

**State of New Hampshire  
New Hampshire Real Estate Commission  
Concord, New Hampshire 03301**

In the Matter of:  
Daniel Twombly  
(License #056052)

Docket No. TBD

**VOLUNTARY PRELIMINARY AGREEMENT NOT TO PRACTICE**

The New Hampshire Real Estate Commission (“Commission”) first granted Daniel Twombly (“Mr. Twombly or Respondent”) a license to practice as Salesperson on October 18, 2002. The Respondent was issued his license as a Principal Broker on January 18, 2011. The Respondent was issued license number 056052.

The Respondent is the Principal Broker for NE Coast to Country Realty Investments LLC with four locations in New Hampshire. On or about March 11, 2023, the OPLC-Division of Enforcement received information alleging concerns about the escrow account held by the Respondent, who is a signor on the account, held on behalf of NE Coast to Country Realty Investments, LLC, for the purposes of holding contractual deposits. Specifically, licensees raised concerns about whether there are sufficient funds to contractually close on transaction already in place and whether the Respondent has appropriately maintained the required escrow accounts pursuant to RSA 331-A: 13. Specifically, licensees working under the Respondent’s license allege the Respondent has failed to pay approximately Two Hundred Thousand Dollars (\$200,000.00) in commissions due and owing to licensees whose contracts closed but the Respondent has not paid commission or fees since January 2023 or February 2023. Licensees expressed concerns stemming back to October 2022 when licensees report the Respondent was either slow in paying commissions or failed to pay commissions as contractually required.

Licenses report the situation has continued to devolve to a point where the Respondent has failed to pay commissions promised to the licensees, as recent at the week ending March 10, 2023.

The Respondent, as a Principal Broker, is required to adhere to the statutory obligations of escrow accounts in accordance with RSA 331-A: 13.

The Respondent's license to practice as a Principal Broker was suspended by the Commission on an emergency basis pursuant to RSA 541-A: 30, III. The Respondent now enters into a *Voluntary Preliminary Agreement Not to Practice* with the Commission in lieu of a scheduled emergency hearing on the matter as follows:

1. I, Daniel Twombly, voluntarily agree not to practice as Principal Broker, or in any capacity as a licensee pursuant to RSA Chapter 331-A effective upon my signing this *Voluntary Preliminary Agreement Not to Practice*.
2. I admit to no violations of NH RSA Chapter 331-A or any administrative rules, ethical provisions, or any other laws, statutes, or regulations, adopted by the Commission
3. Understanding that this *Voluntary Preliminary Agreement* and the restrictions herein shall remain until further order of the Commission, I hereby specifically waive any statute of limitations, or laches defense, which might be then available, including but not limited to, those based on RSA 332-G: 8 and RSA 332-G: 9.
4. I understand that this *Voluntary Preliminary Agreement Not to Practice* shall remain in place until such time the ongoing investigation into this matter is complete and the adjudicatory process has been completed.

5. In the event that I apply for a renewal of my license while this agreement is in effect, I voluntarily agree to waive any statutory or administrative time deadlines regarding the Commission's final action on any such license renewal application. I understand that by waiving such deadlines, the Commission's final action on any such license renewal application will be automatically deferred until after the disposition of this Commission matter and that my license will not expire while this Preliminary Agreement is in effect.
6. I enter into this *Voluntary Preliminary Agreement Not to Practice* with the Commission and state that no promises or representations have been made to me other than those terms and conditions expressly stated herein.
7. I further understand that this document shall become a permanent part of my file and will be maintained by the Commission as a public document upon execution by the Commission as a Commission Order.
8. I have had the opportunity to seek and obtain the advice of an attorney of my choosing in connection with my decision to sign this Preliminary Agreement.
9. I am of sound mind and not under the influence of any substance that would impair my judgement at the time I sign this *Voluntary Preliminary Agreement Not to Practice*.
10. I understand that my failure to comply with the terms of this *Voluntary Preliminary Agreement Not to Practice* shall constitute unprofessional conduct under RSA 331-A: 26, XXIX and may subject me to discipline under RSA 331-A: 28.

*In the Matter of Daniel Twombly  
New Hampshire Real Estate Commission  
Voluntary Preliminary Agreement Not to Practice*

**FOR RESPONDENT**

Date: 3/14/2023



Respondent (Daniel Twombly)

**FOR THE COMMISSION**

This *Voluntary Preliminary Agreement Not to Practice* is hereby accepted in accordance with the binding terms and conditions set forth above and shall issue as an Order of the Commission upon execution by the Commission.

Date: 3/21/2023



(Signature)

Lindsey B. Courtney  
Print Name Executive Director  
Authorized Representative of the New  
Hampshire Real Estate Commission