

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 JAMES AMPE
8

STIPULATED FINAL ORDER

9
10 The Real Estate Agency (OREA) and James Ampe (Ampe) do hereby agree and
11 stipulate to the following:

12 FINDINGS OF FACT
13 CONCLUSION OF LAW

14 1.

15 1.1 At all times mentioned herein, Ampe was not licensed to conduct professional
16 real estate activity in Oregon.

17 1.2 On November 12, 2010, OREA received a complaint regarding unlicensed
18 individuals advertising real estate for sale. The complaint was filed by Ronald Spagle
19 (Spagle), principal broker with City Realty Company. Spagle alleged that Ampe was
20 advertising real estate for sale through Sunbelt Business Brokers (Sunbelt). Sunbelt is a
21 Registered Business Name with OREA. Patricia Lawrence (Lawrence) is a principal broker
22 with Sunbelt.

23 1.3 On December 3, 2008, Ampe completed an exclusive listing agreement on a
24 Subway restaurant which included both the business and the real property. The business and
25 real property were advertised on the Sunbelt website.

26 1.4 On March 3, 2010, Ampe completed an exclusive listing agreement on Johnson
27 Creek Rentals which included both the business and the real property. The business and real
28 property were advertised on the Sunbelt website.

29 ///

30 ///

1 1.5 On November 5, 2009, Ampe completed an exclusive listing agreement on
2 Consigned Home Furnishings which included both the business and the real property. The
3 business with lease was advertised on the Sunbelt website.

4 1.6 Moles Appliance is listed on the Sunbelt website. Ampe is the broker assigned to
5 the listing. The sale price includes the real estate valued at \$1,525,000.

6 **Violation:** By listing and advertising Subway, Johnson Creek Rentals, Consigned
7 Home Furnishings, and Moles Appliance on the Sunbelt website, without first obtaining a real
8 estate license, Ampe violated ORS 696.020(2) and is subject to sanction pursuant to ORS
9 696.301(3).

10 STIPULATION & WAIVER

11 I have read and reviewed the above findings of fact and conclusions of law which have
12 been submitted to me by OREA and further, the order which follows hereafter. I understand
13 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
14 complete agreement and stipulation between OREA and me. I further understand that if I do
15 not agree with this stipulation I have the right to request a hearing on this matter and to be
16 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
17 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
18 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
19 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
20 judicial review of this matter.

21 I hereby agree and stipulate to the above findings of fact and conclusions of law and
22 understand that the order which follows hereafter may be completed and signed by the Real
23 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
24 amended notice of intent may be issued in this matter.

25 ORDER

26 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
27 set forth above, Ampe pay a civil penalty in the sum of \$100, if Ampe obtains a real estate
28 license within six (6) months from the date of this order. The \$100 civil penalty will be due and
29 payable before Ampe obtains his real estate license.

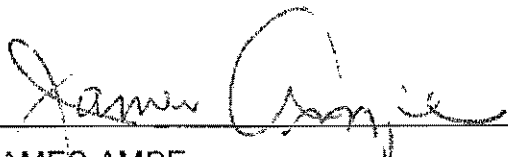
30 ///

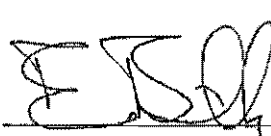
1 IT IS FURTHER ORDERED that, should Ampe fail to obtain his real estate license
2 within six (6) months from the date of this order, the civil penalty shall be \$1,600. The \$1,600
3 civil penalty will be due and payable no later than six (6) months from the date of this order.

4 Said penalty is to be paid to the General Fund of the State Treasury by paying the same
5 to OREA.
6

7 IT IS SO STIPULATED:

IT IS SO ORDERED:

8
9
10 
11 _____
12 JAMES AMPE

10 
11 _____
12 GENE BENTLEY

12
13 Date February 1, 2012
14

12 Real Estate Commissioner
13 Date 2-2-12

15 DATE of service: 2-3-12
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

