

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION,)	DOCKET NUMBER:
)	(REC Ref. No. 10015250)
Complainant)	
)	
v.)	ORDER TO SHOW CAUSE
)	
RIMA BRISHI FRIAG, licensed New Jersey real)	
estate salesperson, (Ref #:0234319))	
)	
)	
Respondents.)	
)	
)	

THIS MATTER being commenced by the New Jersey Real Estate Commission ("Commission"), in the Department of Banking and Insurance, State of New Jersey, on its own motion, pursuant to the provisions of N.J.S.A. 45:15-17, 45:15-18, and N.J.A.C. 11:5-1.1, -12.18, and it appearing that:

1. On October 29, 2002 Rima Brishi Friag ("Respondent") first obtained her real estate salesperson license; and
2. On or about October 22, 2014 Friag became affiliated with her current brokerage, Weichert Co., with a main New Jersey office located at 1625 Route 10 East, Morris Plains, New Jersey 07950
3. Respondent operates out of the Weichert Co. Old Bridge branch office located at 1394 Route 9, South, Old Bridge New Jersey, 08857; and

COUNT ONE

4. In or around May 2019 Respondent was hired by her ex-husband, Morris Friag (“Friag”), to locate a single-family rental home; and

5. In or around May 2019, Respondent submitted an offer on behalf of Friag to rent a property that is not the subject of this action, and as a component of that rental application, Friag consented to a National Tenant Network (“NTN”) screening as a condition of leasing; and

6. An NTN is a company that provides a screening tool used to vet potential tenants that reviews and searches for their credit score, income, work history, bankruptcies, evictions, and criminal history among other things. The tenant, based on this information, is then given a “score” that a landlord can use in their discretion in deciding whether to rent to the tenant, and

7. The NTN report conducted on Friag was done on May 9, 2019 (“May 9 report”), and

8. In or around June 2019 Respondent provided Friag with a copy of this May 9 report for Friag’s use in future rental applications; and

9. In or around June 2019, Friag indicated to Respondent that he wished to submit an offer to rent a single-family home located at 1120 W Valleybrook Road, Cherry Hill New Jersey, 08034 (“Valleybrook home”) which is the subject of this action; and

10. The owner of the Valleybrook home, Christopher Unger (“Landlord”) required prospective tenants to complete a rental application prior to considering any offer made to rent the premises; and

11. On or about June 17, 2019, Friag provided Respondent with a packet of documents supporting his claimed suitability to rent the Valleybrook home, and

12. One of the documents in this packet was a document that purported to be the May 9 report obtained in connection with Friag’s first rental application, and

13. In fact, what Friag had provided Respondent with was an altered copy of the May 9

report, with various figures obscured/modified to make Friag falsely appear more qualified than he was, and

14. On or about June 28, 2019 Respondent submitted a rental application on behalf of Fraig, which included this altered copy of the May 9 report (“Altered Report”), and

15. Respondent never reviewed the documents provided by Friag in connection with his application before submitting the application and supporting documents to the Landlord, and

16. The Landlord, unknowingly relying on the Altered Report, accepted Friag’s offer and the parties entered into a written lease agreement (“Lease”) on or about July 8, 2019; and

17. Friag began to occupy the Valleybrook property in or around July 2019; and

18. In March 2020, Friag began to miss rent payments; and

19. The Landlord worked in good faith to assist Friag with affording his rent; Landlord advised Friag of various COVID-19 rent relief programs available, and offered to waive any late fees, and

20. In or around May 2021, Friag voluntarily vacated the property, leaving approximately \$16,000.00 in back rent still owed to the Landlord as of the date of this Order to Show Cause; and,

21. The Landlord contacted a collections agency in an attempt to recover this \$16,000.00 bank rent amount, and

22. The collections agency advised the Landlord of several inaccuracies and distortions in the previously referenced NTN report; and

23. Upon further investigation and request, NTN produced a copy of the May 9 report drawn directly from NTN archives (“True Report” or “True NTN Report”), and

