

State of New Hampshire
Real Estate Commission
Concord, New Hampshire

SHOW CAUSE ORDER

In the Matter of:
John Coburn, Jr.
(Failure to Comply)

License # 052310

On July 16, 2019, the New Hampshire Real Estate Commission held a Show Cause hearing relative to licensee John Coburn. On July 2, 2019, a notice of show cause was mailed to Mr. Coburn's last known address on file by certified mail. On July 6, 2019 a signature bearing the name John Coburn Jr. signed for the certified letter indicating receipt of the notice.

The Show Cause notice identified the date of hearing scheduled for July 16, 2019 at 9:30 AM, during our regularly scheduled monthly Commission meeting. Mr. Coburn failed to appear at the hearing and failed to request a continuance of the matter. Due to Mr. Coburn receiving adequate notice of the hearing and his refusal to participate, the hearing was held in absentia.

The following facts are accepted as evidence from prosecutor Michael Porter, Esq.:

- 1) The New Hampshire Real Estate Commission ("Commission") licensed John Coburn, Jr. ("Mr. Coburn" or "Licensee") as a Principal Broker with license number 052310 on March 28, 2001.
- 2) On March 25, 2019, Mr. Coburn renewed his Principal Broker license online as inactive. He listed his residential street address as 100 Cove Street, Goffstown, NH 03045 and his residential mailing address as P.O. Box 561,

Goffstown, NH 03045. The licensee's email address on file is [jacoburnjr@myfairpoint.net](mailto:jcoburnjr@myfairpoint.net). He also reported that he completed three- hour core course #C005 on March 25, 2019.

- 3) Licensees are subject to random education audits pursuant to Rea 400.
- 4) The Licensee was randomly selected for an audit of the Core course reported in his on-line renewal.
- 5) On or about April 9, 2019 an audit letter was sent by email and regular mail to his email address and mailing address on file. No response was received.
- 6) On May 7, 2019, an email was sent to the email address on file. A server message was received as failed delivery.
- 7) On May 16, 2019, the original April 9, 2019 letter was again mailed to the mailing address on file.
- 8) On May 28, 2019, a 4th and final CE audit letter was mailed, certified and regular, to both addresses on file – mailing and residential.
- 9) On June 19, 2019, the post office returned the May 28, 2019 regular mailed letter sent to the residential address as “Not deliverable as addressed, unable to forward”.
- 10) On June 19, 2019, the post office returned the May 28, 2019 certified letter sent to the mailing address as “unclaimed”. The post office made three attempts on May 30, June 5 and June 15.

11) On June 25, 2019, a non-compliance audit letter was mailed to the mailing address on file.

The relevant administrative rules pertaining to this matter are:

Rea 404.02(a) & (b):

a) Each licensee and firm shall at all times keep the commission informed of the licensee's or firm's current resident address, mailing address, contact phone number, work location address, legal name, or trade names.

(b) Any such changes in the information listed in (a) above shall be reported, in writing, to the commission no later than 10 days after the change by completing and submitting a "Amendment Form", effective June 2017.

Rea 403.01 (a): *All active and inactive renewal applicants shall complete a minimum 3- hour continuing education core course that has been accredited by the commission pursuant to Rea 302.01.*

Rea 403.02 (a), (b), (c) & (d):

(a) All active and inactive renewal applicants shall retain verification records for a period of at least 4 years.

(b) Continuing education documentation shall be made available to the board for random audit and verification purposes.

(c) Documentation shall support continuing education hours claimed.

(d) Failure to provide documentation for audit verification shall result in disciplinary action pursuant to Rea 200.

The Commissioners find sufficient facts presented by the prosecution and Mr. Coburn had sufficient notice to attend the hearing but failed to do so. Mr. Coburn failed to

provide sufficient cause as to why disciplinary measures including but not limited to suspension of his license should not occur.

The Commission issues the following order:

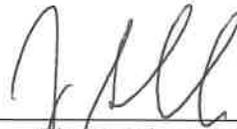
Respondent's license to practice real estate in the State of New Hampshire is hereby **SUSPENDED**.

THEREFORE, IT IS ORDERED pursuant to RSA 331-A and Rea 200 John Coburn's license to practice real estate in the State of New Hampshire is immediately **SUSPENDED**.

BY ORDER OF THE COMMISSION;

Dated: _____

8/20/19



Joseph G. Shoemaker, Director
Division of Technical Professions
NH Office of Professional Licensure and Certification
Authorized Representative of the NH Real Estate
Commission