

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Unlicensed Professional)
5 Real Estate Activity of)
6)
7 SARAH M. LABRASSEUR)
8 _____)

ORDER ON DEFAULT

9 1.

10 1.1 On September 12, 2013, the Real Estate Commissioner issued, by certified mail,
11 a notice of intent to revoke the real estate principal broker's license of Sarah M. Labrasseur
12 (Labrasseur). The Real Estate Agency (OREA) sent the notice of intent to Labrasseur's last
13 known address of record with the OREA. The notice of intent was also mailed to Labrasseur
14 by regular first class mail in a handwritten envelope. Copies of the notice of intent were mailed
15 to all addresses associated with Labrasseur on record with OREA, these were mailed both
16 certified and regular first class mail. OREA became aware of an additional possible mailing
17 address for Labrasseur and on October 11, 2013, mailed a copy of the notice of intent to
18 revoke both certified mail and regular first class mail.

19 1.2 For the September 12, 2012 mailings, all certified mailings were returned to the
20 OREA as "Unable to Forward." All of the first class mailings were also returned to OREA.

21 1.3 For the October 11, 2013 mailing, the certified mail was signed for on October
22 15, 2013. The regular first class mail in the handwritten envelope was not returned to OREA.

23 1.3 Over twenty (20) days have elapsed since the mailing of the notice issued in this
24 matter and no written request for hearing has been received.

25 1.4 Copies of the entire investigation file are designated as the record for purposes
26 of default, including any submission from respondent and all information in the administrative
27 file relating to the mailing of notices and any responses received.

28 ///

29 ///

30 ///

2.

Based upon the foregoing and upon a review of the above described investigation reports, documents and files, the Real Estate Commissioner finds:

2.1 Oregon Administrative Rule 863-001-0006 states, in part, that a notice of intent is properly served when deposited in the United States mail, registered or certified mail, addressed to the real estate licensee or to any other person having an interest in a proceeding before the Commissioner at the licensee's or other person's last known address of record with OREA.

2.2 Labrasseur's last known address of record with OREA was 380 Q Street Suite 290, Springfield, OR 97477. In addition the above address, on September 12, 2013, mailings were also sent to the following addresses on file with OREA: 1710 Oak Street, Eugene, Oregon 97401; 6 Hayden Bridge Way, Springfield, OR 97477; 355 W 6th, Junction City, OR 97448; and 392 S. Third, Harrisburg, OR 97446. On October 11, 2013, mailings were sent to a sixth location as a possible address for Labrasseur, both certified and regular first class mail.

2.3 A certified mailing of the notice of intent was mailed to Labrasseur at her last known address of record on September 12, 2013, in addition to certified mailings to all possible addresses for Labrasseur known to OREA. On October 11, 2013, a certified mailing of the notice of intent was mailed to a possible address for Labrasseur at 1750 Yolanda Ave, Springfield, OR 97477.

2.4 The September 12, 2013 mailings in the handwritten envelopes have all been returned to OREA. The October 11, 2013 mailing in the handwritten envelope has not been returned to OREA. In accordance with ORS 40.135(1)(q), there is a presumption that the mailing properly addressed and placed with the U.S. Postal Service was delivered. That presumption has not been overcome by any evidence.

2.5 Over twenty (20) days have elapsed since the mailing of the notice and no written request for a hearing has been received.

///

///

///

///

///

1 FINDINGS OF FACT
2 AND
3 CONCLUSIONS OF LAW

4 3.

5 3.1 Labrasseur is licensed as a principal broker doing business under the registered
6 business names of Real Living Today Realty and Equity Realty GMAC Real Estate.

7 3.2 Labrasseur's address of record with the OREA is 380 Q Street, Suite 290,
8 Springfield, OR 97477.

9 3.3 The address on file with the OREA for Real Living Today Realty is 380 Q Street,
10 Suite 290, Springfield, OR 97477.

11 3.4 OREA mailed a certified letter to Labrasseur addressed to 380 Q Street, Suite
12 290, Springfield, OR 97477. The certified mailing was returned to OREA marked as "Return to
13 Sender, Vacant, Unable to Forward."

14 3.5 The address used for the certified mailing is identical to the address for
15 Labrasseur's registered business name, Real Living Today Realty.

16 3.6 Labrasseur has not notified the OREA of a change of business location.

17 **Violation:** By failing to give notification to the OREA prior to a change of business
18 location, Labrasseur violated ORS 696.200(2) which states that change of a business location
19 without notification to OREA is grounds for revocation and is subject to sanction pursuant to
20 ORS 696.301(3).

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

29 ///

30 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ORDER

IT IS HEREBY ORDERED that the real estate principal broker's license of Sarah M. Labrasseur be revoked, with said revocation to be effective the date of this order.

Dated this 2nd day of December, 2013.

OREGON REAL ESTATE AGENCY



GENE BENTLEY
Real Estate Commissioner

DATE of service: 12-2-2013

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the date of service of this order. Judicial review is pursuant to the provisions of ORS 183.482.