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REAL ESTATE AGENCY

BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of Principal Broker License of

MICHAEL MCLAIN

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (OREA) and Michael McLain (McLain) do hereby agree and stipulate to the following:

FINDINGS OF FACT

McLain was licensed as a Principal Broker with McLain & Associates, LLC. McLain's license expired on March 31, 2012 and was not renewed until May 8, 2012. During the time McLain's license was expired, April 1, 2012 to May 7, 2012, 37 days, McLain continued conducting professional real estate activity as if actively licensed.

CONCLUSION OF LAW

By conducting professional real estate activity over the course of 37 days after McLain's license expired and before renewing it, McLain violated ORS 696.020(2) and is subject to discipline or civil penalty pursuant to ORS 696.990(4) and (9).

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

1 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to  
2 judicial review of this matter.

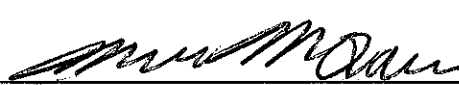
3 I hereby agree and stipulate to the above findings of fact and conclusions of law and  
4 understand that the order which follows hereafter may be completed and signed by the Real  
5 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an  
6 amended notice of intent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


9 ORDER

10 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the  
11 violation set forth above, McLain pay a civil penalty in the sum of \$100.00, said penalty to be  
12 paid to the General Fund of the State Treasury by paying the same to the OREA. The civil  
13 penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of  
14 unlicensed activity is considered one violation. In this instance, there was one 30-day period  
15 of unlicensed activity.

16  
17 IT IS SO STIPULATED:

IT IS SO ORDERED:

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21 MICHAEL MCLAIN

20   
21 GENE BENTLEY

22  
23 Date 8-28-13

Real Estate Commissioner  
23 Date 9-3-13

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25 DATE of service: 9/3/13  
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