

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)	DOCKET NUMBER REC-E-24-007
)	(REC File No. 10015224)
Complainant,)	
)	
v.)	
)	CONSENT ORDER
CARMEN CORNIELLE, licensed New Jersey)	
real estate salesperson (Ref. No. 0786346),)	
)	
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 Carmen Cornielle ("Cornielle"), a licensed real estate salesperson, may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS Cornielle is subject to the provisions of the New Jersey Real Estate Broker and Salesperson 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 Commission staff alleges that Cornielle has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate licensees; and

WHEREAS Cornielle 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, and that she is knowingly and voluntarily waiving the right to counsel and a hearing; and

WHEREAS Cornielle has been continually licensed with the Commission since 2007, with no prior record of discipline; and

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

WHEREAS the Commission and Cornielle, 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 December 10, 2024; and

IT APPEARING that the matter against Cornielle 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 10th day of December, 2024

ORDERED AND AGREED that Cornielle admits the following facts:

1. Cornielle is an actively licensed New Jersey real estate salesperson, first licensed in New Jersey on March 5, 2007. Cornielle's license is currently affiliated with HRR Brokerage LLC, d/b/a Hudson River Realty ("HRR"), a licensed New Jersey real estate broker, whose main office is located at 53 George Road, Edgewater, New Jersey 07020; and

2. From June 27, 2019, until March 28, 2022, Cornielle's license was affiliated with First Referral Company of NJ LLC ("First Referral"), a licensed New Jersey real estate referral company, having the same main office address as HRR; and

3. While licensed with First Referral, and at all relevant times herein, Cornielle's license type was a real estate salesperson licensed with a real estate referral company ("Referral Agent") as defined in N.J.S.A. 45:15-3; and

4. Although licensed as a Referral Agent at all relevant times herein, Cornielle timely completed continuing education credits that met the requirement for the biennial license renewal of real estate broker, broker-salesperson and salesperson licensees under N.J.S.A. 45:15-16.2a for the 2019 and 2021 license cycles; and

5. As a Referral Agent, Cornielle's authority to engage in real estate brokerage-related activities was limited to referring prospects for the sale, purchase, exchange, leasing or rental of real estate or an interest therein to First Referral; and

6. During relevant times herein, while licensed as a Referral Agent with First Referral, Cornielle was hired by J Square Owner LLC, an unlicensed entity, to market four rental properties located in Jersey City, New Jersey, having the following addresses:

- a. 94 Highland Avenue #205;
- b. 14 Kensington Avenue;
- c. 2729 John F Kennedy Boulevard;
- d. 95 Beacon Avenue, (collectively these 4 properties shall hereinafter be referred to as the "Properties"); and

7. None of the Properties were listed for rent by a licensed real estate broker, including HRR or First Referral; and

8. During relevant times herein, Cornielle engaged in prohibited brokerage-related activity, as defined in N.J.A.C. 11:5-6.10(b), in connection with the Properties, including

conducting showings and providing information regarding the Properties beyond the information which Referral Agents are permitted to provide, as set forth in N.J.A.C. 11:5-6.10(a); and

9. During relevant times herein, Cornielle published internet advertisements on public websites including Zillow.com and Trulia.com, soliciting tenants for the Properties. The advertisements provided Cornielle's contact information and stated that consumers should contact her directly to with any inquiries or schedule a viewing of the advertised property; and

10. One or more of the above-described internet advertisements indicated that Cornielle was a "New Jersey Licensed Real Estate Agent" without the inclusion of any descriptive term indicating her status as a Referral Agent; and

11. One or more of the above-described internet advertisements did not include First Referral's regular business name in a larger print or more predominant manner than Cornielle's name; and

12. In 2021, Cornielle accepted \$900 directly from J Square Owner LLC as compensation for services rendered in connection with the marketing and renting of the Properties; and

