

In The Matter of:

Thomas P. Duffy (Ref. No. 8932672), Licensed Real Estate Broker/Respondent

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WHEREAS RESPONDENT Thomas P. Duffy, a licensed Real Estate Broker 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, Thomas P. Duffy was and continues to be the broker of record of Washington Realty Partners LLC d/b/a Keller Williams Realty, 381 Egg Harbor Road, Suite 2, Sewell, NJ; and

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

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

WHEREAS Respondent Duffy admits that he acted in violation of N.J.A.C. 11:5-4.2(a) by failing to supervise the activities of salespersons under his employ, specifically in that Nancy Kowalik took clients into an unauthorized area (residential section of the building) for a real estate closing, as evidenced in a facebook posting after an investigation was performed and a full understanding of the violation N.J.A.C. 11:5-4.4(c) was discussed and present at a meeting with REC Investigator, the Broker (Tom Duffy) and the Broker Manager where she had full knowledge of her violation. After a surprise inspection by the Commission Investigator in July,

2015, she once again performed the same violation N.J.A.C. 11:5-4.4(c) and was found closing in that same area against the direct order of Broker (Tom Duffy). As of August 28, 2015, Nancy Kowalik is no longer licensed with Keller Williams Realty; and

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

RESPONDENT Duffy agrees to pay a fine in the amount of \$2000.00; and it is further ordered and agreed that

RESPONDENT Duffy 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:

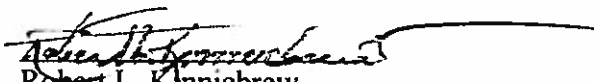
Division of Anti-Fraud Compliance/Collection Section  
Department of Banking and Insurance  
P.O. Box 325  
Trenton, New Jersey 08625;

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 2nd day of March, 2016

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on February 23, 2016, and;

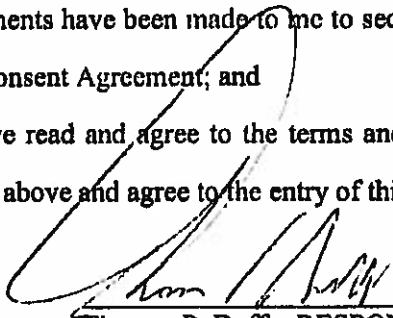
It is further ORDERED AND AGREED that the Commission reserves the right to take further administrative action if the terms of this Consent Order are not fully complied with or if it obtains any other information that the respondent may have violated the Real Estate Brokers and Salesperson's Act, N.J.S.A.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

  
Robert L. Kaniebrew  
Executive Director  
New Jersey Real Estate Commission

**RESPONDENT CERTIFICATION**

I, Thomas P. Duffy, 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

  
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Thomas P. Duffy, RESPONDENT

Subscribed and sworn to before me on this 26 day of January, 2016

  
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Notary Public

SHEENA ATKINSON  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES OCT. 20, 2018