

**BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION**

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

**V.**

**Formal Complaint No. 25-032-P**

**CHAD HAYWOOD,**  
**Licensed Real Estate Salesperson**  
**License No. WV0015247**

**and**

**ASHLEY CHARLTON,**  
**Licensed Real Estate Salesperson**  
**License No. WVS240303519**  
*Respondents.*

**CONSENT DECREE**

Respondent Chad Haywood (“Respondent Haywood”), Respondent Ashley Charlton (“Respondent Charlton”), 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 each 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 Haywood is a licensed real estate salesperson in the State of West Virginia, holding license number WV0015247
2. Respondent Charlton is a licensed real estate salesperson in the State of West Virginia, holding license number WVS240303519.

3. At all times relevant, respondents practiced under the supervision of licensed real estate broker Robert Michael Haywood, The Mike Haywood Group, located in Keyser, West Virginia.

4. The present Formal Complaint, in relevant part, concerns the Notice of Agency Relationship forms completed by the respondents relating to the sale of a property located at 493 Saint Cloud Street, Keyser, West Virginia (“Subject Property”)

5. Respondent Haywood represented the seller of the Subject Property. Respondent Charlton represented the buyer of the Subject Property.

6. The Notice of Agency Relationship form completed by Respondent Haywood indicated that he represented the seller only. The Notice of Agency Relationship form completed by Respondent Charlton indicated that she represented the buyer only.

7. As both respondents practiced under the supervision of the same broker in the same brokerage, they are “dual agents,” which must be, but was not, disclosed on each Notice of Agency Relationship form.

8. At its meeting on January 15, 2025, the Commission determined there was probable cause to conclude that both respondents violated the *West Virginia Real Estate License Act* and authorized the proposal of a consent decree to informally 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)(12) authorizes the Commission to sanction a licensee if the licensee “[f]ails to disclose, on the notice of agency relationship form promulgated by the commission, whether the licensee represents the seller, buyer, or both[.]”

4. West Virginia Code § 30-40-26(d) provides that “[e]very licensee shall disclose in writing, on the notice of agency relationship form promulgated by the commission, whether the licensee represents the seller, the buyer, the seller and the buyer, the landlord, the tenant, or the landlord and the tenant. The disclosure shall be made prior to any person signing any contract for representation by a licensee or a contract for the sale or purchase of real estate.”

5. Respondents each failed to accurately disclose on their respective Notice of Agency Relationship forms that they were “dual agents” as they practiced in the same brokerage under the supervision of the same broker.

6. Respondents, therefore, each violated West Virginia Code §§ 30-40-19(a)(12) and 26(d).

### **CONSENT**

By signing below, each Respondent agrees to the following:

1. Respondents have 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 either Respondent to make this settlement other than as set forth herein. Respondents acknowledge that they may pursue this matter through appropriate administrative proceedings and are aware of their legal rights regarding this matter, but intelligently and voluntarily waive such rights.

2. Respondents acknowledge the Findings of Fact set forth above, admit that there is probable cause to conclude that the violations set forth above in the Conclusions of Law occurred, and consent to the entry of the following Order:

### **ORDER**

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

1. Respondent Haywood shall pay a fine in the amount of \$500.00, payable to the State of West Virginia.
2. Respondent Charlton shall pay a fine in the amount of \$500.00, payable to the State of West Virginia.
3. Unless extended in writing by the Commission, the fines shall be paid within thirty (30) days of the entry of this Consent Decree by the Commission. The fines shall be paid by certified check made payable to the State of West Virginia and sent directly to the Commission's Office.
4. In addition, within 10 months of the entry of this Consent Decree, each respondent shall complete 3.5 hours of in-person continuing education on the subject of Agency. These hours are in addition to, and cannot be counted toward, the hours required annually for renewal of respondents' real estate licenses.

5. 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 Respondents' licenses. The Commission shall immediately notify Respondents via certified mail of the alleged violation of the Consent Decree. In the event Respondents contest the alleged violation of the Consent Decree, Respondents are entitled to a hearing to challenge the alleged violation. Such hearing shall be scheduled and conducted in accordance with the provisions of West Virginia Code §§ 30-1-8 and 30-40-1 *et seq.* and any procedural rules promulgated by the Commission.

**CONSENT DECREE AGREED TO BY:**

  
Chad Haywood, Salesperson

7.14.25  
Date

  
Ashley Charlton, Salesperson

7.12.25  
Date

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

22 day of July, 2025.

**WEST VIRGINIA REAL ESTATE COMMISSION,**

By:   
Keri L. Ferro, Executive Director