

STATE OF NEW YORK DEPARTMENT OF STATE

In the Matter of the Application of:

Bradley P. Beyer

Beyer: Buyer Home Inspection Services Inc.

CONSENT ORDER

File No(s): 2022-7269

1. The New York State Department of State, Division of Licensing Services (the "Department") is a department of the State of New York charged, in part, with the regulation of home inspection providers, and with the enforcement of Article 12-B of the Real Property Law ("RPL") and the regulations promulgated thereunder.
2. Since June 24, 2021, Bradley P. Beyer ("Beyer") has continued to offer home inspection services notwithstanding the expiration of his home inspection license (UID No.: 160000051623).
3. On or about June 8, 2022, Beyer submitted an additional application, as the qualifying officer, of Beyer: Buyer Home Inspection Services Inc., (the Company") to provide home inspection services.
4. Beyer and the Company shall hereinafter be collectively referred to as the "Applicant".
5. On or about December 6, 2022, the Department advised Applicant that it proposed to deny the pending application.
6. The Applicant has been advised of the right to counsel and has elected to proceed without counsel.
7. By executing this Consent Order, the Applicant affirmatively waives the right to a hearing in the manner provided by law, consents to the issuance and entry of this Order, and agrees to be bound by the terms, provisions and conditions contained herein.
8. Applicant admits the allegations and violations set forth herein, and affirms that all violations alleged in the Department's grounds for denial have been, or will be rectified, in accordance with the terms set forth herein:
 - i. Applicant mistakenly and without intent, provided home inspections as such term is defined by NY RPL § 444-b(4), notwithstanding the expiration of his license in violation of NY RPL §§ 444-n, 444-o.

NOW, in consideration of the above premises, it is **ORDERED**:

1. That Applicant shall execute and forward the within Consent Order to the NYS Department of State, Attn: David Mossberg, Esq., 123 William Street, 20th Floor, New York, NY 10038 so that the original of same is received on or before December 31, 2022.

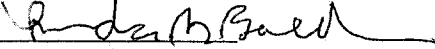
2. That Applicant shall pay a total fine in the amount of one thousand (\$1,000.00) dollars, in the form of an attorney check, certified check or money order, made payable to the "New York State Department of State." Such fine shall be delivered to the Department as specified by ¶ 1 above.
3. Applicant agrees that it shall provide and is obligated to provide restitution to any customer who retained the services of Beyer, for home inspection services after June 24, 2021 through the effective date of this Consent Order, within 10 business days of receiving such demand from a customer. Applicant shall conspicuously post a copy of this Consent Order on any website it maintains relating to home inspection services for one (1) year following the effective date of this Consent Order.
4. Upon consideration of the foregoing, the Department shall withdraw its proposed denial of the Applicant's pending application pursuant to Article 12-B of the NY RPL so as to grant the Applicant's application.
5. Failure by the Applicant to timely comply with any of the foregoing conditions, shall render the offer set forth herein null and void.
6. That upon execution of this Order by the Secretary of State or his designee, the administrative proceeding in this matter shall be terminated, withdrawn and discontinued with prejudice with respect to Applicant in accordance with the terms hereof.
7. That the Consent Order herein expressly depends upon representations made by the Applicant, both oral or written, formal or informal which relate to the subject matter of the Consent Order and that such representations have fully, accurately and truthfully disclosed all relevant facts to the Department of State. If any such representation is determined to be limited, inaccurate or untruthful, the Department of State shall not be bound by the terms herein and shall initiate any action it deems appropriate in the administrative, civil or criminal prosecution of the Applicant.
8. The provisions of this Order shall be deemed to bind Applicant, Applicant's agents, employees, successors and assigns and all persons, firms, corporations acting under or for the Applicant.
9. The effective date of this Order shall be the date on which the Secretary of State or her designee signs it and shall expire when Applicant has fully complied with the requirements of this Order. The Department will provide Applicant or Applicant's counsel with a fully executed copy of this Order as soon as practicable after the Secretary of State signs it.
10. Nothing in this Order shall be construed to limit the Department's ability to investigate any other purported violations of Article 12-B of the NY RPL.
11. The failure of Applicant to comply fully and in a timely fashion with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order.
12. This Order constitutes the entire agreement of the parties and no provision of the agreement shall be deemed waived or otherwise modified except as is specifically set forth in a writing executed by the Secretary of State or his designee indicating an intent to modify this Order.

13. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting (1) any legal, administrative or equitable rights or claims, actions, suits, causes of action or demand whatsoever that the Department may have against anyone other than Applicant; (2) any right of the Department to enforce administratively or at law or in equity, the terms, provisions and conditions of this Order; or (3) any right of the Department to bring any future action, either administrative or judicial, for any other violations of the applicable laws, the implementing regulations or conditions contained in orders if any, issued by the Department to Applicant.

Dated: 12/23/22

New York, New York

NEW YORK STATE
DEPARTMENT OF STATE

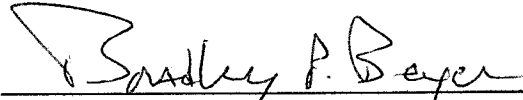
By: 
Linda Baldwin
General Counsel

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CONSENT OF APPLICANT

Bradley P. Beyer & Beyer: Buyer Home Inspection Services Inc.

Bradley P. Beyer & Beyer: Buyer Home Inspection Services Inc., hereby consents to the issuing and entering of this Order, waive the right to a hearing and agrees to be bound by the terms and conditions herein.



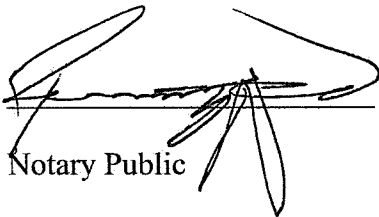
By: Bradley P. Beyer individually and on behalf of Beyer: Buyer Home Inspection Services Inc.

STATE OF NEW YORK)

COUNTY OF Suffolk)

ss.:

On this 15 day of December in the year 2022 before me, the undersigned, personally appeared **Bradley P. Beyer**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Notary Public
State of New York
My Commission Expires
March 30, 2023