

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION	)	DOCKET NUMBER REC-CO23-001
	)	(REC File No. 10016651)
Complainant,	)	
	)	
v.	)	
	)	CONSENT ORDER
RAMONA A. TORRES, licensed New Jersey	)	
real estate salesperson (Ref. No. 0789137)	)	
	)	
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 Ramona A. Torres ("Torres"), a licensed real estate salesperson may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS Torres 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 Torres has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate licensees; and

WHEREAS Torres 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 received 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 Torres has been continually licensed as a real estate salesperson since 2007, without any prior record of discipline by the Commission; and

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

WHEREAS the Commission and Torres, 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 April 11, 2023; and

IT APPEARING that the matter against Torres 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 28th day of April, 2023

ORDERED AND AGREED that Soni admits the following facts:

1. Torres is an actively licensed New Jersey real estate salesperson, first licensed in New Jersey on May 17, 2007. Torres is currently, and at all relevant times herein was, licensed with Weichert South Jersey Inc., whose main New Jersey office is located at 1909 Route 70 East, Cherry Hill, New Jersey 08003; and

2. At all relevant times herein, New Jersey salesperson Kellyann Cash ("Cash"), who was also licensed with Weichert South Jersey Inc., was the listing agent for the residential property located at 2608 Finlaw Avenue, Pennsauken, New Jersey (the "Property"); and

3. On November 21, 2022, Torres requested an appointment to show the Property on November 23, 2022, from 3:00 p.m. to 3:45 p.m. through ShowingTime, a software used by

licensees to facilitate real estate showings to potential buyers. On November 21, 2022, the same date that Torres requested to show the Property, at approximately 3:45 p.m., Cash sent the following message to Torres through ShowingTime:

“Homeowners are asking if you would be able to come tomorrow 11/22 at 3pm. Wednesday they are going to be preparing for thanksgiving”; and

4. On November 22, 2022, at approximately 10:43 a.m., Cash sent the following message to Torres, through ShowingTime:

“Hi Ramona. Are you able to bring your clients today at 3pm instead of tomorrow? Wasn’t sure if you saw my message yesterday. Please let me know. Thank yiu. [sic]”; and

5. On November 22, 2022, Torres made arrangements with her client to view the Property that day at 3:00 p.m., as requested by Cash; and

6. On November 22, 2022, the day of the showing appointment, at approximately 2:45 p.m., Torres informed Cash, via text message, that her clients were running late and requested permission to show the Property at 3:30 p.m. instead of 3:00 p.m. Cash responded, agreeing to move the start-time of the appointment, and provided Torres with the lockbox access code needed to enter the Property; and

7. Torres provided the lockbox access code to her assistant, an unlicensed individual; and

8. On November 22, 2022, at approximately 3:30 p.m., Torres’ assistant accompanied the client to view the Property. No licensed individual was present during the showing of the Property; and

9. Torres did not accompany her client to view the Property due to a family emergency, which occurred on November 22, 2022, the same date as the showing appointment; and it is further

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

1. Torres engaged in conduct demonstrating unworthiness for licensure in violation of N.J.S.A. 45:15-17(e), in that Torres provided the lockbox access code for the Property to her assistant, an unlicensed individual, and allowed her assistant and buyer client to access the Property unaccompanied by a licensee, as more fully described above.

Based on the above, it is hereby:

ORDERED AND AGREED that Torres shall pay a fine in the amount of two thousand five hundred dollars (\$2,500). 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 Torres shall complete six (6) hours of continuing education coursework in the subject area of ethics. 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 Torres' real estate salesperson's license shall be suspended for a period of thirty (30) days from the full execution of this Consent Order. Torres must pay the fine prescribed herein in full prior to being eligible for re-licensure as a real estate salesperson; and it is further

ORDERED AND AGREED that any license issued to Torres after the completion of the term of suspension prescribed herein will be held on a probationary basis for a period of six (6) months. During the probationary period, the following conditions shall apply:

- a. It shall be Torres' 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 Torres may have violated the New Jersey Real Estate Licensing Law or corresponding regulations; and
- c. Torres 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

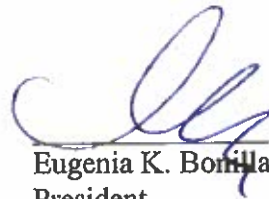
ORDERED AND AGREED that this Consent Order encompasses only the information in Commission investigation file # 10016651. The Commission reserves the right to take further administrative action if it obtains any other information that Torres may have violated the New Jersey Real Estate License Act, N.J.S.A. 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, Torres 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: April 28, 2023



Eugenia K. Bonilla  
President  
New Jersey Real Estate Commission

Dated: March 8, 2023



Ramona Torres  
Respondent

Dated: March 7, 2023



Barry Wendt, Esq.  
Counsel for Respondent