

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDGS. 68-69
1511 PONTIAC AVENUE
CRANSTON, RI 02920**

IN THE MATTER OF:

MATTHEW S. PATTY,

RESPONDENT.

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DBR No. 10-L-0091

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and Matthew S. Patty (“Respondent”) hereby consent and agree that:

1. On or about April 26, 2010, the Department received a Real Estate Salesperson Application and supporting documents (“Application”) filed by the Respondent.

2. Respondent’s application was not approved, based on the presence in his Criminal History Record of misdemeanor charges including possession of a weapon other than firearms, and possession of marijuana in July of 2004. The Department also noted that the Respondent answered “No” to question number 5 of the Pearson VUE Personal History Questions: “Have you ever been convicted of or pled guilty or nolo contendere to forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion conspiracy to defraud, or *any other offenses of any type which would reasonably cause the Department to question your honesty, trustworthiness, integrity, good reputation or competency?*”

3. Based on Respondent’s prior criminal record, and his answer to the Personal History Questions, the Department had cause to investigate whether Respondent is honest and trustworthy, and possesses the requisite qualifications for licensure and whether the License Application should be denied pursuant to R.I. Gen. Laws § 5-20.5-14(14).

4. The Department sent a letter dated May 14, 2010 to the Respondent requesting that he provide an explanation of the circumstances surrounding the criminal charges in his record.

5. The Respondent complied with the Department's request for further information and provided detailed information regarding his previous criminal charge, both in writing and by telephone.

6. As a result of its investigation and the statements of the Respondent, the Department does not believe that he is likely to pose a risk to the general public based on the facts that Respondent has had no criminal contacts since this charge, that the offense involved misdemeanors only, and that his sentence of one year probation was satisfactorily completed.

7. Accordingly, the Department is willing to grant to the Respondent a conditional real estate salesperson's license for a term of twelve (12) months. The conditions which must be met by the Respondent are as follows:

- A. Respondent shall inform the Department in writing within ten (10) days of any criminal charges filed against him, including misdemeanor motor vehicle related offenses. Such charges, or the failure to report them to the Department, may result in administrative action against the Respondent's license.
- B. Respondent shall provide a written affidavit to the Department signed by the principal broker for Coldwell Banker of Warwick acknowledging that he/she is aware of the Respondent's previous criminal charge, verifying that he will be an affiliated salesperson with that brokerage, and that he/she will exercise supervisory authority over the Respondent while he is so affiliated. The broker shall also acknowledge responsibility for notifying the Department in writing within ten (10) days if the Respondent's affiliation ceases for any reason during that one year period.
- C. If Respondent's affiliation with the Coldwell Banker brokerage ceases, he shall notify the Department in writing within ten (10) days, and shall include a statement detailing the grounds for his change in affiliation.

At that time, the Department made decide by letter, by hearing or by consent agreement whether Respondent's license shall be revoked, maintained without further conditions, or with additional conditions.

- D. If there is no change in circumstances relative to Respondent's employment and he has no criminal charges filed against him for one year after the execution of this agreement, the Respondent may at that time request that the Department dismiss these conditions and allow him to maintain his license without conditions.
- E. The Respondent must pay all statutory or regulatory licensing fees, comply with all other statutory and regulatory requirements, and submit an updated application if deemed to be necessary by the Department.

6. If Respondent fails to abide by any of the requirements of this Consent Agreement, the Department will initiate administrative proceedings to impose penalties against Respondent including, but not limited to: (i) suspension, (ii) revocation, and/or (iii) such additional administrative penalties as deemed appropriate by the Department. Respondent shall be provided with notice and opportunity for hearing should the Department decide to take such further action.

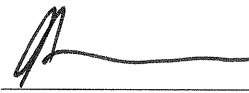
**THE DEPARTMENT OF BUSINESS REGULATION AND RESPONDENT HEREBY
CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:**

Department of Business Regulation:

Respondent:



Ellen R. Balasco, Esq.
Deputy Chief of Legal Services



Matthew S. Patty

DATED: 6/25/10

DATED: JUNE 25th 2010