



New Mexico Regulation and Licensing Department
BOARDS AND COMMISSIONS DIVISION
New Mexico Real Estate Commission
5500 San Antonio Dr. Suite A • Albuquerque, New Mexico 87109
www.rld.state.nm.us

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DEPUTY DIRECTOR
&
EXECUTIVE SECRETARY

April 29, 2019

Sarah Michelle Carter
Qualifying Broker
Re Trac LLC
112 Canyon View Ct. NE
Albuquerque, New Mexico 87123

Re: NMREC Case No. 15-10-06-098

Dear Ms. Carter:

Enclosed is the New Mexico Real Estate Commission's Decision and Order in the above-referenced case.

The order provides that:

- Your broker's license be revoked upon your receipt of the signed Decision and Order by Certified Mail.
- You be fined \$5,000 plus \$2,152.08 in disciplinary proceedings costs, due in full by cashier's check payable to the New Mexico Real Estate Commission no later than close of business July 1, 2019.
- You receive a letter of reprimand.

You are directed to surrender your qualifying broker's license to the Commission immediately upon receipt of the signed Decision and Order by Certified Mail, and immediately return to the Commission for placement on inactive status the licenses of any associate brokers affiliated with Re Trac LLC until such time as a new qualifying broker is designated for Re Trac LLC or such associate brokers execute license transfer applications to affiliate with other brokerages.

In keeping with the final term of the Commission order, you are hereby reprimanded for violating the Real Estate License Law and the Commission Rules as enumerated on pages 3 and 4 of the enclosed Decision and Order.

These violations occurred when you:

- Failed to disclose your dual relationship with the buyer and the seller in the subject short sale transaction.
- Failed to disclose the adverse material fact known by you about the buyer's inability to complete the prospective short sale on the subject property.

Alcohol and Gaming Division
(505) 476-4875

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Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

- Made false statements concerning the effect of the transfer of the deed for the subject property and the sale of the redemption rights.
- Made false statements concerning the necessity of transferring the deed and redemption rights to you in order for you to engage in short sale negotiations.
- Misrepresented the renters that you placed in the subject property as “caretakers”.
- Demonstrated bad faith, untrustworthiness, fraud and dishonesty by placing renters in the subject property and collecting rent without informing the homeowners.
- Failed to properly account for the rent proceeds that you received from the renters that you placed in the property.
- Demonstrated bad faith and incompetence in conducting the overall prospective short sale transaction.

This disciplinary action and letter of reprimand will become part of your licensing file and is a matter of public record. It will be published in the Disciplinary Actions section of the Commission web site.

Sincerely,



Wayne W. Ciddio
Executive Secretary
New Mexico Real Estate Commission

Enclosures

cc: Rudolph B. Chavez, Esq.
Attorney for Respondent
2014 Central Ave. SW
Albuquerque, NM 87104