

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)	DOCKET NUMBER REC-E21-003
)	(REC File No. 10009755)
Complainant,)	
)	
v.)	
)	CONSENT ORDER AS TO
JOHN NATALE, licensed New Jersey)	ADELE DEMORO ONLY
Salesperson (License Reference No. 0790719) and)	
ADELE DEMORO, Broker of Record,)	
(License Reference No. 9231017))	
)	
Respondents.)	

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 Adele DeMoro (“DeMoro”), a licensed real estate broker, may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS DeMoro 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 Commission staff has alleged that DeMoro has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate licensees; and

WHEREAS DeMoro 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 DeMoro, 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 June 14, 2022 ; and

IT APPEARING that the matter against DeMoro 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 12th day of September, 2022

ORDERED AND AGREED that Respondent DeMoro admits the following facts:

1. DeMoro is a licensed New Jersey real estate broker who was first licensed as a real estate salesperson in New Jersey on or about July 1, 1992 and subsequently became licensed as a broker on or about January 31, 2003. DeMoro is currently licensed as the broker of record of Adele DeMoro LLC, doing business as Keller Williams West Monmouth (“KW”), whose primary office is located at 50B Route 9 North, Morganville, New Jersey; and

2. DeMoro, as broker of record of KW, is the ultimate supervisor of every transaction that KW participates in and bears responsibility for the actions of KW, or any person licensed through KW, that are taken in pursuit of KW’s broker business, which violate any of the provisions of the real estate license law, N.J.S.A. 45:15-1 to -42, or the regulations promulgated thereunder; and

3. Respondent, John Natale (“Natale”), is a licensed New Jersey real estate salesperson, who first obtained his salesperson license on or about August 27, 2007. Natale is currently, and was at all relevant times herein, licensed with KW; and

4. At all relevant times herein, KW was the listing broker for the property located at 4

Crusade Court, Manalapan, New Jersey (the “Property”); and

5. At all relevant times herein, Natale was the listing agent, on behalf of KW, for the Property; and

6. On or about May 14, 2019, Natale posted the listing for the Property on the Monmouth Multiple Listing Service (the “MLS”); and

7. On or about May 22, 2019, a contract of was executed for the sale of the Property. KW acted in the capacity of disclosed dual agent for the transaction. The sellers were represented by Natale and the buyers were represented by real estate salesperson Kristina Kouznetsova, who was also licensed with KW; and

8. On or about May 24, 2019, Natale changed the status on the MLS listing for the Property to indicate that a transaction was “pending” and that the Property was “under contract”; and

9. On or about June 13, 2019, the above contract of sale was terminated as a result of the parties’ inability to agree to the resolution of certain home repair issues, which were uncovered during the home inspection process; and

10. The “status” section of the MLS listing for the Property was not updated after the above transaction was terminated and indicated that the Property was “under contract” until October 20, 2019, when it was updated from “pending” to “closed” indicating that the Property had been sold; and

11. After the cancelation of the May 22, 2019 contract, 2 subsequent contracts were entered into and terminated by the respective parties concerning the sale of the Property, prior to the ultimate sale, which was concluded in October 2019; and it is further

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

1. DeMoro failed to adequately supervise the actions of Natale, a real estate salesperson licensed through KW, in violation of her obligation as broker of record for KW, as set forth under N.J.A.C. 11:5-4.2(a). More specifically, DeMoro failed to ensure that the MLS listing page was appropriately updated to reflect the accurate status of transactions concerning the Property, as set forth more fully above.

Based on the above, it is hereby:

ORDERED AND AGREED that DeMoro shall pay a fine in the amount of three thousand five hundred dollars (\$3,500). 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 DeMoro shall complete a 30-hour course on broker office management, ordinarily prescribed as part of the pre-licensure education requirement to obtain a New Jersey real estate broker's license. 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 the Commission's possession regarding matters related to the listings and contracts on the properties which are the subject of the Order to Show Cause underlying this matter. The Commission reserves the right to take further administrative action if it obtains any other information that DeMoro may have violated the New Jersey Real Estate License Act, N.J.S.A. 45:15-1 to -42 or 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, DeMoro 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 has received the advice of legal counsel on this matter and on the terms of this Consent Order, that 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.

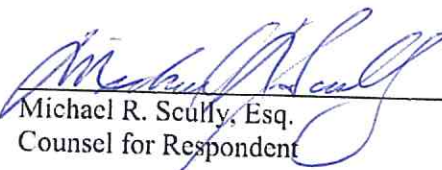
Dated: 10/24/22 | 6:38 AM EDT, 2022

DocuSigned by:
Eugenia K. Bonilla 10/24/22 | 6:38 AM EDT
5D4CC978B509402
Eugenia K. Bonilla
President
New Jersey Real Estate Commission

Dated: 6/1/2022, 2022


Adele DeMoro
Respondent

Dated: 6/1/, 2022


Michael R. Scully, Esq.
Counsel for Respondent