

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Unlicensed Professional
5 Real Estate Activity of
6
7 JOSEPH NEISWENDER
8

STIPULATED FINAL ORDER

9
10 The Oregon Real Estate Agency (OREA) and Joseph Neiswender (Neiswender) do
11 hereby agree and stipulate to the following:

12 FINDINGS OF FACT
13 &
14 CONCLUSIONS OF LAW

15 1.

16 1.1 At all times mentioned herein, Neiswender was not licensed to conduct
17 professional real estate activity in Oregon.

18 1.2 In March and April of 2012, by contract, Neiswender represented four property
19 owners in the listing of their real property for sale.

20 1.3 From June 2011 through April 2012 Neiswender solicited property owners for
21 listings, under the name of Blue Sky Holdings & Investments, on the Webcomso.com,
22 Craigslist.org and Salespider.com websites.

23 **Violation:** ORS 696.020(2) 2011 Edition. An individual may not engage in, carry on,
24 advertise or purport to engage in or carry on professional real estate activity, or act in the
25 capacity of a real estate licensee, within this state unless the individual holds an active license
26 as provided for in this chapter. (2 counts)

27 STIPULATION & WAIVER

28 I have read and reviewed the above findings of fact and conclusions of law which have
29 been submitted to me by OREA and further, the order which follows hereafter. I understand
30 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and

1 complete agreement and stipulation between OREA and me. I further understand that if I do
2 not agree with this stipulation I have the right to request a hearing on this matter and to be
3 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
4 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
5 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
6 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
7 judicial review of this matter.

8 I hereby agree and stipulate to the above findings of fact and conclusions of law and
9 understand that the order which follows hereafter may be completed and signed by the Real
10 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
11 amended notice of intent may be issued in this matter.

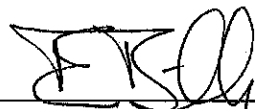
12 ORDER

13 IT IS HEREBY ORDERED that, pursuant to ORS 696.397, Neiswender immediately
14 cease and desist from engaging in any professional real estate activity as defined in ORS
15 696.010(14)(a) to (n) unless Neiswender first obtains a real estate license from the Oregon
16 Real Estate Agency. In addition, pursuant to ORS 696.990 and based upon the violation set
17 forth above, Neiswender pay a civil penalty in the sum of \$600, said penalty to be paid to the
18 General Fund of the State Treasury by paying the same to OREA.

19
20 IT IS SO STIPULATED:

IT IS SO ORDERED:

21
22
23 
24 JOSEPH NEISWENDER

25 
26 GENE BENTLEY
27 Real Estate Commissioner

28 Date 6/1/13

29 Date 6.7.13

30 DATE of service: _____