

BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION

*Mark Mansour  
#1570*

WEST VIRGINIA  
REAL ESTATE COMMISSION,

*Complainant,*

v.

Formal Complaint No. C-15-030

MARK MANSOUR,  
Licensed Broker  
License No. WV-0012540

*Respondent.*

CONSENT DECREE to ~~RS 23JUL205~~

The Respondent, Mark Mansour (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.

### CONCLUSIONS OF LAW

1. West Virginia Code § 30-40-1 *et seq.*, vests the Commission with the authority and responsibility to regulate real estate brokers, associate brokers and salespersons in the State of West Virginia.
2. West Virginia Code § 30-40-19(a)(23) provides that the Commission may revoke, suspend or otherwise discipline a licensee if the licensee “[c]ontinues in the capacity of or accepts the services of any broker, associate broker or salesperson who is not properly licensed.”
3. Respondent accepted the services of an unlicensed person from July 1, 2014 to June 16, 2015, in violation of W. Va. Code § 30-40-19(a)(23).
4. West Virginia Code § 30-40-19(a)(30) provides that the Commission has the authority to revoke, suspend or otherwise discipline a licensed broker if the broker “[f]ails to adequately supervise all associate brokers and salespersons employed by him or her.”
5. Respondent’s failure to check that all licenses of his salespeople had been renewed for the 2014-2015 licensure year, which would have revealed the situation explained above, evidences his failure to supervise his employees, in violation of W. Va. Code § 30-40-19(a)(30).
6. 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. W. Va. Code § 30-1-8(a).

### CONSENT

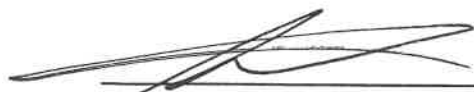
5. Any deviation from the requirements of this Consent Decree, without the prior written consent of the Commission, shall constitute a violation of an Order of the Commission and may, upon action by the Commission, result in the summary suspension of Respondent's license until such time as Respondent achieves full compliance.

The Commission shall immediately notify Respondent via certified mail of the alleged violation of the Consent Decree and the summary suspension of Respondent's license. Respondent may request probationary reinstatement of the license through renewal of this Consent Decree, or execution of a new Consent decree which may contain different or additional terms. The Commission is not bound to comply with Respondent's request for probationary reinstatement.

In the event Respondent contests the allegations of violation of the Consent Decree resulting in the suspension of Respondent's license, Respondent may request a hearing to seek reinstatement of his license. Any 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.

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.

**CONSENT DECREE AGREED TO BY:**



MARK MANSOUR

8-6-15

DATE