1	REAL ESTATE AGENCY
2	BEFORE THE REAL ESTATE COMMISSIONER
3	
4	In the Matter of the Real Estate License of)
5	}
6	TIM D STUART STIPULATED FINAL ORDER
7	
8	}
9	
10	The Oregon Real Estate Agency (OREA) and Tim D Stuart (Stuart) do hereby agree
11	and stipulate to the following:
12	FINDINGS OF FACT
13	&
14	CONCLUSIONS OF LAW
15	1.
16	1.1 At all times mentioned herein, Stuart was licensed as a real estate principal
17	broker doing business under the registered business name of Stuart Realty Group, Inc.
18	1.2 On December 6, 2012, the OREA received correspondence from Judge Steven
19	E Grasty (Grasty), of Harney County, Oregon, concerning online foreclosure auction sale of
20	vacant land, commonly known as Beatys Butte Ranch, in Harney County. Grasty noted that
21	the land auction was being conducted by Hansen & Young Auctioneers, Inc. (Hansen &
22	Young).
23	1.3 Hansen & Young is not a registered business name with the OREA to conduct
24	real estate activity within the State of Oregon.
25	1.4 Stuart was recommended to Hansen & Young to list the Beatys Butte Ranch by
26	Scott Musser (Musser), real estate broker with Williams & Williams Worldwide Real Estate,
27	LLC.
28	1.5 Stuart listed the Beatys Butte Ranch and allowed Bryce Hansen (Hansen), owne
29	of Hansen & Young, and Musser's son to place the Hansen & Young signs on the property.
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Violation: OAR 863-015-0125(4) (9-14-2012 Edition), which states, the licensed name or registered business name of the principal real estate broker must be prominently displayed, immediately noticeable and conspicuous in all advertising.

1.6 Stuart allowed Musser's name on the sales contracts as being associated with Stuart Realty Group, Inc. and directed escrow to pay a commission directly to Musser instead of the real estate principal broker to whom Musser is associated with.

Violation: ORS 696.290(1) (2011 Edition), which states that a principal real estate broker may not make payment to the real estate broker of another principal real estate broker with whom the real estate broker is associated.

Violation: ORS 696.301(12) (2011 Edition), which states, the licensee demonstrated incompetence in performing any act for which the licensee is required to hold a license.

1.7 Stuart directed escrow to pay a commission directly to Hansen & Young on behalf of MarkNet Alliance.

Violation: ORS 696.290(1) (2011 Edition), which states that a real estate licensee may not pay any part or share of the licensee's compensation arising from any real estate transaction to any person who is not a real estate licensee licensed under ORS 696.022.

1.8 Stuart allowed Hansen to lead and direct the marketing and advertising of the Beatys Butte Ranch. Stuart also allowed Hansen to have direct contact with interested parties and conduct professional real estate activity.

Violation: ORS 696.315 (2011 Edition), which states that a real estate licensee may not knowingly permit a non-licensed individual to engage in professional real estate activity with or on behalf of the 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

IT IS SO STIPULATED:

TIM D STUART

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 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 Stuart's real estate license be reprimanded.

IT IS SO ORDERED:

GENE BENTLEY

Real Estate Commissioner

Date 7. 27. 13

DATE of service: 7-22-13