

**BEFORE THE MISSISSIPPI REAL ESTATE COMMISSION**

**MISSISSIPPI REAL ESTATE COMMISSION**

**COMPLAINANT**

**vs.**

**NO. 672-1910**

**TIFFANY THURMAN JONES, BROKER**

**RESPONDENT**

**AGREED ORDER**

This cause came before the Mississippi Real Estate Commission (sometimes hereinafter "Commission") pursuant to authority of Mississippi Code Ann. §73-35-1, et seq. on a formal complaint brought against Respondent Tiffany Thurman Jones, Broker. Prior to a hearing before the Commission, it was announced that an agreement was reached as to the resolution of these matters alleged and any resulting disciplinary action that may be imposed upon the Respondent, Tiffany Thurman Jones, Broker. This agreement is in lieu of further disciplinary proceedings on this Complaint. By entering into this Agreed Order, Respondent Tiffany Thurman Jones waives her right to a hearing with full due process and the right to appeal any adverse decision resulting from that hearing. Having reached an agreement on this matter, the Commission issues this, its Findings of Fact, Conclusions, and Disciplinary Order as follows:

## **I.**

Respondent Tiffany Thurman Jones, sometimes hereinafter called "Respondent Jones", is an adult resident citizen of TN whose last known address of record with the Commission is 25 Greenwood Ave., Savannah, TN. Respondent Jones is the holder of a real estate broker's license issued by the Commission pursuant to Miss. Code Ann. §73-35-1, et seq., as amended and, as such, she is subject to all provisions, rules, regulations and statutes governing the sale and transfer of real estate and licensing of real estate brokers under Mississippi law.

## **II.**

The investigation began over receipt of a written complaint from a fellow MS broker that Respondent Jones was operating a real estate company in Mississippi under a company name not licensed by the Commission and, further, that advertising under an unlicensed company name has also occurred in Mississippi. Thereafter, the Commission opened its full investigation of the matter.

## **III.**

Investigation showed that Respondent Jones did not have any company license issued by the Commission. Respondent Jones has, however, represented and displayed, through advertising, the company name of Tiffany Jones Real Estate in Mississippi. This entity was never licensed as a company with the Commission. Records show that the Respondent's real estate activities have since only recently become licensed by this Commission under the Mississippi corporate name that Respondent Jones created and has been using for some years.

## **IV.**

Respondent Jones was properly noticed of this complaint by letter of October 31, 2019 from the Commission. Said letter directed this Respondent to respond not only to the merits of the complaint, but to also to .....“include a signed notarized affidavit indicating that, to the best of your knowledge, you are submitting any/all documentation associated with the real estate activities

outlined above and enumerated in the complaint as they apply to your involvement in the transaction.....". In her response, Respondent Jones failed to provide any affidavit, nor did she provide transactional documents, such as a listing agreement, broker agency form (WWREB) or property condition disclosure statement (PCDS). Such failure implies that such documents do not exist OR demonstrates a clear violation of Commission Rule 3.1 F., which provides that any licensee who fails in a timely manner to respond to official Mississippi Real Estate Commission written communication or who fails or neglects to abide by Mississippi Real Estate Commission's Rules and Regulations shall be deemed, prima facie, to be guilty of improper dealing.

## V.

The above and foregoing described acts and omissions of the Respondent constitutes violations of the Miss. Real Estate Brokers License Act of 1954, as amended, M. C. A., §73-35-1, et seq., and Commission Rules and Regulations, and, more specifically, M.C.A. §73-35-6, §73-35-21(1)(a), (c), (d) and (n), and Commission Rules 1.1 F., 3.1F., 3.3 and 4.2 G(5) which provide, in relevant parts:

**§73-35-6 Licenses for business entities;** A corporation, partnership, company or association shall be granted a license when individual broker's licenses have been issued to every member, owner, partner or officer of such partnership, company, association or corporation who actively participates in its brokerage business and when any required fee is paid.

