

In The Matter of:

Jose C. Agostinho (#8837852), Licensed Real Estate Salesperson/Respondent

WHEREAS Respondent Jose C. Agostinho, 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 Agostinho was and continues to be licensed as a salesperson with Bobby Management, LLC d/b/a Century 21 Real Estate Group whose office is located at 1824 Front Street, Scotch Plains, New Jersey; and

WHEREAS the Real Estate Commission has secured evidence which indicates that Respondent Agostinho 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 Agostinho have agreed to settle this matter in lieu of any further administrative action; and

WHEREAS Respondent Agostinho acted as a disclosed dual agent on the 645-647 Maple Avenue, Elizabeth, NJ transaction; and

WHEREAS Respondent Agostinho admits that he acted in violation of N.J.S.A. 45:15-17(a) substantial misrepresentation, in that he indicated that an initial deposit was made on the above transaction on or about January 19, 2015 and a second deposit was made on January 31, 2015, when such funds were collected on February 12, 2015 and February 27, 2015, respectively; and

WHEREAS Respondent Agostinho 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

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

Respondent Agostinho agrees to pay a fine in the amount of \$1500.00; and it is further ordered and agreed that

Respondent Agostinho 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:

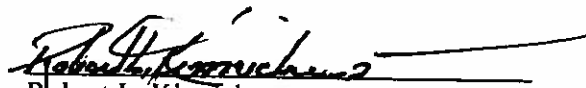
Division of Anti-Fraud Compliance/Collection Section
Department of Banking and Insurance
P.O. Box 325
Trenton, New Jersey 08625;

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 _____ day of _____, 2017

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on January 24, 2017; 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. Kinniebrew
Executive Director
New Jersey Real Estate Commission

RESPONDENT CERTIFICATION

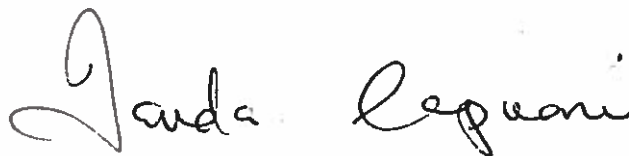
I, Jose C. Agostinho, hereby certify that

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: 7 11/16/16


Jose Agostinho, Respondent



Sworn to and subscribed before me
this 16 day of Nov 2016

FARIDA CAPUANO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JAN, 27, 2017

Sworn to and subscribed before me
this 16 day of Nov 2016