

Hearing No. 252003

In the Matter of William Lozada	§ § § § § §	Before the Texas Real Estate Commission ("Commission")
Texas Real Estate Sales Agent License No. 758996		Sitting In Austin, Travis County, Texas

Agreed Order

Respondent neither admits nor denies 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. At all times relevant to this matter, Respondent was a licensed Texas real estate sales agent and performed brokerage activity as defined under Section 1101.002(1), Texas Occupations Code.
2. Respondent was sponsored by Exp Realty, LLC at all times relevant to this matter. Karen Richards is the designated broker. Respondent is now sponsored by Walzel Properties, LLC. Shelly Walzel is the designated broker.
3. Respondent represented the buyer in the purchase of the property located at 6807 Los Tios Drive, Houston, Texas.
4. The sellers of the property were The Estate of Larry Eilers and Barbara Eilers. S.S. was the appointed executrix and held a power of attorney for Ms. Eilers.
5. On October 9, 2024, a contract was executed with a closing date set for November 5, 2024.
6. In correspondence to the Commission, Respondent explained that on or about October 30, 2024, the lender informed him that the buyers had paid the earnest money from "someone else's bank account" and that the "earnest money needed to be retracted asap to correct this."
7. On October 30, 2024, Respondent drafted an amendment to "Retract Earnest money" and electronically signed for the sellers, without the knowledge or authorization from S.S., and without providing the proposed amendment to the listing agent. Respondent then sent the amendment to the lender.
8. On November 4, 2024, Respondent drafted an amendment to extend the closing date to November 8, 2024. He electronically signed the amendment for the sellers, again without the knowledge or authorization from S.S., and without providing the proposed amendment to the listing agent. Respondent then sent the amendment to the lender.

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9. The listing agent and S.S. first became aware of the second executed amendment when they received a copy from the lender.
10. S.S. and the listing agent were not aware of the second executed amendment until they received a copy from the lender. In text messages to the listing agent, Respondent stated that he had signed it "cause it was just an extension to the closing date" and that he would "never do that if it was concerning anything money related, etc." A revised amendment to closing was executed.
11. Prior to closing, the listing agent also discovered the first amendment 'retracting the Earnest money'. A revised amendment was executed and the parties were able to close on the property without any issues.
12. Respondent regrets his actions and understands that in the future he may not sign a real estate document for another individual without authorization and must provide all proposed amendments to the other party.
13. Respondent has been licensed since April 17, 2021, and has no prior complaint history.

Conclusions of Law

The acts and omissions on the part of Respondent set out in the Findings of Fact constitute the following violation(s) that are cause for the reprimand of the license subject to this Order pursuant to the specific violation(s) cited below. It is further cause for the assessment of an administrative penalty:

14. Section 1101.652(b)(1), Texas Occupations Code, by acting negligently or incompetently, while acting as a broker or sales agent; and
15. 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.

IT IS ORDERED that the license subject to this Order is reprimanded.

IT IS FURTHER ORDERED that Respondent must pay an administrative penalty of \$3,000 plus any transaction fees set by the Texas Department of Information Resources. Payment must be made in a manner acceptable to the Commission. The Commission may change the method of payment at any time during the payment period with prior notification.

1. For 6 months, the sum of \$500 is due on or before the 1st of each month beginning on or before June 1, 2025, and ending with the final payment due on or before November 1, 2025.
2. Should the 1st day of any month fall due on a weekend or legal holiday, the

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payment is due the next business day.

3. Any amounts paid by Respondent more than the required monthly payments of \$500 go toward the principal amount owed and do not excuse Respondent from making regular monthly payments of at least \$500 until the total sum is paid in full. Failure to timely pay automatically suspends the license subject to this Order until the remaining balance of the administrative penalty is paid in full.

IT IS FURTHER ORDERED that on or before August 15, 2025, 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(a)(1), Texas Occupations Code from a Commission approved Education Provider. These hours are in addition to the Continuing Education (CE) hours required for the next renewal of the license subject to this Order and cannot be used as qualifying education for another license issued by the Commission. Failure to timely provide evidence of completion of the course as ordered automatically suspends the license subject to this Order until the evidence of the course completion is provided to the Commission's Enforcement Division.

Chelsea Buchholtz

4/7/2025

Chelsea Buchholtz Date
Executive Director, Texas Real Estate Commission
or
Vanessa Burgess
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 to be represented by an attorney. Respondent waives these rights and waives all rights to a judicial review of this Order.

DATED: 4/7/2025

William Lozada

William Lozada
Respondent

DATED: 4/7/2025

Sonya Subash

Sonya Subash
Staff Attorney
Texas Real Estate Commission