24. The True Report revealed Friag’s fraudulent concealment and modification of the May 9 report:

- a. The Altered Report listed Friag's annual income as \$140,000.00, while the True Report listed it as \$70,000.00,
 - b. The Altered Report advised that Friag owed PSE&G \$85, while the True Report revealed that Friag had an outstanding PSE&G bill in the amount of \$785.00,
 - c. The Altered Report listed Friag's credit score as 740, while the True Report listed it as 600,
 - d. The Altered Report gave Friag an NTN "score" of 95, while the True Report listed his NTN "score" as 88,
 - e. The Altered Report contained various instances of numbers/figures being "whited-out" or distorted, with new numbers/figures being typed in that space,
25. Respondent failed to review Friag's rental application, including what ultimately was the Altered Report prior to submission to the Landlord's listing agent; and
26. Respondent's conduct falls below the acceptable standard of care, and
27. Respondent received the True Report prior to the Valleybrook application; had reasonable care been exercised, Respondent would have likely noticed the egregious differences in Friag's (her ex-spouse) Altered Report, and
28. The Landlord has suffered demonstrable harm, being left with roughly \$16,000.00 in owed rent, and
29. Respondent's conduct, as more fully set forth above, violates N.J.S.A. 45:15-17(e), as it demonstrates incompetency; and

COUNT TWO

30. Complainant fully incorporates the above paragraphs as if fully set forth at length herein;
- and

31. As a licensed salesperson, Respondent is charged with strict adherence to agency laws and principles of fiduciary relationships; and
32. As N.J.A.C. 11:5-6.4(a) states, while a licensee must protect and promote the interests of their client, the duty to their client does not relieve a licensee “from the obligation of dealing fairly with all parties to the transaction”; and
33. Respondent’s conduct violates N.J.A.C. 11:5-6.4(a) as it demonstrates a lack of fairness to all parties by forwarding an altered NTN report to the Landlord.

And for good cause shown,

IT IS ON THIS 3rd DAY OF June, 2024

ORDERED that Respondent Brishi Friag shall show cause why her real estate license and/or eligibility to hold a real estate license should not be suspended or revoked and/or why fines or other sanctions should not be imposed pursuant to N.J.S.A. 45:15-17 and N.J.A.C. 11:5-1.1.

Respondent Brishi Friag shall file a written Answer to the charges in this Order to Show Cause as required by N.J.A.C. 11:5-11.2 within twenty (20) days of the service of this Order. As required by N.J.A.C. 11:5-11.2, her written Answer must include specific admissions or denials of all allegations in the Order to Show Cause, state the factual basis of every factual allegation denied and assert any defenses that Brishi Friag intends to present if this matter is deemed a contested case and a plenary hearing is held; and

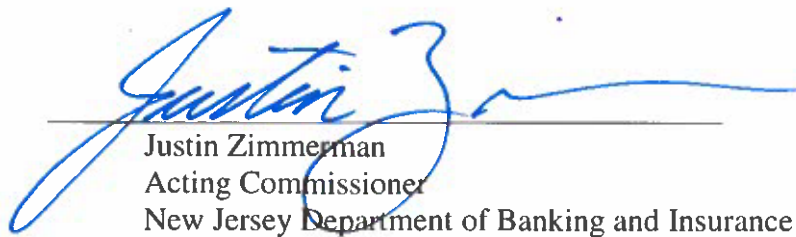
IT IS FURTHER ORDERED that failure to comply with all the requirements of N.J.A.C. 11:5-11.2 may result in a determination that there are no material facts or issues of law in dispute and any presentation made to the Commission will be limited to the issue of the severity of any sanction or penalty to be imposed; and

IT IS FURTHER ORDERED that the New Jersey Real Estate Commission will review this Order to Show Cause and Answer(s) filed, if any, at a meeting scheduled on or after the 13th day of August, 2024 at 9:30 a.m. to determine whether there is a material fact or issue of law contested. No appearance is required at that time; and

IT IS FURTHER ORDERED that if the Commission determines that there is a material fact or issue of law contested, a hearing will be scheduled for a future date; and

IT IS FURTHER ORDERED that if the Commission determines that there is no material fact or issue of law contested, a hearing shall be scheduled at which Brishi Friag will be limited to presenting witnesses and documentary evidence regarding the issue of the severity of any sanction or penalty to be imposed; and

IT IS FURTHER ORDERED that a copy of this Order be served upon Brishi Friag as provided in N.J.S.A. 45:15-18, which service may be accomplished by serving a copy of this Order on Brishi Friag personally, or by delivering a copy hereof to their last known business address via certified mail.



Justin Zimmerman
Acting Commissioner
New Jersey Department of Banking and Insurance

MTS REC OTSC/ENFORCEMENT