

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)
)
)
 Complainant)
)
 v.)
)
 LAWRENCE STONE, licensed New Jersey)
 real estate salesperson,)
 License Ref. No. SP0447792)
)
 Respondent.)

DOCKET NUMBER ATL-15-013
REC Ref #10002611

CONSENT ORDER

THIS MATTER having been opened by the New Jersey Real Estate Commission staff ("REC") in the Department of Banking and Insurance, State of New Jersey, upon information that Respondent Lawrence Stone ("Stone"), licensed New Jersey salesperson, may have violated various provisions of the real estate laws of the State of New Jersey; and

WHEREAS, Stone is a licensed New Jersey real estate salesperson employed with The Gluck Group, Inc. d/b/a Soleil Sotheby's International Realty located at 8502 Ventnor Avenue, Margate, N.J. 08402; and

WHEREAS, Stone is subject to the provisions of the Real Estate Licensing Law, N.J.S.A. 45:15-1 et seq.; and

WHEREAS, the REC has secured evidence which indicates that Stone may have violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate brokers and salespersons as more specifically set forth in the Order to Show Cause filed in this matter; and

WHEREAS, evidence was presented and testimony was given at a hearing before the Real Estate Commission ("Commission") on October 6, 2015; and

WHEREAS, the REC and Stone desire and have agreed to settle this matter in lieu of a decision being rendered by the Commission after a hearing, and to resolve this matter with finality, fully disposing of all the issues in controversy in this matter with prejudice; and

WHEREAS, Stone acknowledges that he has been advised that he has a right to proceed with the hearing on any violation which the REC may allege he has committed and having obtained the advice of legal counsel on the matter to which this Consent Order pertains, he has waived the right to proceed with the hearing; and

WHEREAS, on or about April 5, 2012, Stone entered a plea of guilty to an Accusation in the Superior Court of New Jersey, Atlantic County, Docket Number 12-04-00814 to one count of Criminal Sexual Contact, a crime of the fourth degree, in violation of N.J.S.A. 2C:14-3b; and

WHEREAS, on or about August 17, 2012, Stone was convicted of the above charge and was sentenced to three years' probation and was required to complete outpatient therapy and substance abuse counseling; and

WHEREAS, Stone did not notify the Commission within thirty days of the filing of formal criminal charges against him nor did he notify the Commission of the entry of a judgment of conviction against him; and

WHEREAS, Stone truthfully disclosed the conviction on his 2013-2015 license renewal application; and

WHEREAS, Stone has presented evidence of rehabilitation, pursuant to the Rehabilitated Convicted Offenders Act, N.J.S.A. 2C:168A-1 et seq., as follows:

a. Stone completed the Court-ordered probation in August 2015 and had no violations of probation. He was subject to reporting requirements and random drug testing which were

completed without incident. He is not a Megan's Law offender and there is no ongoing supervision required;

b. He was 43 years old at the time of his conviction. He has one child who is 8 years old and he is engaged to the mother of his child and they have been together for 10 years;

c. He had a substance abuse problem during the time of his criminal offense;

d. From November 2012 to May 2015, Respondent obtained counseling services related to the processing and effectively managing life strains and stressors as well as accepting full responsibility for his criminal actions;

e. Respondent provided a letter from a counselor from the agency that provided Respondent the counseling services. The letter indicates that Respondent's insight and judgment are good, and that no overt risk factors are present which would suggest that Respondent would be at risk to reoffend;

f. Respondent testified that he no longer associates with the same people that he did when he was using drugs and alcohol;

g. Respondent's broker testified at the hearing as to Respondent's commendable work ethic and Respondent's reputation as a real estate salesperson. The broker testified that Respondent's work was never affected by his substance abuse. Respondent has been employed with his agency for 6 ½ years and has not had any complaints filed against him; and

h. Respondent is involved in community activities including fundraising for charities.

WHEREAS, the terms of this Consent Order were approved by the Commission at a public meeting on January 13, 2016, and

IT APPEARING that the matter against Stone should be resolved upon the consent of the parties, and further good cause appearing;

NOW THEREFORE, on this 13th day of January 2016 it is

ORDERED AND AGREED as follows:

1. Respondent Stone admits to violating N.J.S.A. 45:15-17(s) (two counts) because he failed to notify the Commission within thirty (30) days of the filing of formal criminal charges against him and that he had been convicted of a criminal offense; and
2. Stone's license as a real estate salesperson shall be held on probation for a period of two (2) years from the date of the Commission's approval of this Order. During the probation period, Stone shall notify the Commission within 72 hours in the event of any arrest or of the filing of criminal charges against him; and
3. Stone will pay a total fine in the amount of \$1,000 payable in thirty (30) days from the date of this 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 the Division of Anti-Fraud Compliance/Collection Section, Department of Banking and Insurance, P.O. Box 325, Trenton, New Jersey 08625. All unpaid fines will be referred for collection and may result in a lien/judgment being placed on property, interception of state income tax refunds through the set off of individual liability (SOIL) program in the Division of Taxation and/or levy on bank accounts; and
4. This Consent Order pertains to all administrative actions and violations that were alleged or could have been alleged against Stone arising from the REC's investigation file #10002611; and
5. Stone acknowledges that is not under any disability, mental or physical, nor under the influence of any medication, intoxicants or other substances that would impair his ability to knowingly and voluntarily execute this Consent Order; and

6. Stone further acknowledges that he is entering into this agreement knowingly and voluntarily, that he has not been subject to any coercion or threats regarding his execution of this Consent Order and that other than the terms set forth above, no promises, representations or inducements have been made to him to secure his acceptance of the provisions of this Consent Order; and

7. The provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violations contained herein.

Dated: January
13, 2016



Robert L. Kinnibrew
Executive Director
New Jersey Real Estate Commission

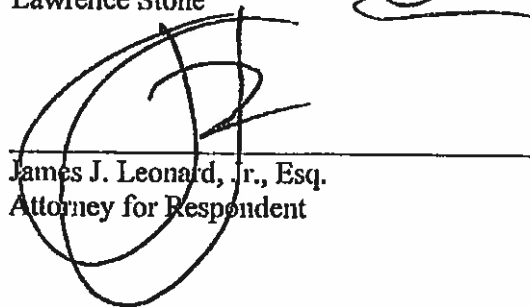
Consented to as to
Form, Content and Entry

Dated: _____, 2015



Lawrence Stone

Dated: _____, 2015



James J. Leonard, Jr., Esq.
Attorney for Respondent