

In The Matter of:

Nancy Kowalik (Ref. No. 0571544), Licensed Real Estate Broker/Respondent

WHEREAS RESPONDENT Nancy Kowalik, 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, Respondent Kowalik was and continues to be licensed as broker of record of NK Main Street, LLC d/b/a Nancy Kowalik Real Estate Group, whose office is located at 42 North Main Street, Mullica Hill, NJ; and

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

WHEREAS Respondent Kowalik was the listing agent for the property located at 705 Rachel Drive, Mickleton, NJ; and

WHEREAS Respondent Kowalik listed the subject property as an Exclusive Listing with a Waiver of Broker Cooperation; and

WHEREAS the Waiver of Broker Cooperation contained language consistent with N.J.A.C. 11:5-6.4(f)4, maintaining that the subject property is not to be listed in any multiple listing service; and

WHEREAS Respondent Kowalik entered the listing into the TREND multiple listing service ten days before expiration of the exclusive period; and

WHEREAS Respondent was actively licensed and failed to deal fairly and exercise integrity with all other licensees by publishing an Exclusive Listing with a Waiver of Broker Cooperation in a multiple listing service in violation of N.J.A.C. 11:5-6.6(f)4; and

WHEREAS Respondent Kowalik 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, she is knowingly and voluntarily waiving the right to a hearing; and

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

RESPONDENT Kowalik agrees to pay a fine in the amount of \$1,000.00; and it is further ordered and agreed that

RESPONDENT Kowalik 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 24th day of January, 2018

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on Tuesday, January 23, 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, Nancy Kowalik, 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: 12/14/17



Nancy Kowalik, Respondent