

FILED**Texas Real Estate Commission**Date: 09/02/2021**Hearing No. 210617**

In the Matter of	§	Before the Texas Real
Sherilyn E. Kent	§	Estate Commission
	§	("Commission")
	§	
Texas Real Estate Sales Agent	§	Sitting In Austin,
License No. 496604	§	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 sales agent, was a Texas real estate sales agent 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. At all times relevant to this matter, Respondent was sponsored by Juan Bustos III.
3. Respondent acted as the seller's agent in a transaction concerning 710 W Spruce Street in Whitewright, Texas. The parties executed a resale contract effective August 23, 2017.
4. Subsequently, the parties executed a repair amendment that provides that the seller shall "have foundation repaired by professional foundation company."
5. Respondent asked handyman Robert Kranning if he could complete the repairs. Mr. Kranning completed repairs and provided Respondent an invoice that stated "level house, fix all cracks inside house."
6. Mr. Kranning is not a foundation repairman and has never leveled or done foundation work before.
7. After closing, the buyers discovered that foundation issues were not properly repaired.
8. Respondent has been licensed since 2002 and has had no formal disciplinary action.

Conclusions of Law

The acts and omissions on the part of Respondent set out in the Findings of Fact constitute the following violation that is cause for the suspension, revocation, or reprimand of Respondent's Texas real estate sales agent license pursuant to the specific statute cited

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below and/or Section 1101.656, Texas Occupations Code, and is further cause for the assessment of an administrative penalty against Respondent pursuant to Section 1101.701, Texas Occupations Code:

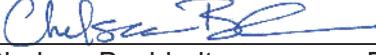
9. Section 1101.652(b)(1), Texas Occupations Code, by acting negligently or incompetently, while acting as a broker or sales agent.

Order

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

IT IS FURTHER ORDERED that Respondent must pay an administrative penalty of \$1,500 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., January 12, 2022, Respondent must provide the Commission's Enforcement Division with evidence of Respondent's completion of 30 hours in an agency law course as defined by Section 1101.003(1), 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 sales agent license. Failure to timely provide evidence of completion of the course as ordered automatically suspends Respondent's Texas real estate license until the evidence of the course completion is provided to the Commission's Enforcement Division.

 9/2/2021
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.

DATED: 8/18/2021

Sherilyn E. Kent
Sherilyn E. Kent
Respondent

DATED: 9/2/2021

Sarah Decker
Sarah Decker
Staff Attorney
Texas Real Estate Commission