



Mississippi Real Estate Commission

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February 13, 2019

OFFICIAL LETTER OF REPRIMAND

Cynthia L. McCool
109 Sunflower Road
Madison, MS 39110
S-21940

Dear Ms. McCool:

Effective July 1, 2016, the Mississippi Real Estate Commission (MREC) requires that all applicants for a Mississippi real estate broker's license or a real estate salesperson's license, including nonresident licenses, and all applicants for renewal of any real estate license, shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database.

The current Mississippi law, as amended by the Mississippi Legislature and which became effective July 1, 2016 (2016 Miss. Laws S.B. 2725), provides that, in order for an applicant to qualify for a Resident or a Non-Resident real estate broker's license or real estate salesperson's license, and for the renewal of any existing license, an applicant must have been cleared for licensure through an investigation which determined that the applicant does not possess a background which calls into question public trust and a verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure (Miss. Code Ann. §73-35-21<g>). (See also, Miss. Code Ann. §§73-35-7, 73-35-8).

This law requires the Commission to review, among other things, the criminal history reports that are generated from your background check. Such an omission could be considered a violation of MS. Code Ann. §97-7-10(1) (Fraudulent Statements and Representations), which reads as follows:

“Whoever, with intent to defraud the state or any department, agency, office, board, commission, county, municipality or other subdivision of state or local government, knowingly and willfully falsifies, conceals or covers up by trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall, upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.”

It should also be noted that this offense may be in further violation of Rule 5.1 (B) of the Mississippi Real Estate Commission Rules and Regulations.

Rule 5.1 (B) states:

“Every licensee shall, within ten days, notify the Real Estate Commission of any adverse court decisions in which the licensee appeared as a defendant.”

The Legal Counsel and the Investigative Staff of the Real Estate Commission has concluded that the information obtained during the investigation of your license file and criminal history shows an arrest record with convictions that was not brought to the Commissions attention or disclosed at your renewal period for licensure.

This Official Letter of Reprimand will be placed in your file to become a part of your permanent record. You should take every precaution to familiarize yourself with the Real Estate Brokers License Act of 1954, as Amended, and the Administrative Rules and Regulations of the Real Estate Commission in order to avoid a serious violation which might affect the status of your license.

If you have any questions pertaining to this matter, please contact Steve Miller, Attorney for the Commission. He can be contacted at 601-321-6978 or by e-mail at smiller@mrec.state.ms.us.



Robert E. Praytor

Administrator
Mississippi Real Estate Commission

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