

In The Matter of:

Agnieszka Popczyk (# 0341268), Licensed Real Estate Broker / Respondent

WHEREAS Respondent Agnieszka Popczyk, 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 Agnieszka Popczyk was and continues to be licensed as broker of record of Padalino Realty & Auction LLC d/b/a Realty Giant whose main office is located at 1598 Harbourton Rocktown Rd. Lambertville, NJ 08530; and

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

WHEREAS, Respondent Popczyk admits that she allowed her client access to an occupied residential property by providing the potential purchaser access via the lockbox code, thereby allowing access to the home unescorted by a licensee; and

WHEREAS, Respondent Popczyk was sitting in her vehicle in front of the home as the client was attempting to enter the lockbox code; he was interrupted by the security system in the home. He was instructed not to enter the home without the realtor; and

WHEREAS, Respondent Popczyk admits that she acted in violation of N.J.A.C. 11:5-6.4(a) by providing the lockbox code to a potential buyer without the permission of the property owner, thereby allowing the potential buyer access to the property unattended by a licensee; and

WHEREAS Respondent Popezyk 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 Popezyk agrees to pay a fine in the amount of \$2,500.00; and it is further ordered and agreed that

Respondent Popezyk 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;

Respondent Popezyk agrees to take an additional 6 hour continuing education course in the area of agency, which will not count towards the continuing education requirement for license renewal, within six months of the approval of this consent order;

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 12th day of March, 2019

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on March 12, 2019; 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.;



Richard Mumford
Acting Director of Banking

RESPONDENT CERTIFICATION

I, Agnieszka Popczyk, 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: 2/28/19



Agnieszka Popczyk, Respondent

Subscribed and sworn to before me on this 28th day of February, 2019



V. MARIA COTTO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires
2 of 20, 2022