

**BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION**

**WEST VIRGINIA REAL ESTATE COMMISSION,**  
*Complainant,*

**V.**

**Formal Complaint No. 26-017-P**

**SHELLEY NICOLE EYLER,**  
**Licensed Real Estate Salesperson**  
**License No. WVS230302489**  
*Respondent.*

**CONSENT DECREE**

Respondent Shelley Nicole Eyler (“Respondent”) and the West Virginia Real Estate Commission (“Commission”) enter into the following Consent Decree for the purpose of resolving the above-styled complaint. As reflected in this Consent Decree, the parties have reached an agreement in which Respondent agrees and stipulates to the Findings of Fact, Conclusions of Law, and disposition of this matter. The Commission, having approved such agreement, does hereby Find and Order as follows:

**FINDINGS OF FACT**

1. Respondent is a licensed real estate salesperson in the State of West Virginia, holding license number WVS230302489.
2. At the time of the events described in the Formal Complaint, Respondent was licensed with PenFed Realty, LLC, d/b/a PenFed Realty, in Alexandria, Maryland. Respondent’s broker at all times relevant was Judith Anne Rudat, who holds West Virginia Brokers license WV0025980.

3. On November 4, 2025, the Commission received a Formal Complaint filed by Ievgen Didus and Liubov Bukreieva. Respondent represented the Complainants in their purchase of a property located at 243 Whimbrel Road, Hedgesville, West Virginia, in January of 2025.

4. Complainants alleged that Respondent violated the Real Estate License Act with respect to several aspects of the transaction, including but not limited to, the payment of Respondent's commission.

5. Based on the Commission's review of the Complaint and accompanying transaction documents, the Commission finds in a text message exchange between Complainant Didus and Respondent on December 3, 2024, Complainant Didus asked Respondent who would be covering her "fee for services and how much it is?" Respondent responded to Complainant Didus that "[t]he seller will cover my fee."

6. Respondent's representation to Complainant Didus was incorrect. Complainants were assessed Respondent's commission at closing.

7. Respondent knew or should have known that the sellers were not obligated to pay her commission per the terms of the transaction documents when she represented that "the sellers will cover my fee."

8. Complainants questioned the payment of this commission, as well as several other aspects of the transaction, with Respondent and her brokerage subsequent to closing. However, the parties did not come to a resolution.

9. At its December 10, 2025, meeting, the Commission determined there was probable cause to conclude that Respondent violated the *West Virginia Real Estate License Act* and authorized the proposal of a consent decree to resolve the matter.

**CONCLUSIONS OF LAW**

1. Pursuant to the *West Virginia Real Estate License Act*, West Virginia Code § 30-40-1, et seq., the Commission is charged with the regulation of the practice of real estate brokerage in this State, and, thus, has jurisdiction over this Formal Complaint.

2. In relevant part, West Virginia Code § 30-40-7(l) authorizes the Commission to impose sanctions for violations of the *West Virginia Real Estate License Act*, including, but not limited to, an administrative fine not to exceed \$1,000 per day per violation; probation; revocation; suspension; restitution; additional education; denial of future license; downgrade of license; reprimand; and/or the return of compensation collected from an injured consumer.

3. West Virginia Code § 30-40-19(a)(3) authorizes the Commission to sanction a licensee if the licensee “[m]akes any false promises or representations of a character likely to influence, persuade, or induce a person involved in a real estate transaction[.]”

4. Additionally, West Virginia Code § 30-40-19(a)(22) authorizes the Commission to sanction a licensee if the licensee “is a party to any . . . misrepresentation . . . whereby any other person relies upon the word, representation, or conduct of the licensee[.]”

5. Respondent violated West Virginia Code § 30-40-19(a)(3) and/or West Virginia Code § 30-40-19(a)(22) by representing to Complainant Didus that the sellers would pay her commission when in fact she knew or should have known that it would be charged to Complainants.

**CONSENT**

By signing below, Respondent agrees to the following:

1. Respondent has had the opportunity to consult with counsel and executes this Consent Decree voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to make this settlement other than as set forth herein. Respondent acknowledges that she may pursue this matter through appropriate administrative proceedings and is aware of her legal rights regarding this matter, but intelligently and voluntarily waives such rights.

2. Respondent acknowledges the Findings of Fact set forth above, admits that there is probable cause to conclude that the violations set forth above in the Conclusions of Law occurred, and consents to the entry of the following Order:

**ORDER**

On the basis of the foregoing, the Commission hereby ORDERS as follows:

1. Respondent shall pay a fine in the amount \$500.00, payable to the State of West Virginia.

2. Unless extended in writing by the Commission, all fines shall be paid within thirty (30) days of the entry of this Consent Decree by the Commission. The fine shall be paid by certified check made payable to the State of West Virginia and sent directly to the Commission's Office.

3. Respondent shall also complete three (3) hours of in-person continuing education on contract law within six (6) months of the entry of this Consent Decree. These hours do not count toward, and are in addition to, the hours required annually to renew Respondent's salesperson license.

4. Any deviation from the requirements of this Consent Decree, without the prior written consent of the Commission, shall constitute a violation of an order of the Commission and may result in further disciplinary action, including, but not limited to, suspension of Respondent's license. The Commission shall immediately notify Respondent via certified mail of the alleged

violation of the Consent Decree. In the event Respondent contests the alleged violation of the Consent Decree, Respondent is entitled to a hearing to challenge the alleged violation. Such hearing shall be scheduled and conducted in accordance with the provisions of W. Va. Code §§ 30-1-8 and 30-40-1 *et seq.* and any procedural rules promulgated by the Commission.

**CONSENT DECREE AGREED TO BY:**

 *Shelley N Eyer*

\_\_\_\_\_  
Shelley Nicole Eyer, Salesperson

05/07/26

\_\_\_\_\_  
Date

**ENTERED into the records of the Real Estate Commission this:**

7<sup>th</sup> day of May, 2026.

**WEST VIRGINIA REAL ESTATE COMMISSION,**

By:   
\_\_\_\_\_  
Keri L. Ferro, Executive Director