

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4
5 In the Matter of the Principal Broker License
6 of
7 HERBERT S. KIRSHROT
8

}
} STIPULATED FINAL ORDER
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10 The Oregon Real Estate Agency (OREA) and Herbert S. Kirshrot (Kirshrot) do hereby
11 agree and stipulate to the following:

12 FINDINGS OF FACT

13 Kirshrot was licensed as a principal broker with First Oregon Real Estate Services, LLC.
14 Kirshrot's license expired on August 1, 2013 and was not renewed until March 12, 2014.
15 Based on a written statement Kirshrot only conducted professional real estate activity from
16 October 7, 2013 to January 1, 2014, for a total of 87 days.

17 CONCLUSION OF LAW

18 By conducting professional real estate activity over the course of 87 days after
19 license expired and before renewing it, Kirshrot violated ORS 696.020(2) and is subject to
20 discipline or civil penalty pursuant to ORS 696.990(4) and (9).

21 STIPULATION & WAIVER

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

1 judicial review of this matter.

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

8 ORDER

9 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
10 violation set forth above, Kirshrot pay a civil penalty in the sum of \$ 600.00, said penalty to be
11 paid to the General Fund of the State Treasury by paying the same to the OREA. The civil
12 penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of
13 unlicensed activity is considered one violation. In this instance, there were two 30-day periods
14 of unlicensed activity.

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16 IT IS SO STIPULATED:

IT IS SO ORDERED:

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20 HERBERT S. KIRSHROT

19
20 GENE BENTLEY

21 Real Estate Commissioner

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22 Date 8/6/2014

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22 Date 8-12-14

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24 DATE of service: 8-12-2014

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