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REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

DAVID S. BROWN

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (OREA) and David S. Brown (Brown) do hereby agree and stipulate to the following:

FINDINGS OF FACT

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CONCLUSIONS OF LAW

1.

- 1.1 Brown was licensed as a principal broker doing business under the registered business name of Columbia Commercial Properties, LLC.
- 1.2 OREA received communication from Columbia Commercial Properties, LLC (CCP) indicating their principal broker, Brown, had an Inactive license which he wanted to reactivate. OREA opened an investigation to determine what, if any, unlicensed activity had occurred.
- 1.3 OREA licensing records showed that Brown's license expired on August 1, 2013 and was not renewed until February 27, 2014. During the time Brown's license was expired, August 1, 2013 to February 26, 2014, for a period of six months, Brown continued conducting professional real estate activity as if actively licensed.
- 1.4 In his renewal application Brown answered "No" to question 14 which asks: "During any period of time when your license has been inactive or expired, have you conducted professional real estate activity?" When asked about his answer, Brown stated his inaccurate answer on the form was an "oversight."

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Violation: By conducting professional real estate activity over of the course of six months after Brown's license expired and before renewing it, Brown violated ORS 696.020(2) (2013 Edition) and is subject to discipline or civil penalty pursuant to ORS 696.990(4) and (9).

2.

2.1 OREA reserves the right to investigate and pursue additional complaints that may be received in the future regarding this 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 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.

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ORDER

IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the violation set forth above, Brown pay a civil penalty in the sum of \$2,600.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to the OREA. The civil penalty is computed in accordance with ORS 696.990(4) and (9) in that each month of unlicensed activity is considered one violation. In this instance, there were six periods of unlicensed activity.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DAVID S. BROWN

Date 10/20/20/4

GENE BENTLEY

Real Estate Commissioner

Date 10/23/14

DATE of service: 10-23-2014