

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 ERIC HOWARD)
8 _____)

STIPULATED FINAL ORDER

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

12 FINDINGS OF FACT
13 AND
14 CONCLUSIONS OF LAW

15 1.

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

18 1.2 On September 1, 2012, OREA received a complaint from Joshua Caouette
19 (Caouette), referred through the Oregon Department of Justice, alleging that Howard sold him
20 a home at 4168 April St., Salem, Oregon, which was later foreclosed on.

21 1.3 During the course of the subsequent investigation, OREA determined that
22 Howard had been conducting professional real estate activity by negotiating the sale of
23 properties located at 4168 April St., Salem, Oregon and 1996 Madalyn Ct, Keizer, Oregon.

24 **Violation:** ORS 696.020(2), which states that an individual may not engage in real
25 estate activity within this state unless the individual holds an active real estate license.

26 STIPULATION & WAIVER

27 I have read and reviewed the above findings of fact and conclusions of law which have
28 been submitted to me by OREA and further, the order which follows hereafter. I understand
29 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
30 complete agreement and stipulation between OREA and me. I further understand that if I do

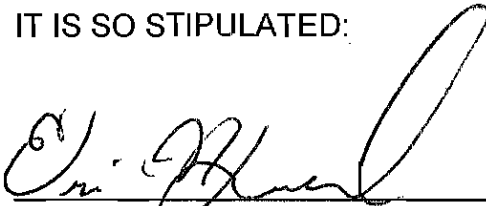
1 not agree with this stipulation I have the right to request a hearing on this matter and to be
2 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
3 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
4 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
5 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
6 judicial review of this matter.

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

11 ORDER

12 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
13 set forth above, Howard pay a civil penalty in the sum of \$750, said penalty to be paid to the
14 General Fund of the State Treasury by paying the same to OREA. If any additional violations
15 occur within five years from the date of this Order, an additional \$750 civil penalty will be due
16 and payable immediately.

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18 IT IS SO STIPULATED:

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21 

22 ERIC HOWARD

23
24 Date June 13 2012

IT IS SO ORDERED:

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27 GENE BENTLEY
28 Real Estate Commissioner

29 Date 6.25.12

30
DATE of service: 6-28-12