

1  
2 REAL ESTATE AGENCY  
3 BEFORE THE REAL ESTATE COMMISSIONER

4 In the Matter of the Real Estate License of

5  
6 SHANNON M MOTTER

7 )  
8 STIPULATED FINAL ORDER  
9

10 The Real Estate Agency (OREA) and Shannon Motter (Motter) 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, Motter was licensed as a principal broker with  
16 Summa Professional Consultants LLC.

17 1.2 On January 10, 2011, the OREA received an Inventory of Authorization to  
18 Examine Clients' Trust Account from Bleeding Edge Realty, Inc. Bleeding Edge Realty, Inc. is  
19 not a registered business name with the OREA.

20 1.3 The State of Oregon Secretary of State Business Registry indicates Bleeding  
21 Edge Realty, Inc. was registered on September 20, 2010 and Judith Shortt is the registered  
22 agent.

23 1.4 OREA license records indicate Judith Shortt is the principal broker of record of  
24 Summa Real Estate Group and Summa Professional Consultants LLC is an affiliate of Summa  
25 Real Estate Group.

26 1.5 From December 22, 2010 through June 8, 2011, Motter conducted property  
27 management activity in the registered business names of Summa Real Estate Group and  
28 Summa Real Estate Group Downtown Hillsboro and non-registered business names of  
29 Summa Property Management and Summa Real Estate Group Property Management while  
30 being associated with Summa Real Estate Consultants, LLC.

1           **Violations:** ORS 696.026(7) (2009 & 2011 Editions), which states that all professional  
2 real estate and property management activity conducted by the principal broker or property  
3 manager must be conducted under the registered business name. OAR 863-024-0095(1) (06-  
4 15-2010 & 04-15-2011 Editions), which states that before conducting business in a name other  
5 than the licensee's legal name, the property manager must register the business name with  
6 the Agency.

7           1.6     Property management agreements signed by Motter do not have a description of  
8 the monthly statements of accounting the property manager is to provide the owner.

9           **Violation:** OAR 863-025-0020(2)(g) (06-015-2010 & 04-15-2011 Editions), which  
10 states that a property management agreement must include, but is not limited to a description  
11 of the monthly statements of accounting the property manager will provide the owner.

12           1.7     Motter did not maintain complete and adequate property management records as  
13 required under ORS 696.280.

14           **Violations:** ORS 696.280(1) (2009 & 2011 Editions) & OAR 863-025-0035(1)(a-  
15 k)(l),(2)(a)(c),(4) (06-15-2010 & 04-15-2011 Editions) which state that the property manager's  
16 records of the management of rental real estate are complete and adequate if the records  
17 contain, at least the following: Executed addenda and amendments, client trust account and  
18 security account records, owner's ledgers, record of receipts, and disbursements of check  
19 register, tenant ledgers, record of all cash receipts and month end clients' trust accounts. The  
20 property manager must maintain all required records for a period of six years.

21           1.8     Motter did not produce records upon the request of the OREA.

22           **Violations:** ORS 696.280(3) (2009 & 2011 Editions) & OAR 863-025-0035(2)(a)(c)  
23 (06-15-2010 & 04-15-2011 Editions), which state that records maintained must at all times be  
24 open for inspection by the Real Estate Commissioner or the commissioner's authorized  
25 representatives and that within no less than five days of the Agency's request a property  
26 manager must produce required records. Failure to produce such records within the timeline is  
27 a violation of ORS 696.301.

28           1.9     Motter did not keep electronic back up records of the property management data  
29 stored in the computerized system she used.  
30



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 Motter be, and hereby is, reprimanded. In addition,  
5 Motter is required to complete the pre-license 60 hour OREA approved real estate property  
6 management course. Documentation of course completion must be submitted to the OREA  
7 within 4 months. If the course is not completed or documentation not provided to the OREA as  
8 required, a 30 day suspension will be imposed.  
9

10 IT IS SO STIPULATED:

IT IS SO ORDERED:

11  
12  
13 Shannon M Motter

14 SHANNON M MOTTER

15  
16 Date 5/1/2013

17  
18  
19 Gene Bentley

20 GENE BENTLEY  
21 Real Estate Commissioner

22 Date 5-7-13

23  
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DATE of service: 5/7/13