

CONSENT ORDER NUMBER CO-17-011  
(Rec Ref No. 10001444)

In The Matter of:

Linda K. O'Connell (Ref. No. 9912749), Licensed Real Estate Salesperson/Respondent

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WHEREAS Respondent Linda O'Connell, a real estate salesperson licensed by the State of New Jersey, is subject to the provisions of the Real Estate Brokers and Salespersons Act, N.J.S.A. 45:15-1 et seq.; and

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

WHEREAS Respondent O'Connell 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

WHEREAS Linda O'Connell is currently licensed with O'Brien Realty, LLC d/b/a O'Brien Realty whose office is located at 37 Beach Road, Monmouth Beach, New Jersey 07750; and

WHEREAS in or around August of 2013, Linda O'Connell facilitated a rental transaction for the property located at 1382 Ocean Avenue, Apt. B-1, Sea Bright, New Jersey 07760 (the "Property"); and

WHEREAS Respondent O'Connell never submitted any documentation or information regarding the Property or the subject transaction to her employing broker; and

WHEREAS Respondent O'Connell accepted payment directly from the owners of the Property in consideration for her services in facilitating the above-described rental transaction, and did not turn said payment in to her employing broker; and

WHEREAS Respondent O'Connell has represented that she has returned the above said payment to the owners of the Property; and

WHEREAS Respondent O'Connell admits that she acted in violation of N.J.S.A. 45:15-17(m), in that she accepted a commission as a real estate salesperson from a person other than her employing broker; and

IT IS THEREFORE AGREED BY THE PARTIES AND SO ORDERED that

Respondent O'Connell shall pay a fine in the amount of \$2,500; and it is further ordered and agreed that

Respondent O'Connell shall pay the fine within 30 days of the date of the 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 O'Connell shall take an additional 3 hour continuing education course in the subject area of "Agency", which will not count towards the continuing education requirement for the 2017-2019 renewal term. Proof of completion of the same shall be submitted to the Real Estate Commission within ninety (90) days of the approval of this Consent Order; and it is further ordered and agreed that

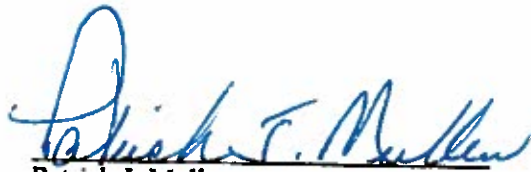
Respondent O'Connell's salesperson's license shall be suspended for a period of three (3) months, effective upon the full execution of this Order.

And it appearing that this matter can be resolved upon consent of the parties, without resort to any other further administrative proceeding;

It is on this 3<sup>rd</sup> day of October, 2017

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on Tuesday, September 26, 2017; and

It is further ORDERED and AGREED that the Commission reserves the right to take 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 Salespersons 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  
New Jersey Department of Banking and Insurance  
Real Estate Commission

**RESPONDENT CERTIFICATION**

I, Linda K. O'Connell, hereby certify that

1. I am not under any disability, mental or physical, or under the influence of any medication, intoxicant or other substance 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 the 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
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



Linda K. O'Connell, Respondent

Subscribed and sworn to before me on this 31 day of August, 2017



Notary Public

KEVIN T. ERTEL  
NOTARY PUBLIC OF NEW JERSEY  
ID # 2440033  
Commission Expires 10/29/2018