

In The Matter of:

Hyunik Seo, Application for Licensure as a Real Estate Salesperson

WHEREAS Hyunik Seo is an unlicensed individual seeking licensure as a New Jersey salesperson; and

WHEREAS Seo is subject to the provisions of the Real Estate Brokers and Salesmen Act, N.J.S.A. 45:15-1 et seq.; and

WHEREAS Seo passed the salesperson's pre-licensure education course on September 25, 2017 and passed the examination on October 6, 2017; and

WHEREAS Seo answered screening question #1 which states, "With the exception of motor vehicle violations, have you ever been convicted of a crime, misdemeanor, or disorderly persons offense in the state of New Jersey, any other state or by the federal government, or are you presently on probation or parole?" in the negative; and

WHEREAS as a result of the criminal history records check performed on new applicants for licensure, the Commission was informed that on January 10, 2011, Seo was convicted on one count of theft by deception, a disorderly persons offense, in violation of N.J.S.A. 2C:20-4A. He was sentenced to a probation term of one year and restitution in the amount of \$1,766.61; and

WHEREAS the Commission staff requested additional information pertaining to the charges and failure to establish good moral character, pursuant to N.J.S.A. 45:15-9; and

WHEREAS, Seo has submitted evidence of rehabilitation and satisfied all special conditions of his supervision. He indicated in his explanation that his response in the negative to screening question #1 was an inadvertent mistake. He has an active offer of employment from Promise Realty LLC, licensed real estate broker, whose office is located at 240 Grand Avenue, Leonia, NJ; and

WHEREAS Seo admits that he violated N.J.S.A. 45:15-17(n) in that he attempted to procure a real estate license by misrepresenting that he did not have a charge when he filed his application for licensure as a New Jersey real estate salesperson; and

WHEREAS Seo acknowledges that he has been made aware of his right to a full and formal hearing on any violations which the Commission may allege he has committed and the right to counsel, he is knowingly and voluntarily waiving the right to a hearing and counsel; and

IT IS THEREFORE AGREED TO BY THE PARTIES AND SO ORDERED that

Seo agrees to pay a fine in the amount of \$500.00; and it is further ordered and agreed that

Seo shall pay the fine within 30 days of the date of acceptance of this Consent Order. The fine shall be payable by certified check, cashier's check or money order payable to the "State of New Jersey" and sent to:

Division of Anti-Fraud Compliance/Collection Section
Department of Banking and Insurance
P.O. Box 325
Trenton, New Jersey 08625;

ORDERED AND AGREED that Seo is eligible for licensure as a New Jersey real estate salesperson to be held on a probationary basis for a period of one year. During the probationary period, the following conditions apply:

Seo must notify any employing broker that his license is on probation, and provide the employing broker with a copy of this agreement; and

Seo's employing broker must notify the Commission, in writing, within 72 hours if the employing broker receives any information that she may have violated any of the provisions of the Real Estate Brokers and Salesperson's Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11:5-1.1 et seq.; and

Seo must notify the Commission, in writing, within 72 hours if the applicant is charged with or convicted of any crime, misdemeanor or disorderly persons offense, regardless of the nature or the severity; and

All required written notifications should be sent to the attention of the Supervisor of Investigations, Real Estate Commission; and it is further

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on January 9, 2018; and

It is further ORDERED AND AGREED that the Commission reserves the right to take further administrative action if the terms of this Consent Order are not fully complied with or if it obtains any other information that the respondent may have violated the Real Estate Brokers and Salesperson's Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11:5-1.1 et seq.;



Patrick J. Mallen
Director of Banking

RESPONDENT CERTIFICATION

I, Hyunik Seo, hereby certify that

1. I am not under any disability, mental or physical, or under the influence of any medication, intoxicants or other substances that would impair my ability to knowingly and voluntarily execute this Consent Agreement; and further
2. I am entering into this agreement knowingly and voluntarily, that I have not been subject to any coercion or threats regarding the execution of this Consent Agreement and that other than terms set forth above, no promises, representations or inducements have been made to me to secure my acceptance of the provisions of this Consent Agreement; and
3. I hereby certify that I have read and agree to the terms and conditions of the Consent Order as set forth above and agree to the entry of this Order

Consented to as to
Form, Content and Entry

Dated: 12 / 6 / 17


Hyunik Seo, Respondent