

BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION

WEST VIRGINIA REAL ESTATE COMMISSION,

Complainant,

V.

Formal Complaint No. 25-034-C

**ROBERT MICHAEL HAYWOOD,
Licensed Real Estate Broker
License No. WV0003081**

RECEIVED

JUL 21 2025

*West Virginia
Real Estate Commission*

Respondent.

CONSENT DECREE

Respondent Robert Michael Haywood (“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 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 is a licensed real estate broker in the State of West Virginia, holding license number WV0003081. Respondent is the broker of The Mike Haywood Group in Keyser, West Virginia.

2. At all times relevant, Respondent supervised licensed salespersons Chad Haywood and Ashley Charlton, both of whom practiced in the brokerage under Respondent’s supervision.

3. The present Formal Complaint was initiated by the Commission on May 5, 2025, and concerns Respondent's alleged failure to supervise Chad Haywood and Ashley Charlton relating to the sale of a property located at 493 Saint Cloud Street, Keyser, West Virginia ("Subject Property").

4. Chad Haywood represented the seller of the Subject Property. Ashley Charlton represented the buyer of the Subject Property.

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

6. As both Chad Haywood and Ashley Charlton practiced under the supervision of the Respondent in the same brokerage, they are "dual agents," which must be, but was not, disclosed on each Notice of Agency Relationship form. Chad Haywood and Ashley Charlton are respondents in a separate Formal Complaint pending before the Commission, No. 25-032-P.

7. At its meeting on May 21, 2025, 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 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. Chad Haywood and Ashley Charlton 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. West Virginia Code § 30-40-19(a)(30) authorizes the Commission to sanction a licensee if the licensee “[i]f a broker, fails to supervise all associate brokers and salespersons affiliated with him or her[.]”

7. By failing to ensure that Chad Haywood and Ashley Charlton properly disclosed their dual agency with respect to the sale of the Subject Property, Respondent violated West Virginia Code § 30-40-19(a)(30).

CONSENT

By signing below, each 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 he may pursue this matter through appropriate administrative proceedings and is aware of his 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 of \$500.00, payable to the State of West Virginia.

2. Unless extended in writing by the Commission, the fine 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. In addition, within 10 months of the entry of this Consent Decree, 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 Respondent's real estate 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 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:


Robert Michael Haywood, Broker

7-15-25
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