

1 REAL ESTATE AGENCY  
2 BEFORE THE REAL ESTATE COMMISSIONER  
3

4 In the Matter of the Real Estate License of )  
5 )  
6 MARK L. CHRISTIANSON ) STIPULATED FINAL ORDER  
7 )  
8 )  
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10 The Oregon Real Estate Agency (OREA) and Mark Christianson (Christianson) do  
11 hereby agree and stipulate to the following:

12 FINDINGS OF FACT  
13 &  
14 CONCLUSION OF LAW

15 1.

16 1.1 On November 19, 2008, Christianson signed a stipulated final order agreeing to a  
17 limited principal real estate broker license. According to the order, Christianson was not to  
18 conduct or engage in any property management activities. The order stated that the limited  
19 license period was indefinite, however, that Christianson could reapply for a non-limited  
20 license, which would be reviewed at the discretion of the Real Estate Commissioner.

21 1.2 On September 18, 2013, OREA received Clients' Trust Account information for  
22 Markus & Associates, Inc, (Markus & Associates), a property management and real estate  
23 company. The communication came from Christianson, who was the owner and only principal  
24 broker at Markus & Associates. Upon reviewing the documents and electronic records for  
25 Markus & Associates, OREA staff noticed that Christianson's principal broker license was  
26 limited and therefore should not have any clients' trust accounts related to property  
27 management activity.

28 1.3 On January 14, 2014, OREA management opened an investigation.

29 1.4 A search of OREA files produced no record of any request being received from  
30 Christianson to remove the limitation on his principal broker license.

1           1.5     During the interview with OREA investigator, Frances Hlawatsch (Hlawatsch) on  
2 February 28, 2014, Christianson acknowledged the 2008 sanction and stated he understood  
3 the limitations; specifically that he was not to conduct property management activity.

4           1.6     Directly following the 2008 order, Christianson made organizational changes to  
5 bring himself into compliance. The part time receptionist, Angelica Hernandez (Hernandez)  
6 obtained a property manager license and became the property manager for Markus &  
7 Associates. Christianson said he did not engage in or supervise property management  
8 activity and focused on the real estate side of the business and continued to oversee the  
9 operations of StarCraft Enterprises, Inc., the maintenance company he owns.

10          1.7     On July 29, 2010, Hernandez left the company. Christianson said he made  
11 efforts to fill the position but did not hire anyone. When faced with the options of either  
12 discontinuing property management services or temporarily taking on the role himself,  
13 Christianson said that he resumed the property management duties while he continued to  
14 search for a candidate to fill the position.

15          1.8     Christianson cited his wife's health issues, financial concerns and insurance  
16 coverage as the primary factors in his decision to continue conducting property management  
17 activity. Additionally, he was unsure of the process of how to request the removal of the license  
18 limitation and was concerned about the potential consequences if he asked OREA.  
19 Christianson said he planned on addressing the issue in the future when his personal issues  
20 decreased allowing him the time and energy to take care of the license limitation.

21          1.9     Christianson estimated that he managed approximately 22 properties and acted  
22 in a property management capacity since Hernandez's departure on July 29, 2010.

23          1.10    Christianson's OREA licensing record shows that no complaints have come in  
24 since a February 2007 complaint which resulted in the 2008 limited license.

25                **Violation:** By engaging in property management activity from approximately July 29,  
26 2010 to June 2014 while his limited license prohibited it, Christianson violated ORS  
27 696.301(13) (2009, 2011 and 2013 Editions), which states a real estate licensee may be  
28 disciplined if they have violated a term, condition, restriction or limitation contained in an order  
29 issued by the commissioner.

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2.1 The above violation is grounds for discipline pursuant to ORS 696.301. A suspension is appropriate under ORS 696.125(2) which states a limited license may be suspended or revoked, or the real estate licensee may be reprimanded, by the commissioner on the grounds set out in ORS 696.301 or for failure to comply with the limitations of the license.

2.2 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

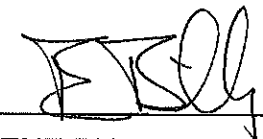
IT IS HEREBY ORDERED that Christianson's limited principal broker license be suspended for six (6) months. The suspension will be effective as of the date of the order.

IT IS FURTHER ORDERED that Christianson complete the 27-hour Property Manager Advanced Practices course, (detailed in OAR 863-022-0022) during the six month suspension. Christianson must submit documentation, such as a certificate to OREA showing completion of the 27-hour Property Manager Advanced Practices course before the end of the 6 month suspension. The 27-hour Property Manager Advanced Practices course completed for this order will not count towards Christianson's continuing education requirements for license renewal. After the six month suspension has ended, Christianson will be issued a principal broker license without any restrictions or limitations.

IT IS SO STIPULATED:

IT IS SO ORDERED:

  
MARK L. CHRISTIANSON

  
GENE BENTLEY

Real Estate Commissioner

Date 7-1-14

Date 7.9.14

DATE of service: 7/9/2014