

DEPARTMENT OF STATE  
OFFICE OF THE SECRETARY OF STATE  
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In the Matter of

**RE/MAX ALL PRO REALTY, INC.**  
**Real Estate Broker**

**Anthony F. Abone,**  
**Representative Real Estate Broker,**

Appellant/Cross-Respondent,

**DECISION AND ORDER**  
**4 DOS APP. 00**

-against-

**DEPARTMENT OF STATE**  
**DIVISION OF LICENSING SERVICES**

Respondent/Cross-Appellant

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Re/Max All Pro Realty, Inc and Representative Real Estate Broker Anthony F. Abone [hereinafter “Appellants”] appeal to the Secretary of State from a decision of the Office of Administrative Hearings that suspended Appellants’ brokers licenses for six months. Respondent/Cross Appellant [hereinafter “Respondent”], Division of Licensing Services, filed a cross appeal seeking review of the Administrative Law Judge’s decision denying Respondents request for revocation of Appellants real estate license and denying restitution to complaining parties.

Appellants submitted a Memorandum of Appeal objecting to the determination below.

Respondent submitted a Memorandum in Opposition and Cross Appeal.

**ISSUE**

This appeal considers whether the Office of Administrative Hearings committed error in determining that Appellants licenses should be suspended for six months or whether a more or less severe penalty should be instituted.

## **OPINION**

Having reviewed the record and the briefs submitted by both parties, I find no reversible error was committed by the Administrative Law Judge. Judge Neals was within his discretion to order a six month suspension and absent an abuse of discretion I will not disturb his findings.

## **DETERMINATION**

The determination of the Administrative Law Judge is affirmed. The corporate real estate brokers license issued to Re/Max All Pro Realty, Inc. and the representative real estate broker license issued to Anthony F. Abone for the term January 22, 1999 to January 21, 2001 are suspended effective September 1, 2000 and ending January 21, 2001 and Division of Licensing Services shall not issue any new licenses to the Appellants prior to March 1, 2001. Pursuant to the order of Judge Neals, Appellants are to turn in all licenses, pocket cards, and identification cards issued pursuant to Real Property Law.

So ordered on:

Alexander F. Treadwell  
Secretary of State