

BEFORE THE WEST VIRGINIA REAL ESTATE COMMISSION

WEST VIRGINIA REAL ESTATE COMMISSION,

Complainant,

V.

Formal Complaint No. C-24-045

**PAUL KATRIVANOS
Licensed Real Estate Broker
License No. WVB200300649**

Respondent.

CONSENT DECREE

Respondent Paul Katrivanos (“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 WVB200300649. Respondent is the broker for Realtor Solutions, LLC, d/b/a ReMax Plus, located in Shepherdstown, West Virginia.
2. On May 30, 2024, Commission Investigator Robert Plume visited the address provided by Respondent to the Commission as the physical location of his brokerage (217 S. Duke Street, Suite 100, Shepherdstown, WV).

3. Mr. Plume visited the location during normal business hours with the intent to conduct an audit.

4. Upon finding the location, Mr. Plume discovered that there was no sign for the brokerage or any indication that the brokerage operated from this location. The only signage at the location was for “Friends Title & Escrow Co[mpany].”

5. Mr. Plume then conducted a search on ReMax.com for offices in Shepherdstown and the address provided by Respondent was not listed in the search results.

6. On June 12, 2024, the Commission initiated the present Formal Complaint against Respondent alleging multiple violations of the *West Virginia Real Estate License Act* relating to Respondent’s failure to maintain a physical location in this State and failure to display signage as required by Legislative Rule.

7. Respondent did not respond to the Complaint.

8. At its regular meeting on August 2, 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, undisputedly 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)(19) authorizes the Commission to sanction a licensee if he or she “[v]iolates any provision of this article, any rule, or any order or final decision issued by the commission[.]”

4. West Virginia Code § 30-40-18(h) provides that a “broker shall, at a minimum, maintain records of all funds deposited into the trust fund account, which shall clearly indicate the date and from whom the money was received, date deposited, date of withdrawal, to whom the money belongs, for whose account the money was received, and other pertinent information concerning the transaction. All records shall be open to inspection by the commission or its duly authorized representative at all times during regular business hours at the broker’s place of business.”

5. With respect to office signage, the Commission’s Legislative Rule requires that “[a]ll brokers holding an active license shall erect and maintain a sign on or about the entrance of their principal office and each branch office, which shall be easily observed and read by persons about to enter any of the offices. Every sign shall prominently display the name of the broker, the term ‘Broker’ and the company name, if any, all in letters not less than 1 inch in height. If the broker so desires, the names of the salespersons or associate brokers may be placed below the name of the broker.” W. Va. Code R. § 174-1-13.1.

6. Respondent’s conduct, at a minimum, violates West Virginia Code § 30-40-19(a)(19), 30-40-18(h), and 174 CSR 1 § 13.1.

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:



PAUL KATRIVANOS

10/9/2024

Date

ENTERED into the records of the Real Estate Commission this:

15th day of October, 2024.

WEST VIRGINIA REAL ESTATE COMMISSION,

By: 

Keri L. Ferro, Executive Director