

BEFORE THE
NEW HAMPSHIRE REAL ESTATE COMMISSION
CONCORD NH 03301

In the Matter of:

File No. 2011-035 New Hampshire Real Estate Commission v. Kimberley E. Anderson
Allegations: Rea 401.01 (a) (21); RSA 331-A:26, I; RSA 331-A:26, XXIX

SETTLEMENT AGREEMENT

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of real estate, the New Hampshire Real Estate Commission ("Commission") and Kimberley E. Anderson ("the Licensee" or "the Respondent"), a real estate broker currently licensed by the Commission until 12/2/13, agree to resolve certain allegations of professional misconduct now pending before the Commission in accordance with the following terms and conditions:

1. The parties stipulate that the Commission has jurisdiction to institute a disciplinary proceeding against the Respondent pursuant to RSA 331-A:29, I and RSA 541-A:31, V, and if such a proceeding were commenced, the allegations against the Respondent would be:

Respondent Kimberley Anderson submitted an application for renewal of her New Hampshire principal broker license with her signature notarized on 12/5/11. Question #8 on the application asks: "Have any licenses which you have held to sell real estate been subject to disciplinary action in any state since your last original or renewal application?" and Respondent answered this question "No". However, on 12/17/09 Respondent entered into a Consent Agreement with the Maine Real Estate Commission regarding a continuing

education audit which indicated that she had renewed her Maine real estate license without all of the required course credits, resulting in a \$900 disciplinary fine and a 30 day license suspension; and on 12/16/10 an Order was issued by the Maine Real Estate Commission resulting in the revocation of Respondent's Maine real estate license regarding her failure to comply with the Consent Agreement. Respondent indicated that she was having circumstances in her personal life that distracted her from her licensing issues.

2. The Respondent acknowledges and does not contest the allegations described in Paragraph 1 above.
3. The Respondent consents to the Commission imposing the following discipline, pursuant to RSA 331-A:28, I. The Respondent shall pay a disciplinary fine in the amount of five-hundred dollars (\$500) to the New Hampshire Real Estate Commission, payable to the Treasurer State of New Hampshire within ninety (90) days of the effective date of this Settlement Agreement; and Respondent shall show proof of full attendance at a New Hampshire Real Estate Commission accredited 3-hour continuing education course about Ethics (this continuing education course is to be completed by classroom delivery method only and is not to be counted towards Respondent's continuing education requirements) within ninety (90) days of the effective date of this Settlement Agreement. Failure to comply with this disciplinary Settlement Agreement will result in the suspension of Respondent's real estate license until the fine is paid and the course is completed.
4. The Respondent's failure to adhere to any requirement imposed by this Agreement shall be a separate and sufficient ground for disciplinary action by the Commission.

5. Except as provided in Item 3 and 4 above, this Agreement shall forever bar further disciplinary action or other adverse action by the Commission based upon the specific allegations described above in Paragraph 1, provided, however, that this Agreement may be considered by the Commission in determining whether the Respondent has engaged in a pattern of misconduct, or in determining the nature of any sanctions which may be imposed in any subsequent disciplinary proceeding arising out of different misconduct allegations.
6. The Respondent voluntarily signs this Settlement Agreement and states that no promises or representations have been made to her/him other than those terms and conditions expressly stated herein.
7. Respondent understands that her/his action in entering into this agreement is a final act and not subject to reconsideration or judicial review or appeal.
8. Respondent has had the opportunity to seek and obtain the advice of an attorney of her/his choosing in connection with her/his decision to enter into this Agreement.
9. Respondent understands that the Commission must review and accept the terms of this Agreement. If the Commission rejects any portion, the entire Agreement shall be null and void. Respondent specifically waives any claims that any disclosures made to the Commission during its review of this Agreement have prejudiced her/his right to a fair and impartial hearing in the future if this Agreement is not accepted by the Commission.
10. Respondent certifies that she/he has read this document titled Settlement Agreement. Respondent understands that she/he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing she/he would possess the rights to

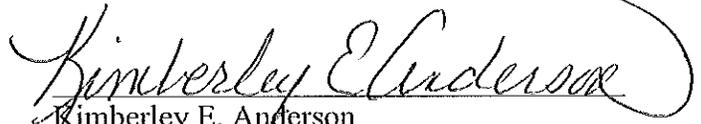
confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her/his own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this Agreement, she/he waives these rights as they pertain to the misconduct described herein.

11. The effective date of this Agreement shall be on the date it is signed by the representative of the Commission shown below.

For the Respondent

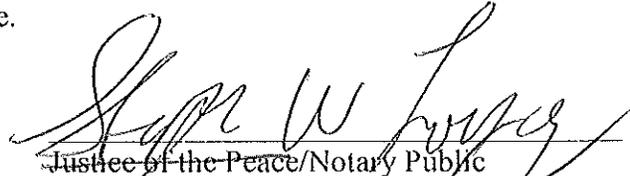
I, Kimberley E. Anderson, have reviewed the forgoing Settlement Agreement settling misconduct allegations pending against me, and, of my own free will and without duress, and being knowledgeable about all of the consequences, admit to the validity thereof, and agree to all of the terms of this Settlement Agreement. Further, I knowingly and freely waive my right to further notice, opportunity for hearing, substantial evidence, and findings and conclusions with regard to the allegations, which have been settled by the terms of this Settlement Agreement.

Dated: April 21st, 2012



Kimberley E. Anderson
Respondent

On this April 21st day of April A.D. 20 12
personally appeared the person who subscribe to the following instrument and acknowledged the same as her/his voluntary act and deed before me.



Justice of the Peace/Notary Public
Stephen W. Lovejoy.
My commission expires:
March 19, 2013

For the Commission

Dated: May 15th, 2012



Beth A. Edes
Executive Director
of the NH Real Estate Commission