

1 OREGON REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate License of

5
6 TOD BRESLAU

7
8 } STIPULATED FINAL ORDER
9

10 The Real Estate Agency (OREA) and Tod Breslau (Breslau) 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, Breslau was licensed as a real estate broker with
17 Destination Realty, Inc. (Destination) from December 16, 2011 through March 15, 2012, and
18 Premiere Property Group, LLC (Premiere) from March 16, 2012 forward.

19 1.2 On April 12, 2012, OREA received a complaint from Thalia Pellicori (Pellicori)
20 and Eric Helzer (Helzer), principal brokers and owners of Destination. The complaint alleged
21 that Breslau failed to submit paperwork to his principal broker while associated with
22 Destination, transferred listings without authority to his new company, Premiere, after leaving
23 Destination, and created documents on Destination paper without authority to do so. On May
24 2, 2012, Pellicori submitted a further complaint alleging forgery of a client's electronic signature
25 by Breslau. The subsequent investigation found the following violations.

26 1.3 Breslau activated the RMLS listing for 1333 N. Pacific Hwy, Woodburn on
27 December 27, 2011, as "new", downloaded 20 photographs onto the RMLS, held himself out
28 as the broker, and "Destination" as the "office" for the listing, but had no written authority to do
29 so from the property owner.
30

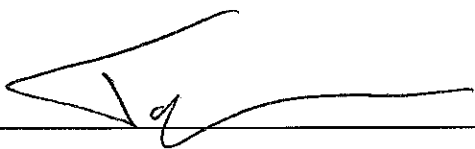
1 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
2 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
3 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
4 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
5 judicial review of this matter.

6 I hereby agree and stipulate to the above findings of fact and conclusions of law and
7 understand that the order which follows hereafter may be completed and signed by the Real
8 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
9 amended notice of intent may be issued in this matter. I understand that, in accordance with
10 the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real
11 Estate News Journal.

12 ORDER

13 IT IS HEREBY ORDERED that Breslau's license be, and hereby is, reprimanded.

14
15 IT IS SO STIPULATED:

16
17 
18 _____

19 TOD BRESLAU

20
21 Date 4/2/13
22

IT IS SO ORDERED:

23
24 
25 _____

26 GENE BENTLEY

27 Real Estate Commissioner

28 Date 4-15-13
29

30 DATE of service: 4-15-13