

Circuit Court for Prince George's County
Case No. CAL21-08508

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 725

September Term, 2025

AUGUSTINE ROTIBI

v.

REAL PAGE, INC.

Friedman,
Kehoe, S.,
Kenney, James A., III
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: May 27, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Augustine Rotibi, appellant, appeals from an order issued by the Circuit Court for Prince George’s County denying his motion to vacate an arbitration award entered against him, and in favor of Real Page, Inc., appellee. He raises three issues on appeal: (1) whether the court erred in denying his motion to vacate; (2) whether the court erred in failing to sufficiently articulate a basis for denying the motion; and (3) whether the court erred in relying on a prior decision of this Court to justify its ruling denying his motion for reconsideration. For the reasons that follow, we shall affirm.

Appellant filed a complaint for negligence and defamation against appellee, alleging that his application for an apartment at The Point at Pentagon City apartment complex had been wrongfully denied based on a criminal background report that had been prepared and provided by appellant. Specifically, the background report contained information about an unadjudicated charge for willfully disobeying the direction of a police officer in Maryland. That charge had occurred in connection with a traffic stop, wherein appellant was also charged with several additional traffic infractions. Appellant acknowledged that the disobeying a police officer charge was accurate. He contended, however, that appellee had intentionally misclassified it as a “public justice” criminal offense, rather than a traffic infraction, and then provided it to the apartment complex even though the apartment complex had not requested that information from appellee.

The court dismissed appellant’s defamation claim and subsequently granted appellee’s motion to compel arbitration. Appellant appealed, and this Court affirmed the court’s order compelling arbitration. *Rotibi v RealPage, Inc.*, No. 804, Sept. Term 2023 (filed Aug. 27, 2024). Following a hearing, the arbitrator issued a final award in favor of

appellee, finding that appellant had failed to establish by a preponderance of the evidence that appellee had acted willfully or maliciously, or had otherwise been negligent in including his charge for disobeying a police officer in the background report. Appellant filed a timely motion to vacate the arbitration award on March 5, 2025. In that motion, appellant contended that the arbitrator was biased, and the arbitration award was “procured by fraud and corruption[,]” because: (1) the arbitrator allowed one of appellee’s witnesses “to provide false testimony . . . that contradicted there [sic] own documents[,]” and (2) the arbitrator found in appellee’s favor after having previously denied appellee’s motion for summary disposition, despite no new evidence being presented at the arbitration hearing. The court denied the motion to vacate without a hearing on April 9, 2025.

Appellant filed a motion to reconsider, which reiterated the same claims, and further asserted that the arbitrator had a financial interest in the proceeding due “to prepaid arbitration fees” and had denied him a fair hearing by disregarding “contradictory documents and testimony[.]” The court denied the motion to reconsider on May 12, 2025. Appellant then filed a motion for clarification with respect to the denial of his motion to revise. The court granted the motion on May 20, 2025, and entered an order stating that it had denied the motion for reconsideration because “there is no evidence of fraud or that the arbitrator exceeded his authority.” The court further noted that many of the arguments raised in the motion for reconsideration “are the same ones previously made and which have been thoroughly considered by the court and the prior Appellate Court decision . . . indicating there was no error in this Court’s findings of fact.” This appeal followed.

Appellant first contends that the court erred in denying the motion to vacate the arbitration award. A circuit court’s decision to grant or deny a petition to vacate an arbitration award is a legal conclusion that we review *de novo*. *WSC/2005 LLC v. Trio Ventures Assocs.*, 460 Md. 244, 253 (2018). Although we afford the circuit court’s conclusion no deference, we review the arbitration award under the same deferential standard that the circuit court employs during its review of the award. *Amalgamated Transit Union, Loc. 1300 v. Md. Transit Admin.*, 244 Md. App. 1, 11–18 (2019).

