

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4
5 In the Matter of the Principal Broker's license
6 of
7
8 MARY TOMPKINS-FIOCCHI
9

}
} STIPULATED FINAL ORDER
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11 The Oregon Real Estate Agency (OREA) and Mary Tompkins-Fiocchi (Tompkins-
12 Fiocchi) do hereby agree and stipulate to the following:

13 FINDINGS OF FACT

14 Tompkins-Fiocchi was licensed as a Principal Broker with John L Scott. Tompkins-
15 Fiocchi's license expired on June 1, 2012, and was not renewed until January 11, 2013.
16 During the time Tompkins-Fiocchi's license was expired, June 1, 2012 to January 10, 2013,
17 224 days, Tompkins-Fiocchi continued conducting professional real estate activity as if actively
18 licensed.

19 CONCLUSION OF LAW

20 By conducting professional real estate activity over the course of 224 days after
21 Tompkins-Fiocchi's license expired and before renewing it, Tompkins-Fiocchi violated ORS
22 696.020(2) and is subject to discipline or civil penalty pursuant to ORS 696.990(4) and (9).

23 STIPULATION & WAIVER

24 I have read and reviewed the above findings of fact and conclusions of law which have
25 been submitted to me by OREA and further, the order which follows hereafter. I understand
26 *that the findings of fact, conclusions of law and this stipulation and waiver embody the full and*
27 *complete agreement and stipulation between OREA and me. I further understand that if I do*
28 *not agree with this stipulation I have the right to request a hearing on this matter and to be*
29 *represented by legal counsel at such a hearing. Hearings are conducted in accordance with*
30 *the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and*

1 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
2 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
3 judicial review of this matter.

4 I hereby agree and stipulate to the above findings of fact and conclusions of law and
5 understand that the order which follows hereafter may be completed and signed by the Real
6 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
7 amended notice of intent may be issued in this matter. I understand that, in accordance with
8 the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real
9 Estate News Journal.

10 ORDER

11 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
12 violation set forth above, Tompkins-Fiocchi pay a civil penalty in the sum of \$3,100.00, said
13 penalty to be paid to the General Fund of the State Treasury by paying the same to the OREA.
14 The civil penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day
15 period of unlicensed activity is considered one violation. In this instance, there were seven
16 30-day periods of unlicensed activity.

17
18 IT IS SO STIPULATED:

IT IS SO ORDERED:

19
20
21 Mary Tompkins-Fiocchi
22 MARY TOMPKINS-FIOCCHI

Gene Bentley
23 GENE BENTLEY

24 Date 12/30/13

Real Estate Commissioner
Date 1.9.14

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26 DATE of service: 1-10-2014
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