



Dishonest Conduct

This case examines a scenario where the buyer’s agent showed a property despite not having a confirmed appointment, and then later made misrepresentations to the Board after a complaint was filed. Agents should only show property in accordance with the showing instructions and not misrepresent the status of their appointments. Further, when facing a Board inquiry it is imperative the agents represent situations truthfully and not make misrepresentations or engage in dishonest conduct with Board investigators.

THE SITUATION:

On February 3, 2022, the Board received a written complaint from Eliza Durham regarding Jeremy Dowd.

On June 16, 2014, Mr. Dowd was issued a real estate salesperson license.

THE INVESTIGATION:

On January 14, 2022, Alberta and Johan Kost entered into an Exclusive Authorization to Sell real property located at 314 Angelica Drive, Christiansburg, Virginia with Best Realty, LLC. Eliza Durham listed the subject property on January 17, 2022. The MLS listing stated, in part, “Please schedule showings through SentiLock.”

On January 17, 2022, Mr. Dowd wrote an email to Ms. Durham that stated:

I have a very small window to get a client in here tomorrow. Can I get in line at 4:15/4:30 please? Allowing for 60 minute showings is taking opportunities away from others getting in. Thx, J.

On January 18, 2022, Ms. Durham responded stating:

I do not like for people to feel rushed which is why I allow 1 hour. There is a showing from 3:30-4 and then one from 4-5. You have until Tuesday to show so please find another available time to show.

Per Sentrilock Logs, the confirmed appointments for the subject property for January 18, 2022 are:

Showing Time on January 18, 2022	Showing Agent
2:00 - 3:00 PM	Michael Pruitt
3:00 - 3:30 PM	Austin Hill
3:30 - 4:00 PM	Frank Howard
4:00 - 5:00 PM	Michael Pruitt
5:00 - 5:30 PM	Olivia Bennett
5:30 - 6:00 PM	Taylor Payne
6:00 - 7:00 PM	Michael Pruitt
7:00 - 8:00 PM	Rebecca Jones

On January 18, 2022 at 4:22 P.M., Mr. Dowd used the Sentrilock key to access the subject property.

Ms. Durham told investigators that Mr. Pruitt, a member of the association and the buyer agent showing the property at 4 p.m., told her that Mr. Dowd showed up at the property while Mr. Pruitt and his client were there. He stated that Mr. Dowd was let into the property and proceeded to show the property without an appointment.

Mr. Dowd told investigators that he had requested an appointment and that the appointment was confirmed. He then stated that his client had a change in their schedule the day of the showing and that he called the listing agent to change the appointment time. He stated that Ms. Durham did not respond to his request, so they went to the property an hour before the scheduled time.

He stated that they waited outside the home for 30 minutes while two other agents showed the home and waited patiently until the other agents had left. He stated that he then used the lock box to enter the property and showed the buyer the home before the arrival of the next showing agent.

Mr. Dowd later stated that he "made an effort to make an appointment that possibly didn't get confirmed."

THE RESULT:

The Board determined that Mr. Dowd engaged in dishonest conduct when he misrepresented that he had a scheduled appointment to show a property, and then dishonestly told an investigator that his appointment was confirmed. The Board ordered Mr. Dowd to pay an \$800 fine and to attend three

classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct.

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