“Judicial review of an arbitrator’s decision is extremely limited, and a party seeking to set it aside has a heavy burden.” *Letke Sec. Contractors, Inc. v. U.S. Sur. Co.*, 191 Md. App. 462, 472 (2010). This standard of review is “among the narrowest known to the law.” *Id.* (cleaned up). “[F]actual findings by an arbitrator are virtually immune from challenge and decisions on issues of law are reviewed using a deferential standard on the far side of the spectrum away from a usual, expansive *de novo* standard.” *State v. Philip Morris, Inc.*, 225 Md. App. 214, 241 (2015) (cleaned up). “[M]ere errors of law or fact would not ordinarily furnish grounds for a court to vacate or to refuse enforcement of an arbitration award.” *Balt. Cnty. Fraternal Ord. of Police Lodge No. 4 v. Balt. Cnty.*, 429 Md. 533, 560 (2012) (cleaned up). “That a reviewing court simply would have interpreted the [issues] differently is not enough.” *Amalgamated Transit Union*, 244 Md. App. at 15. We, too, “defer to an arbitrator’s findings of fact and [their] application of the law . . . even when these are erroneous[.]” *Id.* at 12.

Under the Maryland Uniform Arbitration Act, a court may vacate an arbitration award only where:

- (1) An award was procured by corruption, fraud, or other undue means;
- (2) There was evident partiality by an arbitrator appointed as a neutral, corruption in any arbitrator, or misconduct prejudicing the rights of any party;
- (3) The arbitrators exceeded their powers;
- (4) The arbitrators refused to postpone the hearing upon sufficient cause being shown for the postponement, refused to hear evidence material to the controversy, or otherwise so conducted the hearing, contrary to the provisions of § 3-213 of this subtitle, as to prejudice substantially the rights of a party; or
- (5) There was no arbitration agreement as described in § 3-206 of this subtitle, the issue was not adversely determined in the proceedings under § 3-208 of this subtitle, and the party did not participate in the arbitration hearing without raising the objection.

Md. Code Ann., Cts. & Jud. Proc. § 3-224(b).

On appeal, appellant contends that the court erred in denying his motion to vacate the arbitration award because “[d]espite clear and documentary evidence presented in arbitration, the Arbitrator issued a ruling unsupported by fact and grounded in hearsay assertions actively solicited post-evidence.” He further contends that the “Arbitrator failed to properly assess the evidentiary weight of RealPage’s internal screening data” and instead “adopted RealPage’s hearsay assertions and rejected Appellant’s documentation, thereby demonstrating partiality and exceeding the scope of his authority.” Based on our review of the record before us, however, we are persuaded that there is no error in the arbitrator’s factual findings or legal conclusions that would require the award to be vacated. Moreover, there is no merit to appellant’s contention that the arbitrator relied on “statements solicited during closing argument” in reaching his decision. To be sure, there may have been

evidence presented by appellant that could have led the arbitrator to reach a different conclusion. But the fact that the arbitrator chose to weigh the evidence in the manner that he did, does not establish that the award was procured by fraud or corruption, that the arbitrator was biased against appellant, or that the arbitrator exceeded his authority.

Finally, appellant challenges the court’s denial of his motion to vacate on procedural grounds, claiming that the court failed to “provide any written or oral findings in support of its denial of the Motion to Vacate” and referenced a non-existent appellate case “as justification for its ruling.” However, even if the court erred in the manner claimed by appellant, reversal would not be required because, as previously set forth, we review the decision as to whether to grant a motion to vacate an arbitration award de novo, giving no deference to the decision of the circuit court.¹ Because the court did not err in denying appellant’s motion to vacate the arbitration award, we shall affirm the judgment.

**JUDGMENT OF THE CIRCUIT
COURT FOR PRINCE GEORGE’S
COUNTY AFFIRMED. COSTS TO BE
PAID BY APPELLANT.**

¹ In any event, we note that the trial court was not required to “elaborate on the reason” for its decisions as we “presume that trial judges know the law and correctly apply it.” *Att’y Grievance Comm’n v. Jeter*, 365 Md. 279, 288 (2001). Appellant cites no rule or statute requiring the court to provide a statement of reasons when it denies any of the motions that he filed. And “[b]y choosing not to create such a requirement, the General Assembly and the Supreme Court of Maryland implicitly have expressed their views that such a requirement is not necessary to ensure that litigants” are able to obtain review of the court’s decisions. *Est. of Brown v. Ward*, 261 Md. App. 385, 459 (2024). Appellant’s reliance on Maryland Rule 2-522(a) is also misplaced as that rule only applies when a judge enters a decision in a contested court trial, which did not occur here.