13. Cornielle subsequently disclosed the above-described conduct to the broker of record of First Referral and submitted payment to First Referral in accordance with the terms of the independent contractor agreement between Cornielle and First Referral; and it is further

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

1. Cornielle violated N.J.S.A. 45:15-1 and N.J.A.C. 11:5-6.10(b) by exceeding the scope of her authority as a Referral Agent and engaging in real estate brokerage-related activities requiring a real estate broker, broker-salesperson or salesperson license, as more fully set forth

above. Specifically, while licensed as a Referral Agent, Cornielle conducted showings of the Properties and provided information regarding the rental listings of the Properties to prospective tenants in person and through internet advertisements outside of the auspices of First Referral, the real estate referral company with whom her license was affiliated at the time; and

2. Cornielle violated N.J.S.A. 45:15-17(m) by accepting valuable consideration for the performance of real estate brokerage services from a person other than her contracting broker. Specifically, Cornielle accepted \$900 directly from J Square Owner LLC, an entity that was not her employing or contracting broker, in exchange for services rendered in connection with the marketing and renting of the Properties, as more fully described above; and

3. Cornielle violated N.J.A.C. 11:5-6.1(b) by publishing one or more internet advertisements regarding the Properties that included a reference to her status as a licensed real estate agent, without the inclusion of a descriptive term indicating her status as a Referral Agent, as provided in N.J.A.C. 11:5-6.1(e); and

4. Cornielle violated N.J.A.C. 11:5-6.1(b)(1) by publishing one or more internet advertisements regarding the Properties that included her name but failed to the regular business name of First Referral, the real estate referral company through which Cornielle was licensed, in larger print or displayed in a more prominent manner than Cornielle's name

5. Cornielle violated N.J.A.C. 11:5-6.1(s) by publishing one or more internet advertisements regarding the Properties that stated or implied that she was authorized to engage in real estate brokerage activity beyond that which she was permitted as a Referral Agent pursuant to N.J.S.A. 45:15-3 and N.J.A.C. 11:5-6.10; and

6. Cornielle violated N.J.A.C. 11:5-6.1(t) by publishing one or more internet advertisements regarding the Properties that failed to include, in a clear and conspicuous manner, the phrase: "services limited to referring prospects to broker".

Based on the above, it is hereby:

ORDERED AND AGREED that Cornielle shall pay a fine in the amount of two thousand five hundred dollars (\$2,500). The fine shall be paid in full within ninety (90) 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 Cornielle shall complete twelve (12) credit-hours of continuing education coursework, which shall be comprised of six (6) credit-hours in the core topic area of "New Jersey real estate brokers and salesmen statute and rules"; three (3) credit-hours in the core topic area of Fair housing and the New Jersey Law Against Discrimination; and three (3) credit-hours in the core subject area of "ethics". 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 Cornielle's real estate license shall be held on a probationary basis for a period of one (1) year from the date of the full execution of this Consent Order. During this probationary period, the following conditions shall apply:

- a. It shall be Cornielles'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 receives any information indicating that Cornielle may have violated the New Jersey Real Broker and Salesperson Act or corresponding regulations; and
- c. Cornielle 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 # 10015224. The Commission reserves the right to take further administrative action if it obtains any other information that Cornielle may have violated the New Jersey Real Estate Broker and Salesperson 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, Cornielle 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: 1/29, 2025


Eugenia K. Bonfita
President
New Jersey Real Estate Commission

Dated: 11/19, 2024


Carmen Cornielle
Respondent

State of New Jersey)
County of Hudson) ss

On November 19, 2024 before me, RICARDO HERNANDEZ,
Notary Public in and for said county, personally appeared Carmen Cornielle, (signer) who has
satisfactorily identified himself as the signer to the above referenced document.

(Affix Notary Stamp Here)

My Commission Expires:



RICARDO A HERNANDEZ
NOTARY PUBLIC
State of New Jersey
ID # 2302631
My Commission Expires
January 8, 2025


Notary Public Signature

