

**Hearing No. 234993 Et al.**

<b>In the Matter of Kendrick Dion Blue</b>	§ § § § § §	<b>Before the Texas Real Estate Commission ("Commission")</b>
<b>Texas Real Estate Sales Agent License No. 733142</b>		<b>Sitting In Austin, Travis County, Texas</b>

**Agreed Order**

Respondent, Kendrick Dion Blue ("Respondent"), neither admits nor denies the truth of the following Findings of Fact and Conclusions of Law but agrees to the entry of this Order.

**Findings of Fact**

1. At all times relevant, Respondent was a licensed real estate sales agent and performed brokerage activity as defined under Section 1101.002(1), Texas Occupations Code.
2. Respondent was sponsored by Salvador Martinez, Jr., LLC, until June 20, 2023, and then by Boris David Artiga at times relevant to this matter.
3. On or about July 31, 2023, Respondent's sponsoring brokerage, Boris David Artiga, terminated their sponsorship of Respondent's license and Respondent's license remained inactive and is still inactive.
4. On or about February 14, 2024, Respondent's license expired.
5. Respondent has prior disciplinary history with the Commission, specifically, on or about December 29, 2022, an Agreed Order, concerning Case Number 220605 and 225633, was executed stating that beginning on February 15, 2023, Respondent's license was on a fully probated suspension until January 15, 2026.

**Count I – File No. 234993**

6. On or about June 15, 2023, Respondent utilized Taylor M. Ramsay's ("Ramsey") information, including a copy of a Social Security card, Driver's License, paycheck stubs and utility bill, to fraudulently obtain a lease agreement concerning 5006 Augusta Street, in Houston Texas, in which the Complainant was the leasing agent.
7. On or about June 15, 2023, Respondent transferred \$2,700 to the leasing agent as a security deposit for Ramsey.
8. On or about June 16, 2023, when the leasing agent visited 5006 Augusta Street, he spoke with a woman named Olivia, but believed Respondent utilized Ramsey's information to help Olivia fraudulently obtain a lease.

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9. Respondent became the subject of a complaint to the Commission in TREC File No. 234993 and on or about June 21, 2023, the Commission opened the complaint against Respondent, by written notice sent to Respondent's email address of record.
10. On July 5, 2023, the Commission, acting through its authorized representative, requested Respondent to provide information and produce documents in Respondent's possession concerning this complaint file, collectively the "Requested Information."
11. On July 20, 2023, Respondent stated he would provide a response by the end of the week concerning the underlying complaint.
12. On or before July 27, 2023, Respondent obtained counsel, and Respondent's attorney was informed that a response was due by August 2, 2023.
13. Neither Respondent, nor Respondent's counsel, provided the Requested Information.

**Count II – File No. 235142**

14. In May 2023, the Complainant in this matter contacted Respondent to help locate a rental property to lease.
15. The Complainant stated that Respondent requested \$1,500 in order to assist the Complainant with her search.
16. The Complainant stated she sent Respondent two, \$400 payments via CashApp on May 5, 2023.
17. On June 1, 2023, the Complainant requested a refund of \$800 from Respondent via CashApp, but the request was not honored.
18. On June 5, 2023, Respondent sent the Complainant \$300 via CashApp.
19. Respondent became the subject of a complaint to the Commission in TREC File No. 235142 and on or about June 27, 2023, the Commission opened the complaint against Respondent, by written notice sent to Respondent's email address of record.
20. On July 27, 2023, the Commission, acting through its authorized representative, requested Respondent to provide information and produce documents in Respondent's possession concerning this complaint file, collectively the "Requested Information."
21. On or before July 27, 2023, Respondent obtained counsel, and Respondent's attorney was informed that a response was due by August 2, 2023.

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22. On August 11, 2023, and August 29, 2023, additional attempts were made by the Commission to obtain a response from Respondent.
23. On August 31, 2023, Respondent informed the Commission that he was under the impression that Respondent's attorney was submitting a response and when Respondent was informed that no response was received, Respondent stated he would contact his attorney.
24. Neither Respondent, nor Respondent's counsel, provided the Requested Information.

