all necessary action as delineated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

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. Respondent shall be provided with notice and opportunity for hearing should the Department decide to take such further action.

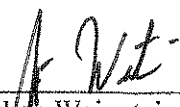
THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation

Respondent:



Maria L. D'Alessandro, Esq.
Deputy Director, Commercial Licensing,
Securities and Racing and Athletics



Jonathan Weinstein

Date: 7-11-16

Date: 7-6-16