

NEW JERSEY REAL ESTATE COMMISSION

NEW JERSEY REAL ESTATE COMMISSION)	DOCKET NUMBER MID-19-006
)	(REC Ref. No. 10007053)
Complainant,)	
)	ORDER TO SHOW CAUSE
v.)	
)	
ASMINA TAN, licensed New Jersey real estate)	
salesperson (Ref. No. 1223676))	
)	
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 et seq., and it appearing that:

1. Respondent Asmina Tan (“Tan”) is an actively licensed New Jersey real estate salesperson, who was first licensed on September 24, 2012, and is currently licensed through Four Point Realty, LLC, whose primary office is located at 521 Amboy Avenue, 1st Floor, Woodbridge, New Jersey 07095; and
2. On or about December 15, 2017 Tan was arrested and charged with one count of Theft by Unlawful Taking, in violation of N.J.S.A. 2C:20-3A, a crime of the third degree; and
3. The conduct underlying the criminal charges involved Tan’s involvement in a scheme to reduce the water and sewer bills for a number of properties located in New Brunswick, New Jersey; and
4. Tan failed to notify the Commission within 30 days of the filing of criminal charges against her, as required by N.J.S.A. 45:15-17(s); and
5. On or about May 23, 2018, Tan was accepted into the Pre-Trial Intervention program (“PTI”) for a period of 24 months. Pursuant to the terms of Tan’s PTI, all proceedings in prosecution of the above criminal charges against Tan are postponed for the duration of the period of PTI; and
6. Respondent Tan’s conduct is in violation of N.J.S.A. 45:15-17(s), in that Tan failed to notify the Commission within 30 days of the filing of criminal charges against her; and

7. Respondent Tan's conduct is in violation of N.J.S.A. 45:15-17(e), unworthiness, bad faith and dishonesty, in that Tan's conduct, underlying the criminal charges against her, as described above, demonstrates unworthiness for licensure, bad faith and dishonesty.

And for good cause shown,

IT IS on this 31st day of January, 2019

ORDERED that Respondent Asmina Tan shall show cause why her 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. 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 26th day of March, 2019 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 her last known business address via certified mail.



Richard Mumford
Acting Director of Banking
New Jersey Department of Banking and Insurance
New Jersey Real Estate Commission