

**BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION**

**WEST VIRGINIA REAL ESTATE COMMISSION,**

*Complainant,*

**V.**

**Formal Complaint No. C-24-043**

**LEON HUNTER WILSON  
Licensed Real Estate Broker  
License No. WV0022666**

*Respondent.*

**CONSENT DECREE**

Respondent Leon Hunter Wilson (“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 and stipulate 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 WV0022666. Respondent is the broker for Hill Crest Timber Mgmt, LLC, d/b/a Hill Crest Realty, located in Martinsburg, West Virginia.
2. In the course of the Commission’s investigation of an unrelated Formal Complaint, L-24-034, the Commission became aware that Respondent had authorized an unlicensed individual employed in his brokerage, Kathy Cummings, to participate in the negotiation of a real estate transaction.

3. On May 15, 2024, the Commission initiated the present Formal Complaint against Respondent alleging a violation of the *West Virginia Real Estate License Act* relating to Respondent utilizing an unlicensed person to perform activities that require a real estate license.

4. On July 10, 2024, Respondent submitted a written response. Respondent stated that Ms. Cummings has been employed as the office manager in his brokerage for over 20 years and he did not intend for her to perform functions that require licensure. Respondent indicated that he will take corrective action to ensure compliance in the future.

5. At its regular meeting on July 17, 2024, the Commission considered all of the information received on the matter and determined that there was probable cause to conclude that Respondent's above-referenced conduct violated the *West Virginia Real Estate License Act*, and authorized the proposal of this 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(1) 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)(17) authorizes the Commission to sanction a licensee if he or she “[p]ays compensation to any person for acts or services performed either in violation of this article or the real estate licensure laws of any other jurisdiction[.]”

4. Respondent’s above-referenced conduct, even if unintentional, violates West Virginia Code § 30-40-19(a)(17).

### **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 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, by check made payable to the State of West Virginia and submitted to the Commission office within 30 days of entry of this Consent Decree.

2. Respondent shall also reimburse the Commission's administrative costs, including attorney fees, in the amount of \$280.00, by check made payable to the State of West Virginia and submitted to the Commission office within 30 days of entry of this Consent Decree.

3. 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.

**CONSENT DECREE AGREED TO BY:**

  
LEON HUNTER WILSON

9/6/2024  
Date

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

10<sup>th</sup> day of September, 2024.

**WEST VIRGINIA REAL ESTATE COMMISSION,**

By:   
Keri L. Ferro, Executive Director