

1 REAL ESTATE AGENCY  
2 BEFORE THE REAL ESTATE COMMISSIONER  
3

4  
5 In the Matter of the Principal Broker's License  
6 of  
7 S. ELAINE ZEHNTBAUER  
8

STIPULATED FINAL ORDER

9  
10 The Oregon Real Estate Agency (OREA) and S. Elaine Zehntbauer (Zehntbauer) do  
11 hereby agree and stipulate to the following:

12 FINDINGS OF FACT

13 Zehntbauer was licensed as a Principal Broker with Windermere Cronin & Caplan  
14 Realty Group Inc. Zehntbauer's license expired on October 1, 2012, and was not renewed  
15 until January 24, 2013. Zehntbauer's stated she was conducting professional real estate  
16 activity as if actively licensed during the months of October and November 2012. Due to her  
17 medical issue at the time of renewal the Agency was able to mitigate the civil penalty from a  
18 \$600.00 to a \$300.00.

19 CONCLUSION OF LAW

20 By conducting professional real estate activity while Zehntbauer's license was expired  
21 and before renewing it, Zehntbauer violated ORS 696.020(2) and is subject to discipline or civil  
22 penalty pursuant to ORS 696.990(4) and (9).

23 STIPULATION & WAIVER

24 I have read and reviewed the above findings of fact and conclusions of law which have  
25 been submitted to me by OREA and further, the order which follows hereafter. I understand  
26 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and  
27 complete agreement and stipulation between OREA and me. I further understand that if I do  
28 not agree with this stipulation I have the right to request a hearing on this matter and to be  
29 represented by legal counsel at such a hearing. Hearings are conducted in accordance with  
30 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and

1 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily  
2 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to  
3 judicial review of this matter.

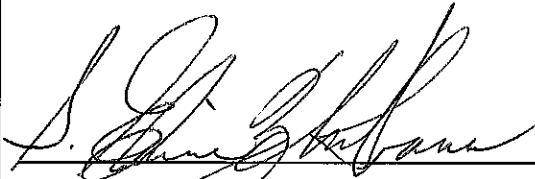
4 I hereby agree and stipulate to the above findings of fact and conclusions of law and  
5 understand that the order which follows hereafter may be completed and signed by the Real  
6 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an  
7 amended notice of intent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

10 ORDER

11 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the  
12 violation set forth above, Zehntbauer pay a civil penalty in the sum of \$300.00, said penalty to  
13 be paid to the General Fund of the State Treasury by paying the same to the OREA. The civil  
14 penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of  
15 unlicensed activity is considered one violation. In this instance, there were two 30-day periods  
16 of unlicensed activity.

17  
18 IT IS SO STIPULATED:

IT IS SO ORDERED:

19  
20  
21 

22 S. ELAINE ZEHNTBAUER

23  
24  
25 

26 GENE BENTLEY

27 Real Estate Commissioner

28 Date

29 10/12/13

30 Date

12-19-13

DATE of service:

12-19-13