

Hearing No. 226151

**In the Matter of  
 Maria Isabel Lopez**

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**Before the Texas Real  
 Estate Commission  
 ("Commission")**

**Texas Real Estate Broker  
 License No. 487157**

**Sitting In Austin,  
 Travis County, Texas**

**Agreed Order**

In order to conclude this matter, Respondent neither admits nor denies to the truth of the following Findings of Fact and Conclusions of Law and agrees to the entry of this Order and assessment of an administrative penalty.

**Findings of Fact**

1. Respondent is a licensed Texas real estate broker, was a Texas real estate broker at all times relevant to this matter, and performed an act in Texas constituting an act of a broker or sales agent as defined under Section 1101.002(1), Texas Occupations Code.
2. Respondent was the sponsoring broker for real estate sales agent Carla Casillas ("sales agent"). Respondent has been licensed since July 20, 2001. The documents drafted by Respondent in this transaction were drafted in conjunction with the sales agent.
3. Respondent listed a property located at 7912 Park Place Blvd., Houston, Texas (the "property"). Respondent listed the property on MLS. The MLS advertising stated that "the use can be residential or commercial." The property was only zoned for residential use, the previous owner applied to convert the property from a residence to a car dealership office in October 2018, but the zoning was not changed.
4. Respondent used the "Commercial Contract-Improved Property" contract form to sell the property. The property was a residential property at the time of the sale. The contract was executed on January 6, 2022. The contract stated in section 9(a) that the principal broker "represents Buyeronly."
5. The Listing Agreement indicated that the Respondent was permitted to show the property as an Intermediary, but the contract shows that Respondent represents the Buyer only. Respondent did not obtain written consent from the buyer to act as an intermediary.
6. Respondent failed to provide the buyer or seller with a current Information About Brokerage Service form that includes license holder contact information.
7. Respondent now understands that she is responsible for the sales agents she sponsors. Additionally, Respondent needs to use the current IABS form promulgated by the Commission and the correct sales contractform.

In the Matter of  
Maria Isabel Lopez  
Page 2 of 3

8. Respondent does not have a history of formal disciplinary actions taken against her.

### **Conclusions of Law**

The acts and omissions on the part of Respondent set out in the Findings of Fact constitute the following violations that are cause for the suspension, revocation, or reprimand of Respondent's Texas real estate broker license pursuant to the specific statutes and rules cited below and/or Section 1101.656, Texas Occupations Code, and are further cause for the assessment of an administrative penalty against Respondent pursuant to Section 1101.701, Texas Occupations Code:

9. Section 1101.559, Texas Occupations Code, by acting as an intermediary between parties to a real estate transaction without first obtaining written consent from each party for the Respondent to act as an intermediary in the transaction;
10. Section 1101.652(b)(1), Texas Occupations Code, by acting negligently or incompetently, while acting as a broker or sales agent;
11. Section 1101.652(b)(23), Texas Occupations Code, by publishing or causing to be published an advertisement, including an advertisement by newspaper, radio, television, the Internet or display, that misleads or is likely to deceive the public, tends to create a misleading impression, or fails to identify the person causing the advertisement to be published as a licensed broker or sales agent;
12. 22 Tex. Admin. Code §531.20, by failing to provide the Information About Brokerage Services Notice as provided by the rule; and
13. 22 Tex. Admin. Code §535.2(a), by failing to advise a sponsored sales agent of the scope of the sales agent's authorized activities under The Real Estate License Act.

### **Order**

IT IS ORDERED that Respondent is formally reprimanded for Respondent's actions in this matter.

IT IS FURTHER ORDERED that Respondent must pay an administrative penalty of \$3,500 by cashier's check or money order payable to the Texas Real Estate Commission.

IT IS FURTHER ORDERED that on or before 5:00 p.m., June 30, 2023, Respondent must provide the Commission's Enforcement Division with evidence of Respondent's completion of 30 hours in a contract law course as defined by Section 1101.003(a)(2), Texas Occupations Code from a Commission approved Education Provider and that these hours are in addition to the Continuing Education (CE) hours required for the next renewal of Respondent's Texas real estate broker license. Failure to timely provide evidence of completion of the course as ordered automatically suspends Respondent's Texas real

In the Matter of  
Maria Isabel Lopez  
Page 3 of 3

estate license until the evidence of the course completion is provided to the Commission's Enforcement Division.

*Chelsea Buchholtz*

4/11/2023

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Chelsea Buchholtz                      Date  
Executive Director, Texas Real Estate Commission  
or  
Tony Slagle  
Deputy Executive Director, Texas Real Estate Commission

The undersigned Respondent states and affirms that Respondent enters into this agreed order of Respondent's own free will; that Respondent agrees to the entry of the above Findings of Fact and Conclusions of Law; that Respondent has been afforded all administrative remedies due Respondent under the law by the Texas Real Estate Commission; that Respondent, having been advised of Respondent's right to a hearing and to be represented by an attorney, waives these rights; and that Respondent waives all right to judicial review of this Order.

3/24/2023  
DATED: \_\_\_\_\_

*MARIA ISABEL LOPEZ*

\_\_\_\_\_  
Maria Isabel Lopez  
Respondent

4/11/2023  
DATED: \_\_\_\_\_

*Cary Bruner*

\_\_\_\_\_  
Cary Bruner  
Staff Attorney  
Texas Real Estate Commission