

**BEFORE THE ARKANSAS REAL ESTATE COMMISSION**

**IN THE MATTER OF  
Jacquelyn Hyncith Hughes, Principal Broker  
Wire Realty  
Little Rock, Arkansas**

**FH 3950**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

A hearing on the above captioned matter was held before the Arkansas Real Estate Commission on Tuesday, November 12, 2024, in the Meeting Room of the Arkansas Real Estate Commission Building, at 612 South Summit Street, Little Rock, Arkansas. Commission Chair Tony Moore, Commissioner Tammy Browning, Commissioner Eugene Post, and Commissioner Luke Heffley were present. Respondent Jacquelyn Hyncith Hughes was not present for the hearing, although she was properly served with the Order and Notice of Hearing. The Commission was represented by Julie Chavis, Attorney at Law, Senior Assistant Attorney General. Peggy Matson served as Hearing Officer. Based on the testimony and other evidence presented, the Commission makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER.

**FINDINGS OF FACT**

1. Respondent Hudson obtained her Arkansas Salesperson license on August 18, 2014. Respondent Hudson obtained her Arkansas Broker license on July 10, 2018. From September 7, 2018 to May 24, 2022, Respondent Hughes was licensed as the Principal Broker of Wire Realty in Little Rock, Arkansas. Respondent Hughes' license has been inactive since April 5, 2024. At all times pertinent to the complaint, Respondent Hughes held an active Arkansas Real Estate Principal Broker License.

2. On or about February 24, 2021, Patriot Properties, LLC., purchased the subject property at 312 Cherokee Circle, Little Rock, Arkansas.
3. On or about June 28, 2021, Patriot Properties entered into a contract with Factory Direct Exteriors for 312 Cherokee Circle, Little Rock, Arkansas. The contract was signed by Respondent Hughes.
4. On or about October 1, 2021, Complainant Hudson and Anita Strange of Coldwell Banker RPM Group entered into an Exclusive Buyer Agency Agreement for the time period October 1, 2021 January 31, 2022.
5. On or about October 9, 2021, Complainant Hudson submitted a Real Estate Contract for the purchase of 312 Cherokee Court, Little Rock, Arkansas, pursuant to cash in the amount of \$165,000. Closing was scheduled for October 20, 2021. Agency was disclosed as "Listing Firm Represents Seller, and Selling Firm Represents Buyer." Arkansas Licensure was disclosed in paragraph 35. Jacquelyn Hughes signed as Seller and as Listing Broker.
6. On October 20, 2021, Respondent Hughes signed a Corporate Authorization Resolution which stated she was the "Sole Member of Patriot Properties, LLC." Respondent Hughes also signed a Lien Affidavit which stated, "AND that I/we have made no improvement thereon during the past 130 days for which a Mechanic's/Materialman's lien may be filed."
7. On October 21, 2021, a Settlement Statement was printed for the closing of 312 Cherokee Court, Little Rock, Arkansas.
8. On or about November 24, 2021, a Notice of Intent to File Lien was mailed to Respondent Hughes and Complainant Hudson.
9. On or about February 18, 2022, Factory Direct Exteriors, Inc., filed a Complaint on Materialmen's Lien in Case 60CV-22-1125 in Pulaski County Circuit Court against Patriot Properties, LLC., and Complainant Hudson. The lien, in the amount of \$7,212.00, was for materials for work done at 312 Cherokee Circle, Little Rock, Arkansas.

10. On or about April 29, 2022, Complainant Hudson secured a mortgage on the subject property. The Closing Disclosure listed an outstanding invoice to be paid from the mortgage proceeds to Factory Direct Exteriors, Inc., in the amount of \$7,212.00.

11. On May 24, 2022, Respondent Hughes closed Wire Realty and became licensed as an Executive Broker with eXp Realty.

12. On June 10, 2022, Case 60CV-22-1125 was dismissed by the court after, "the parties have amicably resolved the matter."

13. On October 7, 2022, Trevor Hudson filed a complaint against Respondent Hughes with the Arkansas Real Estate Commission.

14. On November 15, 2022, the complaint was mailed to Respondent Hughes. The complaint was mailed to Respondent Hughes again by certified mail on March 23, 2023 and on October 2, 2023. An answer to the complaint was received from Respondent Hughes on December 15, 2023.

15. On December 15, 2023, Respondent Hughes emailed AREC Supervisor Heather Henries and stated, "I've attached what I have. I can't provide you with a copy of the first one or the copies with all of the signatures. I lost all of my transaction files in Form Simplicity when I switched to eXp Realty."

16. On December 20, 2023, Respondent Hughes submitted a Personal Information Change Request Form to AREC.

### **CONCLUSIONS OF LAW**

#### **Respondent Jacquelyn Hyncith Hughes**

17. By failing to disclose the possibility of a lien on the property prior to closing, Respondent Hughes failed to deal honestly with all parties, a violation of Commission Rule 8.5(a).

18. By failing to retain the firm's records when she closed Wire Realty, Respondent Hughes failed to retain records required under Commission Rule 10.7(b)(1) for a period of three years, a violation of Commission Rule 10.7(b)(3).

19. By failing to file an answer to the complaint within 20 days, Respondent Hughes violated Commission Rule 9.2(b).

20. Any violations found proven in paragraphs 17 through 19 constitute a violation of Arkansas Code Annotated § 17-42-311(a)(2) and are subject to disciplinary action pursuant to Arkansas Code Annotated § 17-42-312.

#### **ORDER**

Based upon these findings and conclusions, the Arkansas Real Estate Commission has assessed against Jacquelyn Hyncith Hughes a civil penalty of \$1,000 for the violation outlined in paragraph 17; a civil penalty of \$1,000 for the violation outlined in paragraph 18; and a civil penalty of \$1,000 for the violation outlined in paragraph 19. The total of those fines is \$3,000 which should be paid within thirty (30) days of the entry of this order. In addition, the Arkansas Real Estate Commission has determined to revoke Ms. Hughes' Arkansas real estate licenses. If Ms. Hughes would like to reapply for an Arkansas real estate license in the future, she must appear before the Commission before applying.

#### **RECOVERY FUND ORDER**

Based upon the Findings of Fact and Conclusions of Law, the Commission has determined to find in favor of Complainant Trevor Hudson. Respondent Jacquelyn Hyncith Hughes is ordered to reimburse Trevor Hudson, based on his Recovery Fund request, the total sum of \$8,245.46 within thirty (30) days.

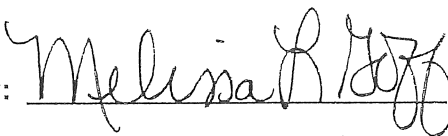
Pursuant to Arkansas Code Annotated § 17-42-406, if Respondent Hughes does not pay Complainant Hudson within thirty (30) days from the date of the order, and the order has not been appealed, then the Commission shall pay Complainant Hudson from the Recovery Fund.

**APPEAL ADMINISTRATIVE PROCEDURES ACT**

Pursuant to the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this order.

**DONE AND SO ORDERED THIS 15th DAY OF NOVEMBER 2024**

**ARKANSAS REAL ESTATE COMMISSION**

By: 

**MELISSA L. GOFF  
EXECUTIVE DIRECTOR**