

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Principal Broker License of

MARY M. VAN HORN

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (OREA) and Mary M. Van Horn (Van Horn) do hereby agree and stipulate to the following:

FINDINGS OF FACT

Van Horn was licensed as a Principal Broker with John L. Scott Medford. Van Horn's license expired on July 1, 2012 and was not renewed until September 27, 2012. During the time Van Horn's license was expired, July 1, 2012 to September 26, 2012, 88 days, Van Horn continued conducting professional real estate activity as if actively licensed. During a settlement conference on December 5, 2013, and in a written statement, Van Horn stated that due to personal extenuating circumstances she did not renew her license timely. Due to the nature of the personal extenuating circumstances the Agency was able to mitigate the civil penalty down.

CONCLUSION OF LAW

By conducting professional real estate activity while Van Horn's license was expired and before renewing it, Van Horn 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

1 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
2 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
3 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
4 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
5 judicial review of this matter.

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

12 ORDER

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

19
20 IT IS SO STIPULATED:

IT IS SO ORDERED:

21
22 

23
24 MARY M. VAN HORN

25 

26 GENE BENTLEY

Real Estate Commissioner

27 Date 12-11-13

28 Date 12-16-13

29 DATE of service: 12-16-2013