

NEW JERSEY REAL ESTATE COMMISSION,)	DOCKET NO. REC-E-22-009
)	
Complainant)	
)	
v.)	CONSENT ORDER
)	(REC Ref. No. 10011660)
JANA HALODA, licensed New Jersey)	
salesperson, (License Reference No. 1112629))	
)	
Respondent.)	

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

WHEREAS Haloda is subject to the provisions of the New Jersey Real Estate Licensing Law, N.J.S.A. 45:15-1 to -29.5 and corresponding regulations; and

WHEREAS the Real Estate Commission staff has alleged that Haloda has violated certain provisions of the laws and regulations governing the conduct of New Jersey real estate licensees; and

WHEREAS Haloda acknowledges that she is aware of her right to a plenary hearing on any violations which the Commission may allege she has committed, she is knowingly and voluntarily waiving the right to a hearing; and

WHEREAS the Commission and Haloda, in order to avoid the costs and uncertainty of further litigation and to resolve the 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 January 10, 2023; and

IT APPEARING that the matter against Haloda 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 6th day of February, 2023

ORDERED AND AGREED that Respondent Haloda admits the following facts:

1. Haloda is an actively licensed New Jersey real estate salesperson, first licensed as a real estate salesperson on November 4, 2011; and

2. On or about February 19, 2014 the Respondent was arrested and charged with conspiracy to commit immigration fraud and immigration fraud; and

3. On or about April 29, 2015, the Respondent renewed her license for the 2015-2017 licensing period; and

4. As required by the provisions of the New Jersey Real Estate License Act, all licensees are required to renew their licenses biannually. Among the Qualifying Questions ("QQ") asked of each renewing licensees, QQ 1 specifically asks whether the licensee has been arrested (other than motor vehicle violations), indicted, charged with a violation of a crime, misdemeanor or disorderly persons offense or convicted of a crime, misdemeanor or disorderly persons offense in New Jersey or any other state or by the federal government, since their last license renewal; and

5. Respondent answered "NO" to QQ 1 on her renewal application for the license renewal period 2015-2017, and certified to the truth and accuracy of that answer by answering "YES" to the question at the end of the questionnaire

6. On or about January 15, 2016, the Respondent pleaded guilty to one count of conspiracy to commit immigration fraud, in violation of 18 U.S.C. 371 and six counts of immigration fraud, in violation of 18 U.S.C. 1546(a). The Respondent was sentenced to time served, one year of supervised release, and a \$700.00 fine; and

7. On or about May 12, 2017, the Respondent renewed her license for the 2017-2019 licensing period; and

8. Respondent answered "NO" to QQ 1 on her renewal application for the license renewal period 2017-2019, and certified to the truth and accuracy of that answer by answering "YES" to the question at the end of the questionnaire; and

9. On or about June 6, 2019, the Respondent renewed her license for the 2019-2021 licensing period; and

10. Respondent answered "NO" to QQ 1 on her renewal application for the license renewal period 2019-2021, and certified to the truth and accuracy of that answer by answering "YES" to the question at the end of the questionnaire

11. In May 2020, the Commission was informed of the Respondent's arrest and conviction.

ORDERED AND AGREED that based on the above facts, Respondent Haloda admits to the following:

12. By answering "NO" to QQ 1 on her license renewal application for the 2015-2017 renewal cycle and certifying to the accuracy and truthfulness of that information, Respondent was not truthful and her conduct demonstrates unworthiness, bad faith, and dishonesty in violation of N.J.S.A. 45:15-17(e); and

13. By answering "NO" to QQ 1 on her license renewal application for the 2017-2019 renewal cycle and certifying to the accuracy and truthfulness of that information, Respondent was not truthful and her conduct demonstrates unworthiness, bad faith, and dishonesty in violation of N.J.S.A. 45:15-17(e); and

14. By answering "NO" to QQ 1 on her license renewal application for the 2019-2021 renewal cycle and certifying to the accuracy and truthfulness of that information, Respondent was not truthful and her conduct demonstrates unworthiness, bad faith, and dishonesty in violation of N.J.S.A. 45:15-17(e); and

15. Respondent's failure to notify the Commission within 30 days of having been indicted in 2014 and convicted in 2016 of conspiracy to commit immigration fraud and immigration fraud, is violation of N.J.S.A. 45:15-17(s), which requires all licensees to provide such notification.

ORDERED AND AGREED that Haloda shall pay a fine in the amount of five thousand dollars (\$5,000); and it is further

ORDERED AND AGREED that Haloda must pay the fine prescribed herein in full prior to being eligible for re-licensure as a real estate salesperson. The fine shall be payable by certified check, cashier's check or money order made 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 Haloda real estate salesperson's license shall be revoked for a period of three (3) years from the full execution of this Consent Order; and it is further

ORDERED AND AGREED that this Consent Order encompasses only the information in Commission investigation file #10011660. The Commission reserves the right to take further administrative action if it obtains any other information that Haloda may have violated the New Jersey Real Estate License Act, N.J.S.A. 45:15-1 to -42 and corresponding regulations, N.J.A.C.

11:5-1.1 to -12.18; 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; and it is further

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

- a. She is not under any disability, mental or physical, nor under the influence of any medication, intoxicant or other substance 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 the execution of this Consent Order and that other than the other terms set forth above, no promises, representations or inducements have been made to him to secure his acceptance of the provisions of this Consent Order.


Dated: 2/16, 2023

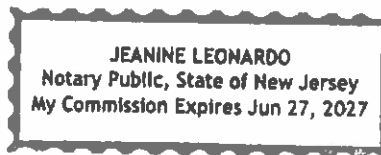

Eugenia Bonilla, President
New Jersey Real Estate Commission

Dated: 12-27, 2022


Jana Haloda
Respondent

Subscribed and sworn to before me on this 27 day of December, 2022


Notary Public



Jd Haloda CO/REC Enforcement