BEFORE THE
NEW HAMPSHIRE REAL ESTATE COMMISSION
CONCORD NH 03301

In the Matter of:
File No. 2012-038 NH Real Estate Commission v. Edmond Bisson & Andrew F. Armata

Allegations: Andrew F. Armata RSA 331-A:26, XXVII

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 Andrew F. Armata ("the Licensee" or "Respondent Andrew Armata"), a real estate broker currently licensed by the Commission until October 19, 2014, 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 Edmond Bisson advertised property and his services as a real estate agent using his cell phone number only, without also including and identifying the office phone number. Respondent Edmond Bisson advertised property and his services as a real estate agent using a trade name of REMAX Action Realty which is not registered with the NH Real Estate Commission or registered with the NH Secretary of State (Respondent Edmond Bisson

formerly was a principal broker dba: REMAX Action Realty until July 25, 2008. Respondent Edmond Bisson is currently the managing broker for the branch office of Prestige Real Estate, Inc. dba: RE/MAX Prestige in Pelham, New Hampshire. Respondent Andrew Armata is the principal broker of Prestige Real Estate Inc dba: RE/MAX Prestige, and has failed to supervise the advertising activities of Respondent Edmond Bisson. Respondent has replied to this complaint acknowledging these violations, and stated that since this complaint Respondent Edmond Bisson has complied with advertising regulations by obtaining banners to attach to the signs to properly indicate and identify the phone numbers as well as the firm trade name.

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 two-hundred dollars ($200) to the New Hampshire Real Estate Commission, payable to the Treasurer State of New Hampshire within forty-five (45) 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.
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 him other than those terms and conditions expressly stated herein.
7. Respondent understands that 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 his choosing in connection with 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 his right to a fair and impartial hearing in the future if this Agreement is not accepted by the Commission.
10. Respondent certifies that he has read this document titled Settlement Agreement. Respondent understands that he has the right to a formal adjudicatory hearing

concerning this matter and that at said hearing he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on 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, 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, Andrew F. Armata, 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: February 20, 2013

Andrew F. Armata
Respondent

On this 20th day of February A.D. 2013 personally appeared the person who subscribe to the following instrument and acknowledged the same as her/his voluntary act and deed before me.

Maureen S. Hoffmann
Justice of the Peace/Notary Public

My commission expires:

MAUREEN S. HOFFMANN
Notary Public
Commonwealth of Massachusetts
My Commission Expires
August 27, 2015

For the Commission

Dated: March 25, 2013

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