

1 REAL ESTATE AGENCY  
2 BEFORE THE REAL ESTATE COMMISSIONER  
3

4 In the Matter of the Real Estate License of )  
5 )  
6 TIMOTHY MYERS ) STIPULATED FINAL ORDER  
7 )  
8 )

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10 The Real Estate Agency (OREA) and Timothy Myers (Myers) do hereby agree and  
11 stipulate to the following:

12 FINDINGS OF FACT  
13 AND  
14 CONCLUSIONS OF LAW

15 1.

16 1.1 At all times mentioned herein, Myers was licensed as a real estate broker with  
17 Realty Services Team Inc.

18 1.2 On May 10, 2010, OREA received a complaint from Suzy Paul (Paul) alleging  
19 that Myers was responsible for her losing her earnest money in a failed real estate transaction  
20 to purchase a home from First Horizon Home Loans (First Horizon).

21 1.3 During the course of the investigation, the following violations were found.

22 1.4 Myers allowed the Paul's earnest money of \$1,000.00 to be placed in escrow  
23 instead of being held by First Horizon as written in the addendum to the sales contract dated  
24 July 22, 2010.

25 **Violation:** ORS 696.815(5)(b) and (c), which require that a licensee must take no  
26 action that is adverse or detrimental to either party's interest in the transaction and to obey the  
27 lawful instructions of both parties.

28 1.5 Myers didn't submit Paul's "Addendum C" to extend the closing date in a timely  
29 manner to First Horizon.

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1 the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real  
2 Estate News Journal.

3 ORDER

4 IT IS HEREBY ORDERED that Myers' license be suspended for 30 days, beginning  
5 May 1, 2012. In addition, Myers must pay Suzy Paul \$500 AND complete the broker pre-  
6 licensing course entitled Contract Law within 90 days of the date of this Order, and must notify  
7 and submit documentation for both to OREA when he has done so. If Myers does not  
8 complete the Contract Law course within 90 days, or if he has any further violations within two  
9 years from the date of this Order, Myers' license will automatically and immediately be  
10 suspended for 60 additional days.

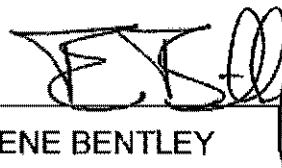
11  
12 IT IS SO STIPULATED:

13  
14   
15 \_\_\_\_\_

16 TIMOTHY MYERS

17  
18 Date 4/19/12

IT IS SO ORDERED:

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22 GENE BENTLEY  
23 Real Estate Commissioner

24 Date 4.24.12

25  
26  
27  
28  
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30  
DATE of service: 4-24-12