

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION,)	DOCKET NUMBER CO-16-0013
)	REC Ref. No. 10004569
)	
Complainant)	CONSENT ORDER
)	
v.)	
)	
JENNIFER L. VALIANTE, a licensed New Jersey)	
real estate salesperson (Ref. No. 1536303),)	
)	
)	
Respondent.)	

THIS MATTER having been opened to the New Jersey Real Estate Commission (“Commission”) in the Department of Banking and Insurance, State of New Jersey, upon information that Jennifer Valiante, a licensed real estate salesperson, may have violated various provisions of the real estate licensing law of the State of New Jersey; and

WHEREAS Valiante is a licensed New Jersey real estate salesperson, currently licensed with Flagship Resort Development, licensed New Jersey broker, whose office is located at 60 N. Maine Avenue, Suite 404, Atlantic City, NJ 08401; and

WHEREAS Valiante is subject to the provisions of the Real Estate Licensing Law, N.J.S.A. 45:15-1 et seq.; and

WHEREAS on or about November 19, 2015, Valiante was indicted and charged with two counts of assault by auto, in violation of N.J.S.A. 2C:12-1C(2) in the Superior Court of New Jersey, Atlantic County; and

WHEREAS in November and December, 2015, Respondent was licensed by the Commission and failed to notify the Commission of the indictment; and

WHEREAS on or about June 17, 2016, Valiante was convicted on one count of assault by auto, a crime of the third degree, in violation of N.J.S.A. 2C:12-1C(2). She was sentenced to six months of house arrest, followed by two years of probation as well as rehabilitation, costs and fines; and

WHEREAS Valiante's conduct as described above is in violation of N.J.S.A. 45:15-17(e) (two counts) because her failure to notify the Commission of the charges and as well as the underlying conduct demonstrates unworthiness; and

WHEREAS Valiante is in violation of N.J.S.A. 45:15-17(s) in that she failed to notify the Commission within thirty days of being charged with a crime; and

WHEREAS, Valiante acknowledges that she is aware of her right to a plenary hearing on any violations which the Commission may allege she has committed and having notice that she has the right to obtain 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 the right to an attorney; and

WHEREAS the Commission and Valiante, in order to avoid the costs and uncertainty of further litigation and to resolve this matter with finality, hereby agree to this Consent Order, fully disposing of all the issues in controversy in this matter with prejudice; and

WHEREAS the terms of this Consent Order were approved by the Commission at a regular meeting on September 14, 2016; and

IT APPEARING that the matter against Valiante should be resolved upon the consent of the parties, without resort to a formal hearing on the aforementioned violations, and further good cause appearing;

NOW, THEREFORE, IT IS on this 26th day of September, 2016

ORDERED AND AGREED that Valiante is in violation of N.J.S.A. 45:15-17(s) for failing to notify the Commission within thirty days of the indictment; and it is further

ORDERED AND AGREED that the aforementioned conduct constitutes a violation of N.J.S.A. 45:15-17(e) (two counts) because the conduct underlying her conviction and the failure to notify the Commission of the indictment demonstrates unworthiness; and it is further

ORDERED AND AGREED that Valiante admits and accepts responsibility for these violations; and it is further

ORDERED AND AGREED that Valiante's right to licensure shall be suspended until she completes her term of home incarceration. Should Valiante make application for a license to be issued after her term of suspension, her license will be held on a probationary basis to run concurrent with her criminal probation; and it is further

ORDERED AND AGREED that Valiante shall pay a fine in the amount of \$500. The fine shall be paid in full prior to re-licensure. The fine shall be payable by certified check, cashier's check or money order payable to the "State of New Jersey" and sent to the Division of Anti-Fraud Compliance/Collection Section, Department of Banking and Insurance, P.O. Box 325, Trenton, New Jersey, 08625. All unpaid fines will be referred for collection and may result in a lien/judgment being placed on property, interception of state income tax refunds through the Set off of Individual Liability (SOIL) program in the Division of Taxation and/or levy on bank accounts; and it is further

ORDERED AND AGREED that this Consent Order encompasses only the information in Commission investigation file #10004569. The Commission reserves the right to take further administrative action if it obtains any other information that Valiante may have violated the Real Estate Brokers and Salesmen Act, N.J.S.A. 45:15-1 et seq. or corresponding regulations, N.J.A.C. 11:5-1.1 et seq.; and it is further

ORDERED AND AGREED that by signing below, Valiante confirms that:

- a. she is not under any disability, mental or physical, nor under the influence of any medication, intoxicants or other substances that would impair her ability to knowingly and voluntarily execute this Consent Order; and
- b. she is entering into this agreement knowingly and voluntarily, that she has not been subject to any coercion or threats regarding her execution of this Consent Order and that other than the other terms set forth above, no promises, representations or inducements have been made to her to secure her acceptance of the provisions of this Consent Order; and it is further

ORDERED AND AGREED that the provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violations contained herein.



Robert L. Kinnibrew
Executive Director
New Jersey Real Estate Commission

Consented to as to
Form, Content and Entry

Respondent Jennifer Valiante



Jennifer Valiante

Dated: 8/29/16