

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

4 In the Matter of the Real Estate License of)

5
6 KENNETH COLLINS)

STIPULATED FINAL ORDER

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

12 FINDINGS OF FACT AND
13 CONCLUSIONS OF LAW

14 1.

15 1.1 At all times mentioned herein, Collins was licensed as a principal broker with Exit
16 Realty Towne Centre (Exit).

17 1.2 On June 11, 2012, OREA received a complaint from April Clark (Clark) alleging
18 that Tonia Yosten (Yosten), an unlicensed employee working under the direction and
19 supervision of Collins, did not furnish her with requested documents on her rental property at
20 130 W. O'Brien St., O'Brien, Oregon. The subsequent investigation found the following
21 violation by Collins.

22 1.3 Collins did not provide Clark with copies of tenant records within a five day period
23 of her May 3, 2012, written request for the tenant records.

24 **Violations:** OAR 863-025-0068(2) (9/1/2011 Edition), which states that upon written
25 request from a property owner, a property manager must deliver to the owner copies of the
26 current rental or lease agreement within five business days of the date of actually receiving the
27 request; OAR 863-015-0140(3) (9/1/2011 Edition), which states that a principal real estate
28 broker must supervise and control the professional real estate activity at any office registered
29 by the principal broker.

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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 that Collins' license be, and hereby is, reprimanded.

IT IS SO STIPULATED:


KENNETH COLLINS

Date 12-21-12

IT IS SO ORDERED:


GENE BENTLEY
Real Estate Commissioner

Date 1.7.13

DATE of service: 1-14-13