

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)	DOCKET NUMBER MID-19-006
)	(REC Ref. No. 10007053)
Complainant,)	
)	CONSENT ORDER
v.)	
)	
ASMINA TAN, licensed New Jersey real estate)	
salesperson (Ref. No. 1223676))	
)	
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 Asmina Tan ("Tan"), New Jersey real estate licensee, may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS the Respondent is subject to the provisions of the New Jersey Real Estate License Act, N.J.S.A. 45:15-1 et seq. and corresponding regulations; and

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

WHEREAS Tan acknowledges that she is aware of her right to a plenary hearing on any violations which the Commission may allege that 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 Tan, 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 Tuesday, June 11, 2019; and

IT APPEARING that the matter against Tan 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 June, 2019

ORDERED AND AGREED that Respondent Tan admits the following facts:

1. Tan is an actively licensed New Jersey real estate salesperson, who was first licensed on September 24, 2012, and is currently licensed through Four Point Realty, LLC, whose primary office is located at 521 Amboy Avenue, 1st Floor, Woodbridge, New Jersey 07095; and
2. On or about December 15, 2017 Tan was arrested and charged with one count of Theft by Unlawful Taking, in violation of N.J.S.A. 2C:20-3A, a crime of the third degree; and
3. The conduct underlying the criminal charges involved Tan's involvement in a scheme to reduce the water and sewer bills for a number of properties located in New Brunswick, New Jersey; and
4. Tan failed to notify the Commission within 30 days of the filing of criminal charges against her, as required by N.J.S.A. 45:15-17(s); and
5. On or about May 23, 2018, Tan was accepted into the Pre-Trial Intervention program ("PTI") for a period of 24 months. Pursuant to the terms of Tan's PTI, all proceedings in prosecution of the above criminal charges against Tan are postponed for the duration of the period of PTI; and it is further

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

1. Respondent Tan's conduct is in violation of N.J.S.A. 45:15-17(s), in that Tan failed to notify the Commission within 30 days of the filing of criminal charges against her; and
2. Respondent Tan's conduct is in violation of N.J.S.A. 45:15-17(e), unworthiness, bad faith and dishonesty, in that Tan's conduct, underlying the criminal charges against her, as described above, demonstrates unworthiness for licensure, bad faith and dishonesty.

Based on the above, it is hereby:

ORDERED AND AGREED that Tan shall pay a fine in the amount of five hundred dollars (\$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 Tan’s New Jersey real estate salesperson’s license shall be suspended until the completion of her participation in the Pre-Trial Intervention Program, which is currently set to be completed on May 23, 2020; and it is further

ORDERED AND AGREED that upon completion of the term of license suspension prescribed herein, Tan’s salesperson’s license shall be held on a probationary basis for a period of one (1) year. During the probationary period, the following terms shall apply:

- a. It shall be Tan’s obligation to inform any employing broker that her 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 Tan may have violated the New Jersey Real Estate License Act or corresponding regulations; and
- c. Tan 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 # 10007053. The Commission reserves the right to take further administrative action if it obtains any other information that Tan may have violated the Real Estate License Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11:5-1.1 et seq.; 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, Tan 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 the Consent Order, she is entering into this agreement knowingly and voluntarily, 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.

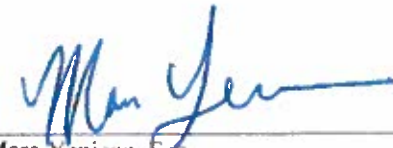
Dated: June 12 2019


Richard Mumford
Acting Director of Banking
New Jersey Department of Banking and Insurance
Real Estate Commission

Dated: 6/10/ 2019


Asmina Tan
Respondent

Dated: 6/10/19 2019


Marc Yenicag, Esq.
Attorney for Respondent