



Felony After License

Violations Alleged

1. 18 VAC 135-20-260.6 – conviction of a felony after initial licensure

Facts

Tony Rice (“Rice”) initially received his real estate salesperson license in 2018. In late 2022, Rice pled guilty to an incident from the previous year where he was charged with possessing with intent to manufacture, sell, give, or distribute a controlled substance, specifically cocaine. In early 2023, the criminal court sentenced Rice to 15 years of incarceration, with 13 years, six months suspended, and 15 years probation. Rice stated during the Informal Fact-Finding Conference (“IFF”) that his issues stemmed in part from a troubled marriage, and that the drugs in question were only found because his partner broke down the door and the police illegally searched the premises, finding over four ounces of cocaine. He stated that he pled guilty because three separate criminal attorneys advised that a plea agreement was his best course of action. He said that he began using cocaine only after his partner introduced him to a friend that was a user.

The Assistant Commonwealth’s Attorney who prosecuted Rice’s case noted that he was responsible for distributing thousands of dollars’ worth of cocaine from his home to his friends. While he did not contest the fact that he was “distributing” the drugs, Rice did state that he did not make any money from this distribution. While in prison, Rice did not participate in any kind of rehabilitation program related to his drug and alcohol dependency, and he stated that after his release he has only obtained sporadic counseling assistance.

Board Findings

The IFF report considered the various aspects of Rice's conviction that could impact his real estate work, including whether the conviction was related to his real estate business, the time that had elapsed since the conviction, and any efforts Rice had taken to rehabilitate himself. Based on the nature and seriousness of the crime and the relative lack of rehabilitative efforts, the Board found a violation and issued the following punishment:

- Probation through the end of Rice's current license cycle;
- Required quarterly compliance reports from Rice and his broker;
- Six (6) hours of Real Estate Law and Regulations CE within six months; and
- Three (3) hours of Contract Writing CE within six months

Published November 2024

