

1 REAL ESTATE AGENCY  
2 BEFORE THE REAL ESTATE COMMISSIONER  
3

4 In the Matter of the Real Estate License of )  
5 )  
6 BRUCE W. PEDDICORD ) FINAL ORDER ON DEFAULT  
7 )  
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10 1.1 On December 16, 2014, the Real Estate Commissioner issued, by certified mail,  
11 a notice of intent to suspend the real estate broker's license of Bruce W. Peddicord. The Real  
12 Estate Agency (OREA) sent the notice of intent to Peddicord's last known mailing address of  
13 record with OREA.

14 1.2 By letter dated December 30, 2014, Peddicord requested a hearing in this  
15 matter.

16 1.3 The OREA file was forwarded to the Office of Administrative Hearings. A hearing  
17 date was set for April 9, 2015 at 9:00 AM. On April 7, 2015, Peddicord submitted a form  
18 surrendering his license. Peddicord was notified on April 8, 2015, that his license surrender  
19 did not cancel the scheduled hearing. Based on ORS 696.775, the OREA hearing remained  
20 as scheduled. Peddicord did not appear at the hearing.

21 1.4 Copies of the entire investigation file and exhibits submitted for hearing are  
22 designated as the record for purposes of default, including any submissions from respondent  
23 and all information in the administrative file relating to the mailing of notices and any responses  
24 received.

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

FINDINGS OF FACT

2.1 ORS 305.385(4)(a) provides that if the Department of Revenue (Revenue) determines that any licensee has neglected or refused to file any return or to pay any tax and that such person has not filed in good faith a petition before Revenue contesting the tax, and Revenue has been unable to obtain payment of the tax through other methods of collection, Revenue may notify the licensing agency and that agency shall suspend any license until it receives a certificate, issued by Revenue, that the licensee is in good standing.

2.2 By letter dated December 11, 2014, Revenue notified OREA, with a copy to Peddicord, a real estate licensee, that: Peddicord, (1) has neglected or refused to file any return or pay any tax, (2) has not filed a good faith petition before Revenue, and (3) Revenue has been unable to obtain payment of the tax through other methods of collection.

2.3 Revenue's written representation to the OREA is prima facie evidence that Peddicord has failed to file tax returns or pay taxes.

2.4 The records establish that Peddicord (1) has failed to file tax returns; (2) has failed to pay taxes; and (3) has not filed a good faith petition challenging the tax. The records also establish that Revenue has been unable to collect the tax through other collection efforts.

2.5 ORS 305.385(4)(c) requires the Real Estate Commissioner to suspend Peddicord's real estate license upon notification by Revenue and after opportunity for hearing as provided by ORS 183.415.

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1 CONCLUSION OF LAW

2 Peddicord's real estate license should be suspended in accordance with ORS 305.385.

3 ORDER

- 4 1. Peddicord's license surrender is accepted by the OREA  
5 2. Peddicord's real estate license is suspended.

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7 Dated this 27<sup>th</sup> day of May, 2015.

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9 OREGON REAL ESTATE AGENCY

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13 GENE BENTLEY

14 Real Estate Commissioner

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16 DATE of service: 5-29-2015

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