



The Notice of Hearing to Show Cause for failure to comply with the May 7, 2019 request for production of documents was filed with the Commission on May 28, 2019. This notice was mailed to Respondent at his home and office on May 28, 2019, via certified mail. On May 31, 2019, Respondent's Principal Broker signed for the certified mail at the office. On June 1, 2019, Respondent signed for the notice mailed to his home address.

At no time prior to the commencement of the Show Cause hearing did Respondent contact or attempt to contact the Commission to request clarification or extension of time to produce the documentation requested.

On June 18, 2019, Respondent appeared at the Show-Cause hearing pro se. Respondent acknowledged his Principal Broker received the original May 7, 2019 letter. He further testified he was not at the office when the letter was received. Respondent testified his Principal Broker photographed the envelope and texted him a picture of the certified letter. Per Respondent's testimony, his Principal Broker held on to the letter for eight days at which time Respondent picked the letter up from his Principal Broker.

Respondent testified he was aware of the ongoing investigation. He testified he knew the certified letter was waiting at his office. He testified he was working another job and got around to picking the letter up when he had time. Respondent testified that upon picking up the letter he opened it. Upon opening the letter, Respondent noticed the date to comply with the request (May 15, 2019) passed so he did not provide the information.

Respondent was asked if he had access to the information requested in the letter. Respondent testified he did not have any classes for the time -frame in question therefore he had nothing to provide. As for the request for verification that he still had permission to teach copyright material from the National Association of Realtors, Respondent testified he had access

to a spreadsheet for some information and he could have requested the verification sought but did not do so.

After listening to Respondent's testimony before the Commission, Respondent failed to show good cause as to why the Commission should not institute disciplinary actions for failing to provide the requested documents. As of the date the Show-Cause hearing commenced (June 18, 2019) Respondent still has not provided the requested information to the Commission. Respondent failed to bring the requested information with him to the Show-Cause hearing or the hearing scheduled immediately after.


Based on the facts, Respondent received the request for production of documents and willfully ignored and continues to ignore the request. Respondent failed to show good cause to why disciplinary action should not be instituted.

The Commission issued the following order:

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

BY ORDER OF THE BOARD

Effective Date: July 16, 2019

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