

REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

DAWN L LEAVENS

STIPULATED FINAL ORDER

The Real Estate Agency (OREA) and Dawn L. Leavens (Leavens) do hereby agree and stipulate to the following:

FINDINGS OF FACT

AND

CONCLUSIONS OF LAW

1.

- 1.1 At all times mentioned herein, Leavens was licensed as a property manager doing business under her own name.
- 1.2 On March 29, 2011, OREA received a complaint from Charles Berry (Berry) alleging that Reliance Property Management, Inc (Reliance) employee, Dawn Leavens (Leavens), allowed his estranged wife, Emma, to sign his name on a lease agreement for tenancy at 8921 Waverly Dr, Tigard, Oregon.
- 1.3 Leavens failed to ensure that she was properly associated with Reliance after she obtained her property manager license and before she began working for Reliance.

Violation: OAR 863-015-0045(5) (4/13/07 Edition), which requires that a property manager working for another property manager have written permission to work under that registered business name.

1.4 Leavens failed to ensure that her property management activity was included in a written company policy that included the effective date and the duties, responsibilities, supervision, and authority, including any authority to negotiate tenant rental and lease agreements.

Violation: OAR 863-025-0015(2) & (3)(a) (4/13/07 Edition), which requires that each property manager develop written policies for persons and activities conducted under their license, which include the effective date of the policy and defines the duties an employee of the property manager has the authority to do.

1.5 Leavens allowed Berry's wife, Emma, to sign his name to a lease agreement on April 8, 2010.

Violation: ORS 696.301(12) (2009 Edition), which states that a licensee may be disciplined for demonstrating incompetence or untrustworthiness in performing any act for which the licensee is required to hold a license.

2.

OREA reserves the right to investigate and pursue additional complaints that may be received in the future regarding this licensee.

STIPULATION & WAIVER

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

I hereby agree and stipulate to the above findings of fact and conclusions of law and understand that the order which follows hereafter may be completed and signed by the Real Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an amended notice of intent may be issued in this matter. I understand that, per ORS 696.445(3), notice of this order shall be published in the Oregon Real Estate News Journal.

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1		ORDER
2	IT IS HEREBY ORDERED that Leaven	s shall be, and hereby is, reprimanded.
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4	IT IS SO STIPULATED:	IT IS SO ORDERED:
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7	Dawn J Leavens	- Sty
8	DAWN L LEAVENS	GENE BENTLEY
9 ·		Real Estate Commissioner
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