

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION) DOCKET NUMBER REC-E-22-005
) (REC File No. 10015169)
Complainant,)
)
v.)
) ORDER TO SHOW CAUSE
MADHUSUDHAN SONI, licensed New Jersey)
Jersey real estate salesperson (Ref. No. 1752711))
)
Respondent.)

THIS MATTER being commenced by the New Jersey Real Estate Commission (the “Commission”) in the Department of Banking and Insurance, State of New Jersey, on its own motion, pursuant to the provisions of N.J.S.A. 45:15-17, 45:15-18 and N.J.A.C. 11:5-1.1 to -12.18, and it appearing that:

1. Madhusudhan Soni (“Soni”) is an actively licensed New Jersey real estate salesperson, first licensed in New Jersey on March 28, 2017. Soni’s license is currently affiliated with Elite Team LLC, d/b/a Keller Williams Elite Realtors, licensed New Jersey real estate broker, whose main New Jersey office is located at 481 Memorial Parkway, Metuchen, New Jersey 08840; and

2. At all relevant times herein, New Jersey broker-salesperson Brian Wisner (“Wisner”), licensed through Re/Max of Princeton, was the listing agent for the residential property located at 81 Caleb Lane, Princeton, New Jersey 08540 (the “Property”); and

3. The owners of the Property lived out-of-state and Wisner placed a coded lockbox on the front door of the Property to facilitate showings while protecting the interest of his clients; and

4. In or around August 2021, Soni made an appointment to show the Property to clients interested in purchasing a home in the area. The showing appointment was set for August 10, 2021 from 5:30 p.m. to 6:00 p.m.; and

5. On August 10, 2021, at approximately 5:30 p.m. Soni accompanied his clients to view the Property. After allowing his clients access to the Property, Soni left the premises and allowed his clients to remain inside the home unaccompanied by a licensee; and

6. Prior to leaving, Soni gave the keys to the Property to his unlicensed clients and requested that they lock the front door before they left; and

7. Neither Wisner, his broker, nor the owners of the Property, ever gave Soni permission to allow unlicensed consumers to access the Property unaccompanied by a licensee; and

8. At approximately 5:50 p.m. on August 10, 2021, Wisner traveled to the Property to put the garbage cans away. Upon arriving, Wisner observed Soni's unaccompanied clients at the Property and in possession of the keys. The front door to the home was open; and

9. Wisner retrieved the keys and immediately replaced the lockbox to adequately protect the Property and the interests of his clients; and

10. Soni's conduct demonstrates unworthiness for licensure in violation of N.J.S.A. 45:15-17(e), (two counts) as follows:

a. Soni allowed unlicensed individuals to access the Property unaccompanied by a licensee, without permission to do so, as more fully described above; and

b. Soni allowed unlicensed individuals to possess keys to the Property without permission to do so, as more fully described above.

And for good cause shown,

IT IS on this 12th day of May, 2022

ORDERED that Respondent Madhusudhan Soni shall show cause why his real estate license should not be suspended or revoked and/or why fines or other sanctions should not be imposed pursuant to N.J.S.A. 45:15-17 and N.J.A.C. 11:5-1.1 to -12.18. The Respondent shall file a written Answer to the charges in this Order to Show Cause as required by N.J.A.C. 11:5-11.2 within twenty (20) days of the service of this Order. As required by N.J.A.C. 11:5-11.2, Respondent's written Answer must include specific admissions or denials of all allegations in this Order to Show Cause, state the factual basis of each and every factual allegation denied, and assert any defenses that Respondent intends to present in the event that this matter is deemed a contested case and a plenary hearing is held; and

IT IS FURTHER ORDERED that failure to comply with all of the requirements of N.J.A.C. 11:5-11.2 may result in a determination that there are no material facts or issues of law in dispute and any presentation made to the Commission will be limited to the issue of the severity of any sanction or penalty to be imposed; and

IT IS FURTHER ORDERED that the Commission will review this Order to Show Cause and Answer(s) filed, if any, at a meeting scheduled on or after the 12th day of July, 2022 at 9:30 a.m. to determine whether there is a material fact or issue of law contested. No appearance is required at that time; and

IT IS FURTHER ORDERED that if the Commission determines that there is a material fact or issue of law contested, a hearing will be scheduled for a future date; and

IT IS FURTHER ORDERED that if the Commission determines that there is no material fact or issue of law contested, a hearing shall be scheduled at which the Respondent will be limited to presenting witnesses and documentary evidence regarding the issue of the severity of any sanction or penalty to be imposed; and

IT IS FURTHER ORDERED that a copy of this Order be served upon the Respondent as provided in N.J.S.A. 45:15-18, which service may be accomplished by serving a copy of this Order on the Respondent personally, or by delivering a copy thereof to his last known business address via certified mail.



Marlene Caride
Commissioner
New Jersey Department of Banking and Insurance
New Jersey Real Estate Commission