OREGON REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

JINEAN FLOROM	RDER ON DEFAULT
JINEAN FLOROM }	

- 1.1 On November 15, 2012, the Real Estate Commissioner issued, by certified mail, a notice of intent to levy civil penalty against Jinean Florom (Florom). The Real Estate Agency (OREA) sent the notice of intent to Florom's last known address of record with the OREA. The notice of intent was also mailed to Florom by regular first class mail in a handwritten envelope.
- 1.2 Neither the certified mailing or the first class mailing of the notice of intent have been returned to OREA.
- 1.3 Over twenty (20) days have elapsed since the mailing of the notice issued in this matter and no written request for hearing has been received.
- 1.4 Copies of the entire investigation file are designated as the record for purposes of default, including any submission from respondent and all information in the administrative file relating to the mailing of notices and any responses received.

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 respondent at the respondent's last known address of record with OREA.
- 2.2 Florom's last known address of record with OREA was PO Box 887, Cortaro, Arizona, 85652.
- 2.3 A certified mailing of the notice of intent was mailed to Florom at her last known address of record on November 15, 2012.

- 2.4 The 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.

FINDINGS OF FACT

AND

CONCLUSIONS OF LAW

3.

- 3.1 Florom was licensed with OREA as a property manager from February 13, 2006, until her license was revoked on September 1, 2010.
- 3.2 Florom conducted professional property management activities for the owners of properties located at 410 6th St, La Grande, Oregon, 1402/1404 Y Ave, La Grande, Oregon and 2507 Fir St, La Grande, Oregon, between September 2010 and January 2012.
- 3.3 Florom conducted professional property management activities for the owner of property located at 1904 Penn St, La Grande, Oregon, between September 2010 and April 2012.
- 3.4 Florom conducted professional property management activities for the owner of property located at 403 1st St, La Grande, Oregon, between September 2010 and June 2011.

Violation: By managing the above properties, Florom engaged in the conduct of professional real estate activity as described in ORS 696.010(15) (2009 Edition) and ORS 696.010(14) (2011 Edition), which is a violation of ORS 696.020(2).

ORDER

IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violations set forth above, Florom pay a civil penalty in the sum of \$80,500, said penalty to be paid to the General Fund of the State Treasury by paying the same to OREA.

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IN ADDITION, Florom shall immediately cease and desist from engaging in any professional real estate activity as defined in ORS 696.010(15)(a) to (n).

Dated this _____ day of December, 2012.

OREGON REAL ESTATE AGENCY

GENE BENTLEY

Real Estate Commissioner

DATE of service: 12-11-12

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.