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OREGON REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

JIWAN RIPLEY STIPULATED FINAL ORDER

In the Matter of the Real Estate License of

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

FINDINGS OF FACT

AND

CONCLUSIONS OF LAW

1.

- 1.1 At all times mentioned herein, Ripley was licensed as a principal broker with Realty Plus LLC, except from July 30, 2010 through November 3, 2010, at which time his license was inactive.
- 1.2 On December 27, 2010, OREA received a complaint from Ray Penny (Penny) alleging that Tom Bland (Bland) was conducting unlicensed professional real estate activity while working for Ripley. The subsequent investigation found the following violations.
- 1.3 Ripley signed and/or initialed five documents, including Real Estate Listings and Sale Agreements, Seller's Counter Offer and Addendums to the Sale Agreements, as principal broker while his license was on inactive status.

Violation: ORS 696.020(2) (2009 Edition), which states that an individual may not engage in professional real estate activity within this state unless the individual holds an active license.

1.4 Ripley did not sign a Disclosed Limited Agency Agreements for Buyers and Sellers when representing both in a transaction for property located at 863 W. 15th St, Coquille, Oregon.

 Violation: OAR 863-015-0210 (6/15/10 Edition), which states that Disclosed Limited Agency Agreements must be in writing, signed and dated by the parties to be bound.

1.7 Ripley completed a Promissory Note with no redemption date for a transaction in which he represented both the seller and the buyer for property located at 863 W. 15th St, Coquille, Oregon.

Violation: OAR 863-015-0135(7) (6/15/10 Edition), which requires that when preparing a promissory note for use as earnest money, a licensee must make the note payable upon the seller's acceptance of the offer or payable within a stated time after the seller's acceptance.

1.8 Ripley permitted Tom Bland, a non-licensed individual, to engage in professional real estate activity with and on his behalf as a licensee.

Violation: ORS 696.315, and ORS 696.301(3), (12), and (14), (2009 Edition), which prohibits licensees from knowingly permitting a non-licensed individual to engage in professional real estate activity with or on behalf of the licensee, and that a licensee may be disciplined if they disregard or violate provisions or ORS 696 or any rule of the Real Estate Agency, and/or if they demonstrate incompetence in performing any act for which the licensee is required to hold a license and/or if they engage in dishonest conduct substantially related to the fitness of the licensee to conduct professional real estate activity.

- 2.1 The above violations are grounds for discipline pursuant to ORS 696.301(12) (2011 Edition).
- 2.2 The above violations are grounds for suspension pursuant to ORS 696.396(2)(c)(B) (2011 Edition).
- 2.3 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 Ripley's licensed be suspended for six months, beginning the date this Order is fully executed.

IN ADDITION, after the six month suspension has been completed, Ripley may only be reactivated as a broker and must be associated with a principal broker before conducting any real estate activity.