

BEFORE THE MISSISSIPPI REAL ESTATE COMMISSION

MISSISSIPPI REAL ESTATE COMMISSION

COMPLAINANT

vs.

NO. 47-1907

**LARA THRASH, Principal Broker
CRYSTAL G. GREEN, Salesperson**

RESPONDENTS

AGREED ORDER

This cause came before the Mississippi Real Estate Commission, sometimes hereinafter “Commission,” pursuant to the authority of Miss. Code Ann. §§73-35-1, *et seq.*, as amended, on two complaints against Lara Thrash, Principal Broker, and Crystal Green, Salesperson and the Commission was advised that there has been an agreement reached among the parties resolving the issues brought forward in this complaint. By entering into this Agreed Order, the Respondents waive their rights to a full hearing and to any appeal. The Commission, then, does hereby find and order the following:

I.

Respondent, Lara Thrash (sometimes hereinafter called “Thrash” or “Respondent Thrash”), is an adult resident citizen of Mississippi whose last known office address of record with the Commission is 6184 US Hwy 98 W., Ste. 100, Hattiesburg, MS 39402. Respondent Broker Thrash is the holder of a resident broker license issued by the Commission pursuant to Miss. Code Ann. §§73-35-1, *et seq.*, and, as such, she is subject to the provisions, rules, regulations and statutes governing real estate brokers under Mississippi law and the administrative rules of the Mississippi Real Estate Commission.

II.

Respondent Crystal G. Green (sometimes hereinafter called “Green” or “Respondent Green”), is an adult resident citizen of MS whose last known office address of record with the Commission is 6184 US Hwy 98 W., Ste. 100, Hattiesburg MS 39402. Respondent Green is the holder of a resident salesperson license issued by the Commission pursuant to Miss. Code Ann. §§73-35-1, et seq., and, as such, she is subject to the provisions, rules, regulations and statutes governing real estate brokers under Mississippi law and the administrative rules of the Miss. Real Estate Commission.

III.

On July 18, 2019 this office received a sworn statement of complaint from Kenneth W. Bilbo who lives at 110 Lake Shore Drive, Hattiesburg, MS 39402. His complaint was made against Salesperson Crystal G. Green of Coldwell Banker Don Nace, located in Hattiesburg, MS (39402). Salesperson Green’s Principal Broker is Lara Thrash.

IV.

Bilbo was selling property located at 57 Twin Oaks Trace in Hattiesburg, MS. Salesperson Crystal Green was Bilbo’s listing agent and salesperson Barry Monday, then of Re/Max Real Estate Partners in Hattiesburg, represented the buyers. Closing was scheduled for 6/21/2019. The buyers had a closing scheduled for the sale of their home on 06/20/2019. Bilbo stated that about one week prior to the agreed upon closing date, agent Monday requested that his clients, the buyers, be allowed to take possession the day before closing. Bilbo refused to allow early possession of his home. Soon after, Respondent Green asked her client, Bilbo, to reconsider and sent Bilbo a Pre-Closing Possession Addendum and Declaration of Acceptance form. Bilbo refused, stating that the house is not the buyers until closed and funded. Around 6/19/2019, Salesperson Green called to ask Bilbo if he was agreeable to close a day early on 6/20/2019. Bilbo agreed, but reiterated that the buyers were not to move in until after the closing.

V.

The final walk through was scheduled for 2:00 pm on 06/20/2019. Bilbo told Green he would be late because he needed to first pick up a few boxes left in his home. Upon arriving at his home, Bilbo observed a moving van in front of his house unloading furniture and boxes into his garage. The new owners were not present, but their daughter was at the house. She informed Bilbo that her parents' agent, Barry Monday, had unlocked the door and gave them the keys. Bilbo took photos of this and called Respondent Green, who said she was unaware of this and did not offer any suggestions. Bilbo then contacted who he referred to as the "assistant Re/Max broker", David Saulters, who contacted both agents. Bilbo stated that both agents acted confused and ignorant as to how this happened. Bilbo said David Saulters was apologetic but took no action on what Bilbo felt was a breach of contract. Bilbo said Saulters did convey that he would be very pleased if Bilbo cooperated and closed on the property. The Broker of Coldwell Banker, Lara Thrash, did not intervene on his behalf. On 7/28/2019, Bilbo emailed the Commission photographs showing a moving van with open doors and some boxes on the ground at his home prior to closing. One photo shows an open front door to the home.

VI.

Bilbo stated he then left his house and proceeded to the closing office of Deep South Title. There, Green met Bilbo and told him they would conduct a "dry closing" and for him to sign all closing documents but know that he would not get any payment until the following day. The reason given Bilbo was that the buyers failed to bring funds in the amount of \$16,000.00 to the title company in time for the closing. Bilbo stated that Respondent Green requested he wait a few minutes, left the room, and then returned to say that the agents would wait on their commission in order to pay him first. After he requested to see the cashier's check, Bilbo proceeded with document review because the closing attorney said that the buyers had brought the \$16,000.00.