



NORTH CAROLINA
REAL ESTATE COMMISSION

P.O. Box 17100 • Raleigh, N.C. 27619-7100
919/875-3700 • www.ncrec.gov

Miriam J. Baer
Executive Director

Corean E. Hamlin
Director of Education & Licensing

Janet B. Thoren
Director of Regulatory Affairs

Charlene D. Moody
*Assistant Director of
Regulatory Affairs*

January 31, 2018

FEB 7 2018

Monroe A. Miller, Jr.
2200 Camp Branch Rd.
Waynesville, NC 28786

RE: Case #D18-0756; In Re: JAMES P BENNETT

Dear Mr. Miller:

The North Carolina Real Estate Commission has received your complaint. The Commission is empowered to investigate possible violations of the Real Estate License Law and to take disciplinary action against real estate brokers when it is warranted.

We have opened a complaint file in the Regulatory Affairs Division and will make an inquiry into the matter. I have enclosed a copy of my letter to Mr. Bennett concerning your complaint.

Additionally, please be advised that we cannot predict the amount of time this investigation will require. We appreciate your patience as we thoroughly investigate your complaint. When we have completed our inquiry, I will advise you of the disposition of this matter.

Very truly yours,

Stephen L. Fussell, CFE, SCREI
Senior Consumer Protection Officer

SLF/do

Enclosure



COPY

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January 31, 2018

LETTER OF INQUIRY

James P. Bennett
Carolina Vacations Inc.
PO Box 189
Maggie Valley, NC 28751

FEB 7 2018

RE: Case #D18-0756; In Re: JAMES P BENNETT

Dear Mr. Bennett:

This office has received a complaint filed against you. I have enclosed a copy of the complaint for your examination.

We cannot assess the merits of this complaint until we have considered your position. By sending you this complaint, I do not mean to imply that we have made any assumptions concerning its validity; however, the complaint does warrant a reply from you. I therefore respectfully request that you provide this office with a written statement describing your position with regard to the allegations in the complaint.

Item #15 in the civil Complaint filed by the North Carolina State Bar against Mr. Gavin A. Brown reads, "Prior to the corrective deed being prepared and recorded, Bennett had pre-signed several deeds and left them with Brown for transaction unrelated to the property Bennett-Piper Enterprises, Inc. conveyed to Curl in 1998." Please explain when and why you pre-signed the deeds, identify the properties for which they were to be used, and describe the terms and conditions under which you authorized Mr. Brown to use them.

In your reply, please also indicate whether Mr. Brown communicated with you about using one of the pre-signed deeds to correct the plat reference in the deed for the property you conveyed to Ms. Curl in 1998.

Item #14 in the Complaint reads, "Bennett did not become aware of the problem with the 1998 deed until several months after the corrective deed was recorded." Please indicate when and how you became aware that the original deed contained an incorrect plat reference; that Mr. Brown had used one of your pre-signed deeds to correct; and that Mr. Brown had forged Ms. Smathers' signature and used her notary seal on the corrected deed.

James P. Bennett
January 31, 2018
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Please respond within fourteen (14) calendar days from receipt of this letter and include the above-captioned case number in your letter. Be sure to sign your response. Please avoid using staples, dividers or post-it notes in your reply; if necessary use only paper clips. Your cooperation and prompt attention to this matter will be appreciated.

Sincerely,

Stephen L. Fussell, CFE, SCREI
Senior Consumer Protection Officer

SLF/do

Enclosure

cc: Monroe A. Miller, Jr.