

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)	DOCKET NUMBER REC-CO24-002
)	(REC File No. 10014553)
Complainant,)	
)	
v.)	
)	CONSENT ORDER
CATARINA RUELA, licensed New Jersey real)	
estate salesperson (Ref. No. 1859678))	
)	
Respondent.)	

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 Catarina Ruela ("Ruela"), a licensed real estate salesperson, may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS Ruela 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 the Real Estate Commission staff alleges that Ruela has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate licensees; and

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

WHEREAS Ruela has been continually licensed with the Commission since 2018, without any record of consumer complaint or prior discipline by the Commission; and

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

WHEREAS the Commission and Ruela, 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 March 26, 2024; and

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

NOW, THEREFORE, IT IS on this 12th day of April ^{ACB}~~March~~, 2024

ORDERED AND AGREED that Ruela admits the following facts:

1. Ruela is an actively licensed New Jersey real estate salesperson, who was first licensed in this State on January 25, 2018. Ruela's license is currently affiliated with Halo Properties LLC, licensed New Jersey real estate broker, whose main office is located at 792 Chimney Rock Road, Suite F, Bridgewater, New Jersey 08836; and

2. From January 4, 2019 to October 28, 2019, Ruela's license was affiliated with Ferreira Realty & Associates LLC ("Ferreira Realty"), licensed New Jersey real estate broker, whose main office is located at 2000 Morris Avenue, Union, New Jersey 07083; and

3. Olga Ferreira ("Ferreira") is a licensed New Jersey real estate broker and acted as broker of record for Ferreira Realty during all times relevant to this matter; and

4. On October 22, 2019, Ruela contacted Commission staff via email and inquired about the procedures surrounding the Commission's rules regarding the transfer of a real estate license from one broker to another; and

5. Commission staff responded to Ruela's email and advised her that real estate brokers are required to release a salesperson's license within five days of a his or her written request to terminate their employment or contractual relationship with the brokerage; and

6. On Thursday, October 24, 2019, Ruela sent a second email to Commission staff stating: "I have asked my broker for my license to be released on Tuesday. She has yet to release it and I have offers that I want to submit and she isn't Cooperating [*sic*]"; and

7. On October 26, 2019, Ruela sent a third email to Commission staff stating: "I have 3 offers from clients that I am waiting to submit however [Ferreira] is unwilling to cooperate"; and

8. Ruela's email correspondence to staff also indicated that Ferreira was inappropriately withholding the release of Ruela's license and "discriminating" against Ruela; and

9. Commission staff expended time and resources to review and respond to Ruela's claim; and

10. On October 28, 2019, Ferreira processed Ruela's license termination online through the Commission's website; and

11. The online license termination was completed in compliance with the timeframes set forth in the Commission's rule concerning license termination and transfer procedures at N.J.A.C. 11:5-3.11; and

12. On or about February 11, 2020, Ferreira and Ferreira Realty initiated a civil lawsuit in the Morris County Superior Court of New Jersey against Ruela, alleging, among other things, that Ruela breached the terms of her independent contractor agreement with Ferreira Realty; and

13. On or about June 29, 2021, Ruela was deposed by Ferreira's counsel in connection with the aforementioned civil litigation, at which time Ruela provided sworn testimony, under penalty of perjury; and

14. During the June 29, 2021 deposition, Ruela testified that at the time that she sought to transfer her license out of Ferreira Realty, she did not have any clients waiting to submit offers and admitted that her email statements to Commission staff regarding pending offers, as summarized in ¶s 6-7 above, were false; and

15. During the June 29, 2021 deposition, Ruela further admitted that she purposely lied to Commission staff, as a "scare tactic" to pressure Ferreira to release her license; and is further

ORDERED AND AGREED that based on the above facts, Ruela admits to the following:

1. Ruela knowingly lied to Commission staff as a means to means to inappropriately effectuate the prompt transfer of her license, which conduct constitutes dishonesty and unworthiness in violation of N.J.S.A. 45:15-17(e).

Based on the above, it is hereby:

ORDERED AND AGREED that Ruela shall pay a fine in the amount of one thousand five hundred dollars (\$1,500). 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 Ruela shall complete 6 hours of continuing education coursework, consisting of 3 hours in the subject areas of "ethics" and "New Jersey real estate brokers and salespersons statute and rules. Proof of completion of same shall be submitted to Commission staff within ninety (90) days of the full execution of this Consent Order. Completion of the continuing education prescribed herein shall not count towards the ordinary continuing education requirement for biennial license renewal; and it is further

ORDERED AND AGREED that Ruela's real estate license shall be held on a probationary basis for a period of six (6) months from the date of the full execution of this Consent Order. During this probationary period, the following conditions shall apply:

- a. It shall be Ruela's obligation to inform any real estate broker whom with she is employed by or contracted with to perform brokerage services, that her license is currently in probationary status; and
- b. Any employing or contracting real estate broker must notify the Commission within 72 hours if he or she received any information indicating that Ruela may have violated the New Jersey Real Estate Licensing Law or corresponding regulations; and
- c. Ruela must notify the Commission within 72 hours if she is charged with, or convicted of any criminal or disorderly persons offense; and it is further


ORDERED AND AGREED that this Consent Order encompasses only the information in Commission investigation file # 10014553. The Commission reserves the right to take further administrative action if it obtains any other information that Ruela 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, Ruela confirms that:

- a. She is not under any disability, mental or physical, nor under the influence of any medication, intoxicant or other substance that would impair her ability to knowingly and voluntarily execute this Consent Order; and
- b. She is entering into this agreement knowingly and voluntarily, that she 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 her to secure her acceptance of the provisions of this Consent Order.

Dated: 4/12, 2024



Eugenia K. Bonilla
President
New Jersey Real Estate Commission


Catarina Ruela
Respondent

) SS

On FEB 20, 2024 before me, PATRICK Z BROWN, Notary Public in and for said county, personally appeared Catarina Ruela, (signer) who has satisfactorily identified herself as the signer to the above referenced document.


Notary Public Signature

OFFICIAL SEAL
PATRICK Z. BALDWIN
Notary Public - New Jersey
My Commission Expires
November 13, 2024
ID 50116851