

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)	DOCKET NUMBER CUM-17-004
)	(REC Ref. No. 10002992)
Complainant,)	
)	CONSENT ORDER
v.)	
)	
BARBARA ROSENTHAL-GREENBLATT,)	
licensed New Jersey real estate broker,)	
(Ref. No. 7942045))	
)	
Respondent.)	

THIS MATTER having been opened to the New Jersey Real Estate Commission ("Commission") in the Department of Banking and Insurance, State of New Jersey, upon information that Barbara Rosenthal-Greenblatt ("Rosenthal-Greenblatt"), a licensed real estate broker, may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS Rosenthal-Greenblatt is subject to the provisions of the New Jersey Real Estate Licensing Law, N.J.S.A. 45:15-1 et seq.; and

WHEREAS the Real Estate Commission staff has alleged that Rosenthal-Greenblatt may have violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate licensees; and

WHEREAS Rosenthal-Greenblatt acknowledges that she is aware of her right to a plenary hearing on any violations which the Commission may allege she has committed and having had the advice of counsel on matters to which this Consent Order pertains, she is knowingly and voluntarily waiving the right to a hearing; and

WHEREAS the Commission and Rosenthal-Greenblatt, in order to avoid the costs and uncertainty of further litigation and to resolve the matter with finality, hereby agree to this Consent Order, fully disposing of all the issues in controversy in this matter with prejudice; and

WHEREAS the terms of this Consent Order were approved by the Commission at a regular meeting on August 24th, 2017; and

IT APPEARING that the matter against Rosenthal-Greenblatt should be resolved upon the consent of the parties, without resort to a formal hearing on the aforementioned violations, and further good cause appearing;

NOW, THEREFORE, IT IS on this 25th day of August, 2017

ORDERED AND AGREED that Respondent Rosenthal-Greenblatt admits the following facts:

1. Rosenthal-Greenblatt is a licensed New Jersey real estate broker, currently licensed as broker of record of RM Realty Group LLC d/b/a Re/Max Realty Group, whose office is located at 1081 Landis Avenue, Vineland, New Jersey; and

2. On or about February 24, 2015, Rosenthal-Greenblatt entered into a listing agreement with the owner of the property located at 574 N. West Avenue, Vineland, New Jersey (the "Property"). The agreement indicated an authorized sale price of \$23,000, and a sale commission of \$9,000; and

3. Although the list price initially recommended by Rosenthal-Greenblatt was \$69,000, the list price of the property was reflective of the value of the land only, purportedly based upon the opinion of a real estate agent from a different office who viewed the property, that the foundation of the home located on the property was structurally unsound, as well as Rosenthal-Greenblatt's visual inspection of the home on the Property. Said agent later submitted an offer to purchase the Property. Said agent was not a licensed structural engineer. Although Rosenthal-Greenblatt has stated that she recommended to the seller that he have a structural engineer evaluate the Property and has stated that the seller refused, the Property was never evaluated by a structural engineer prior to the list price being set by Rosenthal-Greenblatt and the seller; and

4. Rosenthal-Greenblatt received two offers to purchase the Property. The above-mentioned real estate agent submitted an offer to purchase the Property for \$25,000. The seller's neighbor also submitted an offer to purchase the Property for \$26,000; and

5. The seller's daughter contacted Rosenthal-Greenblatt, and requested a release from the listing agreement. Rosenthal-Greenblatt refused her request to enter into an unconditional release from the listing agreement; and

6. On or about March 10, 2015, the respondent and the seller of the property, by and through the seller's attorney, entered into a release agreement whereby the seller agreed to pay \$3,000 to Re/Max Realty Group in exchange for being released from the listing agreement; and

7. Within a few months of being released from the listing agreement with Re/Max Realty Group, the Property was relisted with another brokerage firm and sold for \$57,000; and

8. Rosenthal-Greenblatt has represented that she shall return the three thousand dollars (\$3,000) paid to her by the seller within thirty (30) days of the full execution of the Consent Order and provide proof to the Commission of payment in full.

And it is further

ORDERED AND AGREED that based on the above facts, Respondent Rosenthal-Greenblatt admits to the following:

1. Respondent Rosenthal-Greenblatt admits that she acted in violation of N.J.A.C. 11:5-6.4(a), in that she failed to protect and promote, as she would her own, the interests of the client she had undertaken to represent. Specifically, Respondent Rosenthal-Greenblatt listed the Property for a price which reflected the value of the land only, based on an evaluation conducted by a prospective purchaser of the Property, who was not a licensed structural engineer, and her own visual inspection rather than the opinion of a structural engineer; and

Based on the above, it is hereby:

ORDERED AND AGREED that Rosenthal-Greenblatt shall pay a fine in the amount of three thousand dollars (\$3,000). The fine shall be paid in full within thirty (30) days of the full execution 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 the Division of Anti-Fraud Compliance/Collection Section, Department of Banking and Insurance, P.O. Box 325, Trenton, New Jersey, 08625. All unpaid fines will be referred for collection and may result in a lien/judgment being placed on property, interception of state income tax refunds through the Set Off of Individual Liability (SOIL) program in the Division of Taxation and/or levy on bank accounts; and it is further

ORDERED AND AGREED that Roscnthal-Greenblatt shall complete three hours of continuing education coursework, in the subject area of "Agency". Proof of completion of the same shall be submitted to Real Estate Commission staff within ninety days of the approval of this order; and it is further

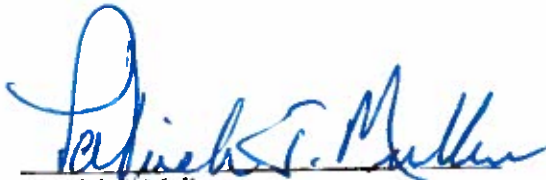
ORDERED AND AGREED that this Consent Order encompasses only the information in Commission investigation file # 10002992. The Commission reserves the right to take further administrative action if it obtains any other information that Rosenthal-Greenblatt may have violated the Real Estate Brokers and Salesmen Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11:5-1.1 et seq.; and it is further

ORDERED AND AGREED that by signing below, Rosenthal-Greenblatt confirms that:

- a. she is not under any disability, mental or physical, nor under the influence of any medication, intoxicants or other substances that would impair her ability to knowingly and voluntarily execute this Consent Order; and
- b. she has received the advice of legal counsel on this matter and on the terms of the Consent Order and she is entering into this agreement knowingly and voluntarily, that she has not been subject to any coercion or threats regarding his execution of this Consent Order and that other than the other terms set forth above, no promises, representations or inducements have been made to her to secure her acceptance of the provisions of this Consent Order; and it is further

ORDERED AND AGREED that the provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violation contained herein.

Dated: 8/25, 2017



Patrick J. Mullen
Director of Banking
New Jersey Department of Banking and Insurance
Real Estate Commission

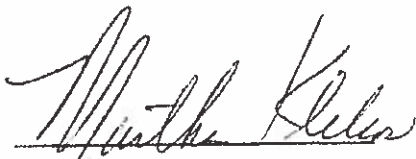
Consented to as to
Form, Content and Entry

Respondent Barbara Rosenthal-Greenblatt

Dated: Aug 16, 2017


Barbara Rosenthal-Greenblatt

Subscribed and sworn to before me on this 16 day of August, 2017



Notary Public
MARTHA KLEKOS
Notary Public of New Jersey
My Commission Expires April 30, 2019
I.D. #2445975