

NEW JERSEY REAL ESTATE COMMISSION

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| NEW JERSEY REAL ESTATE COMMISSION |) | DOCKET NUMBER CAM-19-015 |
| |) | |
| Complainant |) | ORDER TO SHOW CAUSE |
| |) | (REC Ref. No. 10009140) |
| |) | |
| vs. |) | |
| |) | |
| RICHARD BRADIN, licensed New |) | |
| Jersey real estate salesperson, |) | |
| (license no. 0679316) |) | |
| |) | |
| Respondent. |) | |

THIS MATTER being commenced by the New Jersey Real Estate 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, N.J.A.C. 11:5-1.1 to 12.18, and it appearing that:

ALLEGATIONS COMMON TO ALL COUNTS

1. Richard Bradin is a licensed New Jersey real estate salesperson, currently licensed with Weichert South Jersey, Inc., whose office is located at 1909 Route 70 East, Suite 1, Cherry Hill, NJ 08003. Respondent Bradin was first licensed on June 1, 2006; and
2. In March 2019, Respondent Bradin showed a property to a client located at 76 Suburban Boulevard #26 in Delran, New Jersey. The Suburban Boulevard Property is governed by the Mill Run Commons Condominium Association. Mill Run is a community for adults 45 years-old and older; and
3. Bradin's client was younger than 45 years old and was not eligible to live in Mill Run; and
4. The Multiple Listing Service ("MLS") information sheet indicated that Mill Run was a community for adults 45 years-old and older; and
5. Bradin submitted an offer to purchase the Suburban Boulevard property on or about March 23, 2019; and

6. On or about March 28, 2019, the listing agent, Leyla Temur, e-mailed Respondent Bradin a contract for sale and the Rules and Regulations for Mill Run; and
7. The first rule on the Rules and Regulations for Mill Run reads, in relevant part, “[a]t least one individual purchaser of any unit must be at least forty-five years of age”; and
8. Bradin’s client signed the contract, agreeing to purchase the Suburban Boulevard property at Mill Run; and
9. Bradin’s client expended money on an appraisal and an inspection in preparation for closing on the Suburban Boulevard property at Mill Run; and
10. Bradin’s client was ultimately unable to purchase the Suburban Boulevard property, in part, because she was unable to procure funding because she did not meet the age requirement in the Rules and Regulations for Mill Run.

COUNT ONE

11. Respondent Bradin is in violation of N.J.A.C. 11:5-6.4(a) because he failed to promote his client’s interests when he showed her the Suburban Boulevard property and allowed her to enter into a contract for the purchase of said Property when she was ineligible due to her age; and

COUNT TWO

12. Respondent Bradin is in violation of N.J.S.A. 45:15-17(e) in that he showed incompetency or unworthiness when he showed his client the Suburban Boulevard property and allowed her to enter into a contract for the purchase of said property when she was ineligible due to her age.

IT IS ON THIS 27th DAY OF August, 2019

ORDERED that Respondent shall show cause why Respondent's real estate licenses should not be suspended or revoked, and/or why fines or other sanctions should not be imposed pursuant to 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 Answers must include specific admissions or denials of all allegations in the Order to Show Cause, state the factual basis of each and every factual allegation denied and assert any defenses that Respondent intends to present if this matter is deemed a contested case and a plenary hearing is held; and

IT IS FURTHER ORDERED that failure to comply with all 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 New Jersey Real Estate Commission will review this Order to Show Cause and Answer filed, if any, at a meeting scheduled on or after the 8th day of October, 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 hereof to their last known business addresses via certified mail.



Marien Caride
Commissioner
New Jersey Department of Banking and Insurance

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