

**BEFORE THE MISSOURI REAL ESTATE COMMISSION**

MISSOURI REAL ESTATE COMMISSION	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 18-0277 RE
	)	
MARGARET M WILSON	)	
	)	
Respondent.	)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DISCIPLINARY ORDER**

On or about July 15, 2019, the Administrative Hearing Commission entered its Default Decision in the case of *Missouri Real Estate Commission v. Margaret M. Wilson*, No. 18-0277 RE. In that Default Decision, the Administrative Hearing Commission found that Respondent Margaret M. Wilson’s real estate Inactive Salesperson license (license no. 2016013719) is subject to disciplinary action by the Missouri Real Estate Commission (“Commission”) pursuant to § 339.100.2, (15), (16), and (19) RSMo.<sup>1</sup>

The Commission has received and reviewed the record of the proceedings before the Administrative Hearing Commission including the properly pled complaint and the Default Decision of the Administrative Hearing Commission. The record of the Administrative Hearing Commission is incorporated herein by reference in its entirety.

Pursuant to notice and §§ 621.110 and 339.100.3, RSMo, the Commission held a hearing on February 5, 2020, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri, for the purpose of determining the appropriate disciplinary action against Respondent’s license. All of the members of the Commission were present throughout

---

<sup>1</sup> All statutory references are to the Revised Statutes of Missouri 2000, as amended, unless otherwise indicated.

the meeting. Further, each member of this Commission read the Default Decision of the Administrative Hearing Commission. The Commission was represented by Assistant Attorney General Ross Keeling. Respondent, having received proper notice and opportunity to appear, did not appear in person or through legal counsel. After being present and considering all of the evidence presented during the hearing, the Commission issues the following Findings of Fact, Conclusions of Law, and Order.

Based upon the foregoing the Commission hereby states:

I.

**FINDINGS OF FACT**

1. The Commission is an agency of the state of Missouri created and established pursuant to § 339.120, RSMo, for the purpose of licensing all persons engaged in the practice as a real estate broker or salesperson in this state. The Commission has control and supervision of the licensed occupations and enforcement of the terms and provisions of §§ 339.010-339.205 and 339.710-339.855, RSMo.

2. The Commission hereby adopts and incorporates by reference the properly pled Complaint and the Default Decision of the Administrative Hearing Commission in *Missouri Real Estate Commission v Margaret M. Wilson*, Case No. 18-0277 RE, issued July 15, 2019, in its entirety and takes official notice thereof.

3. The Commission set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion. Respondent failed to appear in person or through legal counsel at the hearing before the Commission.

4. This Commission licensed Respondent Margaret M. Wilson as a real estate Inactive Salesperson, license number 2016013719. Respondent's Inactive Salesperson license

was not current at all times relevant to this proceeding. On September 30, 2018, Respondent's Inactive Salesperson license expired.

## II.

### CONCLUSIONS OF LAW

5. This Commission has jurisdiction over this proceeding pursuant to §§ 621.110 and 339.100, RSMo.

6. The Commission expressly adopts and incorporates by reference the properly pled complaint and Default Decision issued by the Administrative Hearing Commission dated July 15, 2019, in *Missouri Real Estate Commission v. Margaret M. Wilson*, Case No. 18-0277 RE, takes official notice thereof, and hereby enters its conclusions of law consistent therewith.

7. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Default Decision dated July 15, 2019, Respondent's real estate Inactive Salesperson license, number 2016013719, is subject to disciplinary action by the Commission pursuant to § 339.100.2 (15), (16), and (19) RSMo.

8. The Commission has determined that this Order is necessary to ensure the protection of the public.

## III.

### ORDER

Having fully considered all the evidence before the Commission, and giving full weight to the Default Decision of the Administrative Hearing Commission, it is the **ORDER** of the Commission that the real estate Inactive Salesperson license of Margaret M. Wilson (license no. 2016013719) is hereby **REVOKED**. All evidence of Respondent's licensure shall be immediately returned to the Commission within 30 days of this Order, if Respondent has not already done so.

The Commission will maintain this Order as an open, public record of the Commission as provided in Chapters 339, 610 and 324, RSMo.

SO ORDERED, EFFECTIVE THIS 13<sup>th</sup> DAY OF FEBRUARY, 2020.

MISSOURI REAL ESTATE COMMISSION

  
Terry W. Moore, Executive Director

Before the  
Administrative Hearing Commission  
State of Missouri



MISSOURI REAL ESTATE COMMISSION, )

Petitioner, )

v. )

MARGARET M. WILSON, )

Respondent. )

No. 18-0277

**DEFAULT DECISION**

On April 23, 2018, Petitioner filed a properly pled complaint seeking to discipline Respondent. Respondent was served with a copy of the complaint and our notice of complaint/notice of hearing by certified mail on April 8, 2019.

More than thirty days have elapsed since Respondent was served. Respondent has not filed an answer or otherwise responded to the complaint.

In accordance with § 621.100.2, RSMo 2016, we enter a default decision against Respondent establishing that Petitioner is entitled to the relief requested in the complaint. This default decision shall become final and may not be set aside unless a motion is filed with this Commission within thirty days of the date of this order establishing good cause for not responding to the complaint and stating facts constituting a meritorious defense.

SO ORDERED on July 15, 2019.

