

OREGON REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

SUSAN E MILLS

STIPULATED FINAL ORDER

The Real Estate Agency (OREA) and Susan E. Mills (Mills) do hereby agree and stipulate to the following:

FINDINGS OF FACT

AND

CONCLUSIONS OF LAW

- 1.1 At all times mentioned herein, Mills was licensed as a principal broker with Realty Plus LLC.
- 1.2 On December 27, 2010, OREA received a complaint from Ray Penny (Penny) alleging that Tom Bland (Bland) was conducting unlicensed real estate activity for Realty Plus LLC. The subsequent investigation found the following violations by Mills.
- 1.3 Mills did not verify the accuracy of the information on Realty Plus LLC Listings in the Multiple Listing Service in which Bland was advertised as the contact person for property information and as the property owner.

Violation: OAR 863-015-0125(2)(b) (2010 Edition), which states that all advertising must be truthful and not deceptive or misleading and ORS 696.301(15) (2009 Edition), which states that a licensee may be disciplined if they engage in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by the community of individuals engaged in the practice of professional real estate activity.

1.4 Mills did not sufficiently supervise Bland to prevent him from performing real estate activity.

 Violation: OAR 863-015-0140(3) (2010 Edition), which requires that a principal broker supervise and control the professional real estate activity at any office registered by the principal broker, and ORS 696.026(6) (2009 Edition), which requires that a real estate licensee supervise and control the professional real estate activity conducted under the registered business name, and ORS 696.301(12) (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 696.315 (2009 Edition), which prohibits a licensee from permitting a nonlicensed individual to engage in professional real estate activity.

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.

III

ORDER IT IS HEREBY ORDERED that Mills' license be, and hereby is, reprimanded.

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IT IS SO STIPULATED: IT IS SO ORDERED:

GENE BENTLEY

Real Estate Commissioner

Date 7 30.12

DATE of service: 7-30-12