

**NEW JERSEY REAL ESTATE COMMISSION**

NEW JERSEY REAL ESTATE COMMISSION)	)	DOCKET NUMBER PAS-19-023
Complainant	)	ORDER TO SHOW CAUSE
	)	(REC Ref. No.10009177)
vs.	)	
	)	
ALBERT DIODONET, licensed New Jersey	)	
real estate salesperson, (SP 1865613)	)	
	)	
Respondent.	)	

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THIS MATTER being commenced by the New Jersey Real Estate 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, 45:15-19.2 and N.J.A.C. 11:5-1.1, et seq., and it appearing that:

1. Respondent, Albert Diodonet, is a licensed New Jersey real estate salesperson currently licensed with Luis Sanchez Realty, LLC. , a licensed New Jersey real estate broker, whose main office is located at 245 Lexington Avenue, Passaic, New Jersey. Respondent was first licensed in New Jersey in 2018; and

2. On or about June 19, 2019, Respondent entered into a Consent Order with the New Jersey Department of Banking and Insurance Bureau of Fraud Deterrence in which he agreed to pay a \$2,500 fine plus surcharges arising out of a violation of N.J.S.A. 27:33A-1 et seq. Said violation arose out of the false and misleading information provided by Respondent to Progressive Insurance Company. Specifically, Respondent maintained coverage with Progressive for a 2006 Honda CBR motorcycle. On May 15,

insurance carrier that he had been involved in a one-vehicle accident with the motorcycle on May 9, 2017, at which time the motorcycle sustained damage. Respondent denied the previous accident several times when speaking with Progressive, although the accident had been reported to the Hawthorne Police Department; and

3. Respondent was not truthful and provided false and misleading information to Progressive when pursuing the alleged theft claim; and

4. Respondent is in violation of N.J.S.A. 45:15-17(e) in that by engaging in the conduct as set forth in the Department of Banking and Insurance Consent Order referenced above, he demonstrated unworthiness, bad faith and dishonesty; and

5. Respondent is in violation of N.J.S.A. 45:15-17(l) in that his conduct as described above constitutes fraud or dishonest dealings; and

And for good cause shown,

IT IS ON THIS 7<sup>th</sup> DAY OF November, 2019

ORDERED that Respondent, Albert Diodonet, shall show cause why Respondent's 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 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, Respondent's written Answer must include specific admissions or denials of all allegations in the Order to Show Cause, state the factual basis of each and every factual allegation denied and assert any defenses that Respondent 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 Commission will review this Order to Show Cause and Answer filed, if any, at a meeting scheduled on or after the 14<sup>th</sup> day of January, 2020 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 the Respondent 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 the Respondent as provided in N.J.S.A. 45:15-18, which service may be accomplished by serving a copy of the Order on the Respondent personally, or by delivering a copy hereof to his last known business address via certified mail.

  
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Marlene Caride  
Commissioner  
Department of Banking and Insurance