

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RI 02920

RECEIVED BY

AUG 25 2016

DIVISION OF LEGAL SERV.

IN THE MATTER OF:

JOHN PALIOTTA,

Respondent.

DBR No.: 16RE007

CONSENT ORDER

The Department of Business Regulation (“Department”) and John Paliotta (“Respondent”) hereby agree to the following:

1. Respondent is licensed as a real estate salesperson (License No. S24520) by the Department in accordance with R.I. Gen. Laws §§ 5-20.5-1 to -28.
2. On April 27, 2016, the Department received a complaint against Respondent relative to his participation in a real estate transaction concerning property located at 5 Queen Anne’s Court, West Warwick, Rhode Island.
3. The Department initiated an investigation into the allegations set forth in the Complaint and reviewed Respondent’s licensing history. Respondent’s real estate salesperson’s license was previously suspended by the Department on July 21, 2011, as a result of a complaint in the matter of: John A. Paliotta, d/b/a Diamanti Realty, Inc., DBR No. 11-L-0043.¹
4. On July 1, 2016, the Department issued an Emergency Order in the instant matter, in which it alleged violations of R.I. Gen. Laws § 5-20.5-7; § 5-20.5-14(a)(1), (5), (7), (9), (15),

¹ A copy of the consent order in John A. Paliotta, d/b/a Diamanti Realty, Inc., DBR No. 11-L-0043, can be found here: http://www.dbr.ri.gov/documents/decisions/CL-Consent_Order-Paliotta.pdf.

(20) & (33); § 5-20.5-26(a)(1)(i); and *Commercial Licensing Regulation 11 – Real Estate Brokers and Salespersons* (“CLR 11”) § 18(A)(6) & (B).²

5. The Department’s position is that, had a hearing been held in this matter, it would have demonstrated that Respondent has violated the sections of the Rhode Island General Laws and CLR 11 set forth above.

6. While Respondent does not admit to committing the violations alleged herein, he has been afforded the opportunity to review with counsel the case the Department would present if a hearing were to be held in this matter and, as a result, has agreed to resolve this matter by executing the instant Consent Order.

7. No specific findings of fact have been made by the Department or the Hearing Officer assigned to this matter that Respondent has violated any law or regulation as set forth above.

WHEREFORE, it has been determined by the Department that it is in the public interest to resolve the instant matter without the continuation of the administrative hearing process.

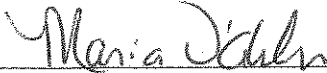
IN CONSIDERATION OF THE FOREGOING, Respondent hereby agrees to the permanent revocation of his Real Estate Salesperson License No. S24520, to be effective immediately upon the execution and entry of this Consent Order by the Director.

The Department and Respondent agree that this Consent Order and its terms represent the final determination of this matter. By agreeing to resolve this matter through the execution of this

² A copy of the Emergency Order in John Paliotta, DBR No. 16RE007, can be found here: http://www.dbr.ri.gov/documents/decisions/CL_EMERGENCY%20ORDER%20SUMMARILY%20SUSPENDING%20LICENSE-PALIOтта.pdf

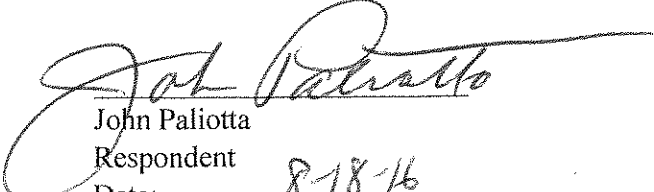
Consent Order, Respondent voluntarily waives his right to the hearing process, and voluntarily waives his right to pursue an appeal to the Rhode Island Superior Court.

For the Division:



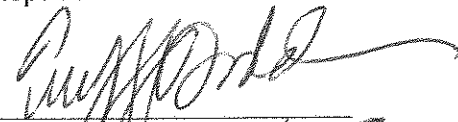
Maria D'Alessandro, Esq.
Deputy Director, Securities, Commercial
Licensing and Racing and Athletics
Date: 8/25/16

For the Respondent:



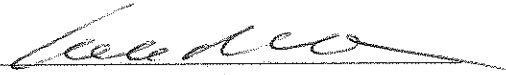
John Paliotta
Respondent
Date: 8-18-16

Respondent's Counsel:



Timothy J. Dodd, Esq. # 3150
Attorney for Respondent
Date: 8-18-16

RECOMMENDED BY:



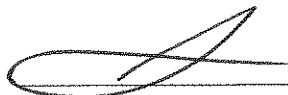
Catherine Warren, Esq.
Hearing Officer
Date: 8/25/16

ORDER

I have read the Consent Order as agreed to by and between the parties in the above captioned matter and I hereby take the following action:

ADOPT REJECT

Date: 9/30/16



Macky McCleary
Director

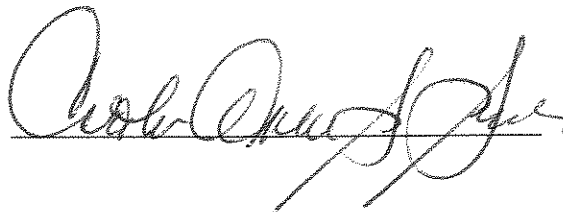
CERTIFICATION

I hereby certify on this 31st day of August, 2016, that a copy of the within Consent Order was sent by first class mail, postage prepaid, to:

John Paliotta 11 St. Mary's Drive Cranston, RI 02910	Timothy J. Dodd, Esq. 215 Broadway Providence, RI 02903
--	---

AND BY E-MAIL TO:

1. Timothy J. Dodd, Esq., doddlawoffices@aol.com
2. Maria D'Alessandro, Esq., Deputy Director, Securities, Commercial Licensing, Racing & Athletics
3. Catherine Warren, Esq., Hearing Officer
4. William DeLuca, Real Estate Administrator
5. Amy C. Stewart, Esq., Legal Counsel



A handwritten signature in cursive script, appearing to read 'Timothy J. Dodd', is written over a horizontal line.