**Count III – File No. 241355**

25. In February 2023, Respondent referred a tenant to the Complainant, the owner of 3216 Saint Emanuel Steet, in Houston, Texas (the "Property").
26. On February 3, 2023, a Residential Lease Application (the "Application") was executed by the parties concerning the Property.
27. On or about February 15, 2023, a Residential Lease (the "Lease") was executed by the parties with a commencement date of February 20, 2023, and an expiration date of February 28, 2024.
28. The Lease also stated that the tenant leased the "following non-real property items: Refrigerator, washer, dryer and all furnishing are included with the rental of this [Property]."
29. The Application indicated that the tenant was referred to the Complainant by "Real estate agent Kendrick Blue."
30. In September 2023, the tenant informed the Complainant of the tenant's intention to terminate the Lease.
31. In October 2023, the tenant informed the Complainant that Respondent was able to locate a new tenant that was willing to sign a new one-year lease.
32. On or about October 28, 2023, the Complainant learned that Respondent was given the door code by the tenant and people began occupying the Property without the Complainant's authorization.
33. The Complainant requested Respondent have the unapproved people either obtain approval through the Complainant's utilized leasing company or require the people to move out of the Property.
34. For approximately two months, the Complainant unsuccessfully attempted to work with Respondent on the request.

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35. In December 2023, upon inspection of the Property, the Complainant stated that all of the furniture and televisions, which were included with the rental of the Property, were missing.
36. Respondent became the subject of a complaint to the Commission in TREC File No. 241355 and on or about December 7, 2023, the Commission opened the complaint against Respondent, by written notice sent to Respondent's email address of record.
37. On December 14, 2023, and December 27, 2023, the Commission, acting through its authorized representative, requested Respondent to provide information and produce documents in Respondent's possession concerning this complaint file, collectively the "Requested Information."
38. Neither Respondent, nor Respondent's counsel, provided the Requested Information.

### **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 revocation of the license subject to this Order pursuant to the specific violations cited below:

39. Section 1101.351(c), Texas Occupations Code, by engaging or attempting to engage in real estate brokerage unless the sales agent is sponsored by a licensed broker and is acting for that broker;
40. Section 1101.652(a)(4), Texas Occupations Code, by failing to provide, within a reasonable time, information requested by the Commission that relates to a formal or informal complaint to the Commission that would indicate a violation of this chapter;
41. Section 1101.652(a-1)(2), Texas Occupations Code, by failing or refusing to produce on request, for inspection by the Commission or a Commission representative, a document, book, or record that is in the license holder's possession and relates to a real estate transaction conducted by the license holder;
42. Section 1101.652(b)(1), Texas Occupations Code, by acting negligently or incompetently, while acting as a broker or sales agent;
43. Section 1101.652(b)(2), Texas Occupations Code, by engaging in conduct that is dishonest or in bad faith or that demonstrates untrustworthiness while acting as a broker or sales agent;
44. Section 1101.652(b)(9), Texas Occupations Code, by failing within a reasonable time to properly account for or remit money that is received by the license holder and that belongs to another person;

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45. 22 Tex. Admin. Code §535.3, by receiving or paying a commission or other fee without the written consent of the sales agent's sponsoring broker or the broker who sponsored the sales agent when the sales agent became entitled to the commission or fee; and

46. 22 Tex. Admin. Code §535.146(b)(2) by the sales agent maintaining a trust account and failing to immediately deliver to the sponsoring broker any trust money received in connection with a real estate transaction.

**Order**

IT IS ORDERED that the license subject to this Order is revoked, effective May 1, 2024.

IT IS FURTHER ORDERED that Respondent shall not file an application to obtain any license or certificate issued by the Commission before May 1, 2027. The underlying facts in this Agreed Order, as well as any other factors regarding fitness, maybe considered and may lead to a denial of a future application.

<i>Chelsea Buchholtz</i>	4/24/2024
_____	_____
Chelsea Buchholtz	Date
Executive Director, Texas Real Estate Commission	
or	
Tony Slagle	
Deputy Executive Director, Texas Real Estate Commission	

Respondent affirms they are freely joining into this Agreed Order with the above Findings of Fact and Conclusions of Law. Respondent has been afforded all administrative remedies under the law. Respondent has been advised of their rights to a hearing and waives this right. Respondent has been represented in this matter by an attorney and waives all right to a judicial review of this Order.

DATED: 4/24/2024 \_\_\_\_\_

*Kendrick Dion Blue*

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Kendrick Dion Blue  
Respondent

DATED: 4/24/2024 \_\_\_\_\_

*Derek H. Deyon*

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Derek H. Deyon  
Attorney for Respondent

DATED: 4/24/2024 \_\_\_\_\_

*Jenny Kim*

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Jenny Kim  
Staff Attorney