REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

TODD W JOPPE

ORDER ON DEFAULT

1.1 On June 1, 2012, the Real Estate Commissioner issued, by certified mail, a notice of intent to revoke the real estate broker's license of Todd Joppe (Joppe). The Real Estate Agency (OREA) sent the notice of intent to Joppe's last known address of record with the OREA. The notice of intent was also mailed to Joppe by regular first class mail in a handwritten envelope.

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1.2 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 real estate licensee or to any other person having an interest in a proceeding before the Commissioner at the licensee's or other person's last known address of record with OREA.

1.2 Joppe's last known address of record with OREA was 2205 SW 75th Ave, Portland Oregon.

1.3 A certified mailing of the notice of intent was mailed to Joppe at 2205 SW 75th Ave, Portland, Oregon, last known address of record on June 1, 2012. Joppe signed the return receipt confirming his receipt of the notice on June 2, 2012

1.4 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.

1.5 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.

1.6 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 At all times mentioned herein, Joppe was licensed as a real estate broker associated with Russell-Schook & Associates, LLC.

2.2 On July 29, 2010, OREA received a complaint from Barbara Young (Young), alleging that Joppe forged her name on a real estate transaction to sell her property at 412 NE 134th Place, Portland, Oregon.

2.3 In his August 24, 2010, response submitted to OREA, Joppe "freely" admitted that he signed Young's name three times in the "lengthy course of our transaction." OREA's investigation found the following violations.

2.4 On November 4, 2009, Joppe signed the seller's signature name to a Back-Up Offer Addendum regarding the extension of the closing terms.

2.5 On December 9, 2009, Joppe signed the seller's signature name as accepting of the minimum net proceeds from the closing in the amount of \$60,000.

2.6 On January 18, 2010, Joppe signed the seller's signature name to Addendum To Real Estate Sale Agreement – Addendum 'B', as accepting the buyer's increased offer in the amount of \$237,000.

Violations: The three incidents above are violations of ORS 696.301(12) and (14) (2009 Edition), which state that a real estate licensee may be disciplined if they have demonstrated incompetence or untrustworthiness in performing any act for which the licensee is required to hold a license, and/or has committed an act of fraud or engaged in dishonest conduct substantially related to the fitness of the licensee to conduct professional real estate activity.

2.7 It is also important to note that, during his interview with OREA, Joppe said that he "really doesn't care what the Agency does with his real estate license" and that he had no need for the license.

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1	ORDER
2	IT IS HEREBY ORDERED that the real estate broker's license of Todd Joppe be
3	revoked, with said revocation to be effective the date of this order.
4 5	Dated this day of July, 2012.
6	Dated this day of duly, 2012.
7	OREGON REAL ESTATE AGENCY
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11	GENE BENTLEY
12	Real Estate Commissioner
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14	DATE of service:
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16	NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by
17	filing a petition for review within 60 days from the date of service of this order. Judicial review
18	is pursuant to the provisions of ORS 183.482.
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