

BEFORE THE REAL ESTATE COMMISSION
OF STATE OF NEW MEXICO

IN THE MATTER OF:

CHARLES COOKSON
BROKER LICENSE NO. 2612

NMREC CASE NO. 15-02-07-015

Respondent.

DEFAULT ORDER

THIS MATTER, having come before the Real Estate Commission (the "Commission") on Monday, March 20, 2017, the Commission finds the following:

1. A Notice of Contemplated Action was issued by the Commission on February 1, 2017.
2. The Notice of Contemplated Action was sent certified mailed return receipt (No. 7016 2710 0000 3046 4630) to the licensee's address listed in the Commission's record on February 1, 2017.
3. The certified return receipt was returned to the Commission on February 3, 2017, signed by Nancy Cookson.
4. The Notice of Contemplated Action was issued to the Respondent in accordance with the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 *et seq.*
5. The Notice of Contemplated Action informed Respondent of his right to a hearing and that the Respondent must respond to the Commission in writing requesting a hearing within twenty (20) days after service of the Notice of Contemplated Action. NMSA 1978, § 61-1-4(D).
6. The Notice of Contemplated Action informed Respondent that failure to respond to the Notice of Contemplated Action will result in the Commission taking the action contemplated. NMSA 1978, § 61-1-4(E).
7. The Respondent did not mail a request for hearing within the time and in the manner required by NMSA 1978, §§ 61-1-4(D)(3) and (E) and is therefore in default.
8. The Real Estate Commission of New Mexico has authority, pursuant to NMSA 1978, § 61-29-12 to:

(A) Refuse to issue a license or may suspend, revoke, limit or condition a license of the applicant has be false or fraudulent representations obtained a license or, in performing or attempting to perform any of the actions specified in Chapter 61, Article 29 NMSA 1978, an applicant or licensee has:

(11) committed an act, whether of the same or different character from that specified in this subsection, that is related to dealings as a qualifying broker or an associate broker and that constitutes or demonstrates bade faith, incompetency, untrustworthiness, impropriety, fraud, dishonesty, negligence or any unlawful act;

(B) Title 16 Chapter 61Part 12, of the New Mexico Administrative Code delineates the procedures for disciplinary actions by the Commission in regard to persons acting in the capacity of a real estate broker in New Mexico. The regulation provides that "violation of any provision of the real estate license law or commission rules may be cause for disciplinary action against any person who engages in the business or acts in the capacity of a real estate broker in New Mexico with or without a New Mexico real estate license, up to and including license suspension or revocation if the person is licensed in New Mexico. Regulation 16.61.12.8 NMAC.

9. The Commission's Decision and Order in this matter is final and not subject to judicial review. NMSA 1978, § 61-1-4 (E).

IT IS THEREFORE ORDERED THAT Respondent's broker license No. 2612 is hereby **REVOKED BY DEFAULT.**

IT IS FURTHER ORDERED THAT Respondent may not reinstate his broker license until the Notice of Contemplated Action has been answered and resolved. President Gretchen Koether is designated to sign this Default Order on behalf of the Real Estate Commission.

IT IS SO ORDERED.

**REAL ESTATE COMMISSION
OF NEW MEXICO**



President Gretchen Koether
Real Estate Commission of New
Mexico 500 San Antonio NE, Suite B
Albuquerque, NM 87109

Signed this: 4-20-17