

OREGON REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

RONNY LEE

STIPULATED FINAL ORDER

The Real Estate Agency (OREA) and Ronny Lee (Lee) do hereby agree and stipulate to the following:

FINDINGS OF FACT

AND

CONCLUSIONS OF LAW

1.

- 1.1 At all times mentioned herein, Lee was licensed as a principal broker with Smart People Real Estate, Inc.
- 1.2 On March 11, 2011, OREA received notification from Carl Crowell (Crowell), attorney for Tomson Burnham, LLC, that Lee had an adverse judgment entered against him. On January 6, 2011, a Consent Judgment and, on February 10, 2011, an Amended Consent Judgment were entered against Lee in U.S. District Court. The subsequent investigation found the following violations.
- 1.3 OREA has no record of having received notification from Lee of the adverse decision against him in *Tomson Burnham*, *LLC vs Ron Lee and Smart People Real Estate*, *Inc.*

Violation: OAR 863-015-0175(1) (2010 Edition), which requires that a real estate licensee notify the commissioner of any adverse decision or judgment resulting from any civil or criminal suit or action in which the licensee was named as a party.

1.4 Based on the Consent Judgment that Lee signed, Lee willfully infringed the protected copyrights of Tomson Burnham, LLC, by copying sections of Tomson Burnham's

1.5 website, even after notice and request to cease. Lee stated that he signed this Judgment under "duress."

Violation: ORS 696.301(12) and (14) (2009 Edition), which states that a licensee may be disciplined if they demonstrate 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 related to the fitness of the licensee to conduct professional real estate activity.

2.

- 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301. Based on these violations, OREA proposes to suspend Lee's real estate license. A suspension is appropriate under ORS 696.396(2)(c)(C) and (D), which states that a license may be suspended if the material facts show that the licensee exhibited dishonesty or fraudulent conduct and/or repeats conduct or an act that the licensee was previously disciplined for.
- 2.2 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, in accordance with the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real Estate News Journal.

ORDER

IT IS HEREBY ORDERED that Lee's license be suspended for 90 days, beginning January 1, 2013.

IT IS SO STIPULATED:	IT IS SO ORDERED:
1/2/1	John Our Control
RONNYLLEE	GENE BENTLEY
_	Real Estate Commissioner

Date 12-19-2012 Date 12-31-12

DATE of service: 12/3