

*Non-Compliance w/
Consent Decree*

(19) § 20(c)
RECEIVED

BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION AUG 30 2013

WEST VIRGINIA REAL ESTATE COMMISSION,

ATTORNEY GENERAL'S
OFFICE

Complainant,

v.

Formal Complaint No. C-13-023

DAVID SCOTT WORLEY
Licensed Salesperson,
License No. WV-0025027

Respondent.

CONSENT DECREE

The Respondent, DAVID SCOTT WORLEY (hereinafter "Respondent"), and the West Virginia Real Estate Commission (hereinafter "Commission"), by Richard E. Strader, its Executive Director, enter into the following Consent Decree for the purpose of resolving the above-styled complaint that has been filed against Respondent. As reflected in this Consent Decree, the parties have reached an agreement in which Respondent agrees and stipulates to the Findings of Fact and Conclusions of Law set forth in this Consent Decree concerning the proper disposition of this matter. The Commission, having approved such agreement, does hereby Find and Order as follows:

Findings of Fact

1. The Commission, as the state entity created to regulate the conduct of real estate brokers, associate brokers and salespersons, has jurisdiction over this Complaint.
2. Respondent holds license number WV-0025027 in the State of West Virginia as a real estate salesperson.

*Regri
\$500 + costs*

do not include costs reflecting time expended by Commission staff and other expenses incurred by the Commission.

Conclusions of Law

1. The Commission is a state agency created by *The West Virginia Real Estate License Act*, W. Va. Code § 30-40-1, *et seq.*, and has the authority and responsibility to regulate real estate brokers, associate brokers and salespersons in the State of West Virginia.
2. Pursuant to West Virginia Code § 30-40-19(a)(19), the Commission may suspend, revoke or otherwise sanction a licensee who violates any order or final decision issued by the Commission.
3. The Consent Decree entered into between Respondent and the Commission is an order issued by the Commission.
4. Failure of a licensee to file a timely response to a Complaint may be considered an admission of the allegations in the Complaint. West Virginia Code § 30-40-20(c).
5. The Commission may assess administrative costs, which shall be placed in the account of the Commission. Any fine shall be deposited in the state treasury's general revenue account. West Virginia Code § 30-1-8(a).

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

of his license. Any 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.

At its discretion, the Commission also may schedule a hearing on its own initiative for the purpose of allowing the Commission to consider further discipline against Respondent based upon Respondent's violation of this Order of the Commission.

AGREED TO BY:



SCOTT WORLEY

8/20/2013

DATE

ENTERED into the records of the Real Estate Commission this:

26th day of August, 2013.

WEST VIRGINIA REAL ESTATE COMMISSION,

By: 
RICHARD E. STRADER,
EXECUTIVE DIRECTOR