

In The Matter of:

Claudia Muniz (#1328025), Licensed Real Estate Salesperson / Respondent

WHEREAS Respondent Claudia Muniz, a licensed Real Estate Salesperson licensed by the State of New Jersey, is subject to the provisions of the Real Estate Brokers and Salesperson's Act, N.J.S.A. 45:15-1 et seq.; and

WHEREAS at all times relevant hereto, Respondent Muniz is currently licensed with Elite Team, LLC d/b/a Keller Williams Elite Realtors whose main office is located at 481 Memorial Parkway, Metuchen, NJ; and

WHEREAS the Real Estate Commission has secured evidence which indicates that Respondent Muniz has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate brokers and salespersons as referenced above; and

WHEREAS the Commission and Respondent Muniz have agreed to settle this matter in lieu of any further administrative action; and

WHEREAS, Respondent Muniz was the buyer's agent for the property located at 153 Setter Place, Freehold, NJ; and

WHEREAS, the sales contract was executed on February 5, 2017 and stated that \$5,000 is payable at the time of signing and a second deposit of \$5,000 was due on or before the completion of attorney review. All funds were to be held in the escrow account of the title agency; and

WHEREAS, notwithstanding the termination of the contract of sale due to inspection issues on March 10, 2017, Respondent never collected the first deposit and failed to verify the second deposit; and

WHEREAS, Respondent Muniz admits that she acted in violation of N.J.A.C. 11:5-6.4(a) by failing to collect the deposit funds and verify that a second deposit was collected; and

WHEREAS Respondent Muniz acknowledges that she has been made aware of her right to a full and formal hearing on any violations which the Commission may allege she has committed and her right to have the advice of counsel on the matters to which this Consent Order pertains, she is knowingly and voluntarily waiving the right to a hearing and counsel; and

IT IS THEREFORE AGREED TO BY THE PARTIES AND SO ORDERED that

Respondent Muniz agrees to pay a fine in the amount of \$2,000.00; and it is further ordered and agreed that

Respondent Muniz shall pay the fine within 30 days of the date of acceptance of this Consent Order. The fine shall be payable by certified check, cashier's check or money order payable to the "State of New Jersey" and sent to:

Division of Anti-Fraud Compliance/Collection Section
Department of Banking and Insurance
P.O. Box 325
Trenton, New Jersey 08625;

And it appearing that this matter can be resolved upon the consent of the parties, without resort to any other further administrative proceeding;

It is on this 18th day of May, 2018

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on May 8, 2018; and

It is further ORDERED AND AGREED that the Commission reserves the right to take further administrative action if the terms of this Consent Order are not fully complied with or if it obtains any other information that the respondent may have violated the Real Estate Brokers and Salesperson's Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11:5-1.1 et seq.;



Patrick J. Mullen
Director of Banking

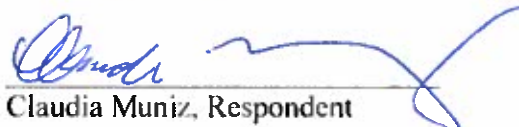
RESPONDENT CERTIFICATION

I, Claudia Muniz, hereby certify that

1. I am not under any disability, mental or physical, or under the influence of any medication, intoxicants or other substances that would impair my ability to knowingly and voluntarily execute this Consent Agreement; and further
2. I am entering into this agreement knowingly and voluntarily, that I have not been subject to any coercion or threats regarding the execution of this Consent Agreement and that other than terms set forth above, no promises, representations or inducements have been made to me to secure my acceptance of the provisions of this Consent Agreement; and
3. I hereby certify that I have read and agree to the terms and conditions of the Consent Order as set forth above and agree to the entry of this Order

Consented to as to
Form, Content and Entry

Dated: 4/12/18



Claudia Muniz, Respondent

*Sworn and subscribed
before me on this 12th day
of April, 2018*



MARY C. WILLIAMS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/22/2018 *21*
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