

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION	)	DOCKET NUMBER C03E001
	)	(REC File No. 10007185)
Complainant.	)	
	)	CONSENT ORDER
v.	)	
	)	
DANIEL BOUFFORD. licensed New Jersey real	)	
estate salesperson, (Ref. No. 1430425)	)	
	)	
Respondent.	)	

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

WHEREAS Boufford is subject to the provisions of the New Jersey Real Estate License Act, N.J.S.A. 45:15-1 to -42 and corresponding regulations, N.J.A.C. 11:5-1.1 to -12.18; and

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

WHEREAS in lieu of instituting more formal proceedings, the Commission and Boufford desire to resolve this matter consensually, based upon the terms set forth herein; and

WHEREAS the Commission and Boufford, in order to avoid the costs and uncertainty of 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 November 29, 2022; and

IT APPEARING that the matter against Boufford 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 9<sup>th</sup> day of December, 2022

ORDERED AND AGREED that Respondent Boufford admits the following facts:

1. Boufford is a licensed New Jersey real estate salesperson, currently licensed with KW City Life Referral Agency LLC, a licensed real estate referral company, whose main office is located at 100 Washington Street, Hoboken, New Jersey; and

2. From January 12, 2017 to April 10, 2017, Boufford was licensed with Centum Real Estate Group, LLC, ("Centum"), formerly licensed New Jersey real estate broker; and

3. As a real estate salesperson, Boufford was only authorized to engage in licensed real estate conduct through employment or contract by, and under the supervision of, a licensed real estate broker; and

4. While he was licensed with Centum, Boufford conducted property management activities for the property located at 303 Varick Street, Jersey City, New Jersey (the "Property"); and

5. The management services that Boufford conducted for the Property included the collection of rents. Boufford had signatory authority for the bank accounts that were established for the rental and management of the Property; and

6. The above described property management services were conducted outside of the authority and supervision of Boufford's employing broker; and

7. Boufford collected compensation for the above described property management services directly from the owner of the Property; and

8. Boufford no longer engages in management services for the Property and has returned all funds associated therewith to the owner of the Property; and it is further

**ORDERED AND AGREED** that based on the above facts, Respondent Boufford admits to the following:

1. Boufford's conduct is in violation of N.J.S.A. 45:15-1 and 3, in that by engaging in property management for compensation outside the authority and supervision of the real estate broker through which he was licensed, as more fully described above, Boufford engaged in unlicensed activity; and

2. Respondent Boufford's conduct is in violation of N.J.S.A. 45:15-17(m), in that he accepted compensation for real estate activity from a person other than his broker. Specifically, Boufford accepted payment for management services directly from the owner of the Property, as described above.

Based on the above, it is hereby:

**ORDERED AND AGREED** that Boufford shall pay a fine in the amount of two thousand dollars (\$2,000). 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

made 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 Boufford's real estate license shall be suspended for a period of ninety (90) days, from the date of the full execution of this Consent Order. Boufford must pay the fine prescribed herein in full prior to being eligible for reinstatement of his real estate license; and it is further

ORDERED AND AGREED that any license issued to Boufford after the expiration of the license suspension prescribed herein will be held on a probationary basis for a period of six (6) months, effective immediately upon execution of this Consent Order. During the probationary period, the following conditions shall apply:

- a. It shall be Boufford's obligation to inform any employing broker that his license is on probation; and
- b. Any employing broker must notify the Commission within 72 hours if he or she receives any information indicating that Boufford may have violated the New Jersey Real Estate Licensing Law or corresponding regulations; and
- c. Boufford must notify the Commission within 72 hours if he is charged with, or convicted of, any criminal or disorderly persons offense; and it is further

ORDERED AND AGREED that Boufford shall complete 3 hours of continuing education coursework, in the subject area of agency. Proof of completion of the same shall be

submitted to Commission staff within ninety (90) days of the full execution of this Consent Order. Completion of the education prescribed herein shall not count towards the ordinary continuing education requirement for license renewal; and it is further


ORDERED AND AGREED that this Consent Order encompasses only the information in Commission investigation file # 10007185. The Commission reserves the right to take further administrative action if it obtains any other information that Boufford may have violated the New Jersey Real Estate License Act, N.J.S.A. 45:15-1 to -42 and corresponding regulations, N.J.A.C. 11:5-1.1 to -12.18; 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 violations contained herein; and it is further

ORDERED AND AGREED that by signing below, Boufford confirms that:

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

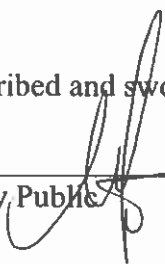
Dated: 2/6. 2023

  
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Eugenia K. Bonilla  
President  
New Jersey Real Estate Commission

Dated: 12/09. 2022

  
\_\_\_\_\_  
Daniel Boufford  
Respondent

Subscribed and sworn to before me on this 9 day of DECEMBER. 2022

  
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MURAT KOSEOGLU  
Notary Public

