

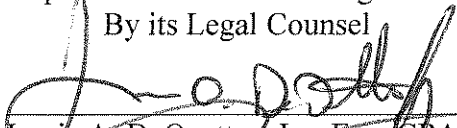


7. Based on the information contained in the response received noted in paragraph 6 above and further discussions with Counsel and Respondents, the Department deemed it appropriate to vacate the Emergency Order subject to further review for potential violations.
8. After further investigation, the Department found that Respondents did not mishandle clients escrow funds as alleged in Complaint 1 and 2. However, the Department did find that Respondents violated R.I. Gen. Laws §5-20.5-14(a)(17) by not timely responding to the Department in connection with Complaint 1 and R.I. Gen Laws §5-20.5-26 and related Commercial Licensing Regulation 11 Section 19(C) for not remitting disputed escrow funds to the General Treasurer in connection with Complaint 2.
9. The Respondents acknowledge violating R.I. Gen. Laws §5-20.5-14(a)(17) and §5-20.5-26 as fully set-forth in Commercial Licensing Regulation 11 Section 19(C).
10. Respondents agree to pay an administrative penalty in the amount of five hundred dollars (\$500) per violation for a total of one-thousand dollars (\$1,000.00), upon the execution of this document. A check or money order in that amount shall be made payable to the Office of the General Treasurer, and forwarded to the Department.
11. Within ten (10) business days from full execution of this agreement, Respondents agree to fully comply with R.I. Gen. Laws §5-20.5-26 as set-forth in Commercial Licensing Regulation 11 Section 19(C) in connection with Kayla Neill v. RentProv Realty (PD11-1678), Audrey Thorpe v. RentProv Realty (PD11-1679) and Lauren Knight v. RentProv Realty (PD11-1680) (collectively the “Superior Court Action”), by sending each of the tenants a thirty (30) day notice that the disputed funds will be forwarded to the RI General Treasurer in accordance with the applicable regulations. Respondents shall have five (5) business days from the date that the thirty (30) day notice period expires to provide documentary proof to the Department that the disputed funds indeed have been forwarded to the RI General Treasurer.
12. If Respondent fails to abide by the requirements of this Consent Order, the Department may initiate administrative proceedings after providing Respondents with notice and opportunity for hearing.
13. The parties agree that this Consent Order and its terms represent the final determination of this matter. By agreeing to resolve this matter through this Consent Order, respondent

voluntarily waives his right to the hearing process, and voluntarily waives his rights to pursue an appeal to the Rhode Island Superior Court.

14. The Department and Respondents hereby agree and consent to the foregoing as to form and substance.

Department of Business Regulation  
By its Legal Counsel

  
\_\_\_\_\_  
Louis A. DeQuattro, Jr., Esq., CPA  
Deputy Director & Counsel

Jonathan Weinstein and:  
JAW Realty, LLC d/b/a RentProv Realty

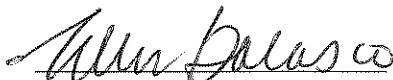
  
\_\_\_\_\_  
Jonathan Weinstein

\_\_\_\_\_  
Counsel for Respondents  
Robert A. D'Amico, II, Esq.  
D'Amico • Burchfield, LLP  
536 Atwells Avenue  
Providence RI 02909

Date: 8/9/2011

Date: 8/4/11

Recommended by:

  
\_\_\_\_\_  
Ellen R. Balasco, Esq.  
Hearing Officer  
Date: 8/9/11

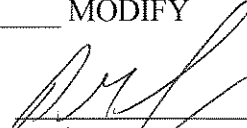
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ORDER TO APPEAR ON FOLLOWING PAGE

**ORDER**

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

- ADOPT
- REJECT
- MODIFY

Dated: 9 Aug 2011

  
\_\_\_\_\_  
Paul McGreevy  
Director

**CERTIFICATION**

I hereby certify that on this 10th day of August 2011 that a copy of the within Consent Order was sent by first class mail postage prepaid and certified mail to:

Robert A. D'Amico, Esq.  
D'Amico & Burchfield, LP  
Atwells Avenue  
Providence RI 02919

Jonathan Weinstein  
JAW Realty, LLC d/b/a  
RentProv Realty  
165 Atwells Avenue  
Providence, RI 02903

and by electronic mail to the following personnel at the Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, RI: Louis A. DeQuattro, Jr., Esq., CPA, Deputy Director & Counsel and Maria D'Alessandro, Esq. Deputy Director.

AB Ellison