

CASE NUMBERS 13-28585

In The Matter of:

FRANCINE SIMONSEN (#8135168), Licensed Real Estate Broker/Respondent

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WHEREAS Respondent Francine Simonsen, 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 Respondent Francine Simonsen is licensed as broker of record of Concept Realty Inc. d/b/a McNeely Agency, whose main office is located at 523 Main Street, Bradley Beach, NJ; and

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

WHEREAS Simonsen admits that she acted in violation of N.J.A.C. 11:5-5.1(b) by failing to report the additional escrow account used for property management for McNeely Agency to the Real Estate Commission and failing to have the account labeled as an "escrow account" or "trust account," as required by N.J.S.A. 45:15-12.5a; and

WHEREAS Respondent Simonsen 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 Simonsen agrees to pay a fine in the amount of \$1,500.00; and it is further ordered and agreed that

Respondent Simonsen 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:

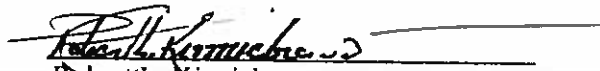
Division of Anti-Fraud Compliance/Collection Section  
Department of Banking and Insurance  
P.O. Box 325  
Trenton, New Jersey 08625;

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 15<sup>th</sup> day of December, 2016

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on December 13, 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. Kinniebrew  
Executive Director  
New Jersey Real Estate Commission

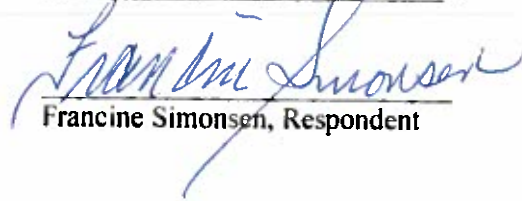
**RESPONDENT CERTIFICATION**

I, Francine Simonsen, 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: 11-15-16

  
Francine Simonsen, Respondent

  
KALI A. TACTAY  
NOTARY PUBLIC OF NEW JERSEY  
ID # 2356456  
My Commission Expires 3/2/2017