  
RENEE T. SLUSHER  
Commissioner

**FILED**

April 23 2018

ADMINISTRATIVE HEARING  
COMMISSION

**BEFORE THE  
ADMINISTRATIVE HEARING COMMISSION  
STATE OF MISSOURI**

MISSOURI REAL ESTATE COMMISSION )  
3605 Missouri Boulevard )  
P.O. Box 1339 )  
Jefferson City, MO 65102, )

Petitioner, )

v. )

Margaret M. Wilson )  
1105 East McCarty, Apt. A )  
Jefferson City, MO 65101 )  
Telephone: (510) 415-4287 )

Respondent. )

Case #: \_\_\_\_\_

**COMPLAINT**

Petitioner, the Missouri Real Estate Commission ("MREC"), by and through the Attorney General of the State of Missouri, for its cause of action against Respondent, states the following:

1. The MREC is an agency of the State of Missouri, created and established pursuant to Section 339.120, RSMo,<sup>1</sup> for the purpose of executing and enforcing the provisions of Chapter 339, RSMo, Real Estate Agents, Brokers, Appraisers, and Escrow Agents.

---

<sup>1</sup> All statutory citations are to the 2016 Revised Statutes of Missouri, as amended, unless otherwise noted.

2. Respondent, Margaret M. Wilson ("Wilson"), holds an inactive license as a real estate salesperson, license no. 2016013719. The MREC issued Wilson's salesperson license on April 25, 2016. Wilson's real estate salesperson license was placed on inactive status on March 6, 2017, and expires on September 30, 2018.

3. Jurisdiction and venue are proper before the Administrative Hearing Commission pursuant to §§ 621.045, and 339.100, RSMo.

4. On or about March 2, 2017, Wilson submitted an Information Change form with a \$50.00 check to the MREC requesting her license be changed from salesperson to inactive salesperson. On or about March 9, 2017, Wilson's check was returned unpaid to the MREC by the bank because the account was closed.

5. On or about March 14, 2017, the MREC sent Wilson a letter informing her that her license was not valid because the bank returned the \$50.00 check as a bad check due to the account being closed. The letter requested payment of the original fee and replacement fee within 30 days of the date of the letter. The MREC received no response to its March 14, 2017 letter.

6. On or about April 24, 2017, the MREC sent Wilson a second request for the replacement fee and bad check fee by certified mail. The letter

requested the fee within 30 days of the date of the letter threatening prosecution and collections through the Cole County Prosecuting Attorney's office. The MREC received no response to its April 24, 2017 letter.

7. The MREC sent Wilson a letter with a proposed Settlement Agreement on September 26, 2017, requiring Wilson to respond. The MREC received no response to its September 26, 2017 letter, or proposed Settlement Agreement.

8. Section 339.100.2, RSMo, setting forth the grounds for discipline, provides in relevant part:

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered her or her individual or entity license for any one or any combination of the following acts:

...

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860\*, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860\*;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

...

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence[.]

9. Wilson's conduct set forth in paragraphs 4 through 8, above, shows that Wilson failed to respond within 30 days to MREC communications sent to her on March 14, April 24, and September 26, 2017. Thus, cause exists to discipline Wilson's license pursuant to § 339.100.2(15), RSMo, because Wilson has failed to respond in writing to the MREC's written requests or inquiries, in violation of 20 CSR 2250-8.170(1), which provides in relevant part:

Failure of a licensee to respond in writing, within thirty (30) days from the date of the commission's written request or inquiry, mailed to the licensee's address currently registered with the commission, will be sufficient grounds for taking disciplinary action against that licensee.

10. Section 339.040, RSMo, establishes the criteria that must be established to hold a real estate license and states, in relevant part:

1. Licenses shall be granted only to persons who present, and corporations, . . . whose officers, . . . present, satisfactory proof to the commission that they:

- ...
- (3) Are competent to transact the business of a broker or salesperson in such a manner as to safeguard the interest of the public.

11. Wilson's failure to respond to MREC communications, as set forth above, and her failure to reimburse the MREC for the amount of a returned check she sent as a renewal fee, is evidence that Wilson is not competent to transact the business of a broker or salesperson in such a manner as to safeguard the interest of the public. Therefore, there would be grounds under § 339.040.1, RSMo, for the MREC to deny a license to Wilson, and thus provides cause for discipline under § 339.100.2(16), RSMo.

12. Wilson's conduct, as alleged in this Complaint, constitutes untrustworthy, improper, and/or fraudulent business dealings and/or demonstrates bad faith, incompetence, misconduct, and/or gross negligence, providing cause for discipline under § 339.100.2(19), RSMo.

WHEREFORE, Petitioner prays this Administrative Hearing Commission to conduct a hearing in this case pursuant to sections 621.015 to 621.205, RSMo, and thereafter issue its findings of fact and conclusions of law that the Petitioner may discipline Respondent Margaret M. Wilson's real estate salesperson's license under Chapter 339, RSMo, and the regulations promulgated thereunder.

Respectfully submitted,

JOSHUA D. HAWLEY  
Attorney General

/s/ Ross Keeling  
ROSS KEELING  
Assistant Attorney General  
Missouri Bar No. 65361

207 West High Street  
P.O. Box 899  
Jefferson City, MO 65102  
Telephone: (573) 751-1337  
Facsimile: (573) 751-5660

Attorneys for Petitioner