

In The Matter of:

Matthew Bariso (#0561271), Licensed Real Estate Salesperson/Respondent

WHEREAS Respondent Matthew Bariso, a licensed real estate Salesperson 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. 45:15-1-42; and

WHEREAS at all times relevant hereto, Respondent Bariso was and continues to be licensed as a salesperson with Coldwell Banker Residential Brokerage, at the branch office located at 1410 Valley Road, Wayne, NJ; and

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

WHEREAS Bariso was the disclosed dual agent for the property located at 7 Robinwood Drive, Little Falls, NJ; and

WHEREAS an offer was made on the property on October 9, 2017, however, a copy was not provided to the prospective buyer; and

WHEREAS the offer was accepted on October 11, 2017, however the contract was altered to indicate that the "pool was in as in condition" without the knowledge of the prospective buyer; and

WHEREAS on October 13, 2017, a copy of the contract was finally provided to the buyer; and

WHEREAS Bariso admits that he violated N.J.S.A. 45:15-17(f) and N.J.A.C 11:5-6.2(a)1 and 4 by failing to provide a copy of the offer or the fully executed contract immediately upon its being signed; and

WHEREAS Bariso admits that he violated N.J.A.C. 11:5-6.2(a)5 by failing to have the alteration to the contract initialed by all parties to the transaction; and

WHEREAS Respondent Bariso acknowledges that he has been made aware of his right to a full and formal hearing on any violations which the Commission may allege he has committed and his right to have the advice of counsel on the matters to which this Consent Order pertains, he 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 Bariso agrees to pay a fine in the amount of \$2,000.00; and it is further ordered and agreed that

Respondent Bariso 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 24th day of January, 2019

ORDERED and AGREED that the terms of this Consent Order are approved by the Commission at a regular meeting on January 8, 2019; 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.;



RESPONDENT CERTIFICATION

I, Matthew Bariso, 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: 12/28/18


Matthew Bariso, Respondent

Subscribed and sworn to before me on this 28 day of December, 2018

