

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 PATRICIA KIPERS)
8 _____)

STIPULATED FINAL ORDER

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

12 FINDINGS OF FACT

13 1.

14 1.1 At all times mentioned herein, Kipers was not licensed to conduct professional
15 real estate activity in Oregon.

16 1.2 On April 21, 2010, OREA received a complaint from Marcus Torres (Torres)
17 alleging that Kipers had represented herself as a license property manager in Oregon by
18 signing a management agreement with owners of real property.

19 1.2 The subsequent investigation found that Kipers had engaged in professional real
20 estate activity or acted in the capacity of a professional real estate licensee through the
21 management of Sunrise Village Apartments, Sunwood Apartments and Gresham Central Point
22 Apartments from April 23, 2010 to June 24, 2010.

23 CONCLUSIONS OF LAW

24 2.

25 2.1 ORS 696.020(2) (2009 Edition) states that an individual may not engage in
26 professional real estate activity within this state unless the individual holds an active license.

27 2.2 ORS 696.990(4) (2009 Edition) allows the imposition of a civil penalty in the
28 range of \$100 to \$500 for the first occurrence of unlicensed professional real estate activity
29 and \$500 to \$1,000 for each subsequent occurrence. April 23, 2010 to June 24, 2010 is two
30 months, which equates to two occurrences.

1 STIPULATION & WAIVER

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

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

16 I further agree that I will immediately cease and desist from engaging in any
17 professional real estate activity as defined in ORS 696.010(15)(a) to (n) unless I first obtain a
18 real estate license from the Real Estate Agency, or meets the requirements of an exemption
19 from this requirement as defined in ORS 696.030. If I fail to abide by this agreement I will be
20 subject to additional civil penalties and other remedies allowed by law.

21 ORDER

22 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
23 set forth above, Kipers pay a civil penalty in the sum of **\$600**, said penalty to be paid to the
24 General Fund of the State Treasury by paying the same to OREA.

25 ///

26 ///

27 ///

28 ///

29 ///

30 ///

1 IT IS FURTHER ORDERED that Kipers will immediately cease and desist from
2 engaging in any professional real estate activity as defined in ORS 696.010(15)(a) to (n)
3 unless Kipers first obtains a real estate license from the Real Estate Agency, or meets the
4 requirements of an exemption from this requirement as defined in ORS 696.030.

5
6 IT IS SO STIPULATED:

IT IS SO ORDERED:

7
8 Patricia Kipers

9 Gene Bentley

10 PATRICIA KIPERS

11 GENE BENTLEY

Real Estate Commissioner

12 Date 6-20-12

13 Date 6.25.12

14 DATE of service: 7-2-12