**§73-35-21(1)(A)** Making any substantial misrepresentation in connection with a real estate transaction;

**§73-35-21(1)(C)** Pursuing a continued and flagrant course of misrepresentation..... through agents or salespersons or any medium of advertising or otherwise;

**§73-35-21(1)(D)** any misleading or untruthful advertising;

**§73-35-21(1)(N)** Any act or conduct, whether of the same or a different character than hereinabove specified, which constitutes or demonstrates incompetency... or improper dealing...

### **Rule 1.1 Applying for a License**

F. If a corporation has been chartered by the state of Mississippi, the license will be issued in the corporate name except that no license will be issued for a corporation, company, or trade name where there exists in that county or trade area a real estate broker or real estate agency having a substantially similar name.

### **Rule 3.1 General Rules**

F. Any licensee who fails in a timely manner to respond to official Mississippi Real Estate Commission written communication or who fails or neglects to abide by Mississippi Real Estate Commission's Rules and Regulations shall be deemed, prima facie, to be guilty of improper dealing

### **Rule 3.3 Advertising**

A. "Advertising" means the use of any oral, written, visual, printed or electronically generated advertisement by a real estate licensee or other person on behalf of a real estate licensee.

"Advertisement" means any oral, written, visual, printed or electronic media advertisement and encompasses any correspondence, mailing, newsletter, brochure, business card, for sale or for lease signage or sign rider, promotional items, automobile

signage, telephone directory listing, radio and television broadcasts, telephone solicitation and electronic media to include e-mails, text messaging, public blogs, social media-networking websites, and/or internet displays.

B. A broker shall advertise in the name in which the license is issued. A broker may use a descriptive term after the broker's name to indicate the occupation in which engaged, for example, "realty", "real estate" or "property management". If advertising in any other form, a partnership, trade name, association, company or corporation license must be obtained prior to advertising in that manner.

All advertising must be under the direct supervision and in the name of the Principal Broker or in the name of the real estate Brokerage Firm and must prominently display the name of the Principal Broker or the name of the Brokerage Firm in such a manner that it is conspicuous, discernible and easily identifiable by a member of the public.

*Principal Brokers are required to verify and determine that their name or the name of the Brokerage Firm is prominently displayed on all advertising and that the name of any real estate licensee or any approved real estate Team or Group is situated near the name of the Brokerage Firm. The Broker or the Brokerage Firm must be identified by using the same size or larger print as that of a Licensee or a Team in all advertising. All advertising must include the telephone number of the Principal Broker or the Brokerage Firm.*

**Rule 4.2 (G) (5) Reasonable skill, care and diligence** - the agent must perform all duties with the care and diligence which may be reasonably expected of someone undertaking such duties.

### DISCIPLINARY ORDER

THEREFORE, by agreement, understanding and consent, the Commission ORDERS discipline as follows:

As to Tiffany Thurman Jones Broker, the Commission orders that her license incur a one (1) month full suspension, beginning April 15, 2020, with 2 months suspension held in abeyance and followed by five (5) months of probation; contingent upon both future compliance with all Mississippi Real Estate Statutes and Commission Rules and also contingent upon her completing eight (8) hours of Mandatory Continuing Education (4 hours of Agency, 2 hours of Contract law and 2 hours of License Law) by the end of May, 2020. Said education cannot be completed online and will not be the same classes from the same provider as those used by this Respondent in the last renewal period. Further, these classes will be courses approved by this Commission and be in addition to the regular hours of continuing education already required of licensees for license renewal. Evidence of completion of these classes is to be provided to this Commission.

SO FOUND AND ORDERED this the 15<sup>th</sup> day of April, 2020.

### MISSISSIPPI REAL ESTATE COMMISSION



BY: \_\_\_\_\_

Robert E. Praytor  
ROBERT E. PRAYTOR, Administrator

AGREED: Tiffany Thurman Jones, Broker DATE: 3-16-2020  
Tiffany Thurman Jones, Broker