

28.

OREGON REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Unlicensed Professional Real Estate Activity of

STIPULATED FINAL ORDER

RITA MAPLE

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1.

- 1.1 At all times mentioned herein, Maple was not licensed to conduct professional real estate activity in Oregon.
- 1.2 On April 9, 2012, OREA received a complaint from Gerri Sue Lent (Lent) stating that she had hired Maple in late 2008 to manage her home located at 8430 SE Spokane St, Portland, Oregon, while she was out of the country, and agreed to pay Maple 10% of the rent proceeds as compensation. Upon Lent's return in 2010, Lent was dismayed at the condition of her property, and believes that Maple owes her \$231.19 of leftover retainer money. The subsequent investigation found the following violations.
- 1.3 Maple advertised Lent's property for rent or lease, procured prospective tenants, negotiated with prospective tenants, accepted deposits from prospective tenants, and checked the qualifications and creditworthiness of prospective tenants.

Violations: ORS 696.020(2) (2007 Edition), which states that an individual may not engage in professional real estate activity within this state unless the individual holds an active license.

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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.

ORDER

IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation set forth above. Maple pay a civil penalty in the sum of \$500, said penalty to be paid to the General Fund of the State Treasury by paying the same to OREA.

IT IS SO STIPULATED:

IT IS SO ORDERED:

RITA MAPLE
Date 11/16/12

GENE BENTLEY

Real Estate Commissioner

Date 11.26.12