

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate License
5 of
6 HOLLY BOOREN

7)
8) STIPULATED FINAL ORDER
9)

10 The Oregon Real Estate Agency (OREA) and Holly Booren (Booren) do hereby agree
11 and stipulate to the following:

12 FINDINGS OF FACT
13 &
14 CONCLUSIONS OF LAW

15 1.

16 1.1 At all times mentioned herein, Booren was licensed as a principal broker with
17 D&D Realty Group LLC and Integrity Property Management.

18 1.2 On November 7, 2014, OREA received a complaint from Sharon and Mike Jewett
19 (the Jewetts) regarding Booren's property management activities. On December 2, 2014, the
20 Jewetts notified OREA that two checks issued by Booren were returned by their bank for "not
21 sufficient funds." One of the checks was from the tenants' security deposits clients' trust
22 account (CTA).

23 1.3 On December 9, 2014, an investigation was opened and assigned to OREA
24 investigator Peter Bale (Bale).

25 1.4 On December 12, 2014, Bale spoke with Booren on the telephone and said he
26 wanted to set up a meeting with her on December 22, 2014. Booren said she was represented
27 by attorney Anthony Kuchulis (Kuchulis) of Hart Wagner LLP in Redmond.

28 1.5 On December 16, 2014, Bale met with the Jewetts at their home in Florence.
29 The Jewetts gave Bale copies of the bank notifications dated November 28, 2014, containing
30 the information about the two checks which were returned for insufficient funds.

1 1.6 The information on the returned checks was as follows:

- 2 • Check number 2636, was issued from tenants' security deposit CTA ending in #
3 8977 at Columbia Bank on November 17, 2014. The check was from Integrity
4 Property Management payable to Touchstone Realty Company (owned by Mike
5 Jewett) for \$5,425.50.
- 6 • Check number 11267, was issued from D&D Realty Group LLC's operating
7 account #8969 at Columbia Bank on November 17, 2014. The check was
8 payable to M and S Jewett for \$3,036.19.

9 1.7 During the meeting between Bale and the Jewetts on December 16, 2014, the
10 Jewetts said the checks had since cleared.

11 1.8 On December 22, 2014, Bale met with Booren and Kuchulis at Booren's office in
12 Madras.

13 1.9 At the meeting, Booren confirmed the tenants' security CTA had been depleted.
14 She said she had deposited a check in the account that day, December 22, 2014, for
15 \$38,000.00.

16 1.10 Booren provided Bale with a list of tenants' security deposits that were held by
17 her. The total amount of tenants' security deposits to be held by Booren was listed as
18 \$40,784.00

19 1.11 On December 23, 2014, Booren provided a copy of the tenants' security deposits
20 CTA bank account statement, confirming the deposit of the \$38,000.00 on December 22,
21 2014. The bank statement showed a balance of \$40,152.17.

22 **Violation:** By issuing two checks to the Jewetts, without having sufficient funds in the
23 banks account to cover the checks and by allowing the tenants' security deposit CTA to
24 become depleted, Booren violated ORS 696.3012(12) (2013 Edition), which states a licensee
25 may be disciplined if they have demonstrated incompetence or untrustworthiness in performing
26 any act for which the licensee is required to hold a license.

27 1.12 Booren acknowledged that her principal broker license would be revoked.

28 1.13 On March 2, 2015, Booren transferred ownership of D&D Realty Group LLC and
29 Integrity Property Management to Delilta Cordes.

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2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301. Based on these violations a revocation is appropriate under ORS 696.396(2)(c)(C) (2013 Edition). According to ORS 696.396, OREA may revoke a real estate license if the material facts establish a violation of a ground for discipline under ORS 696.301 that exhibits incompetence in the performance of professional real estate activity.

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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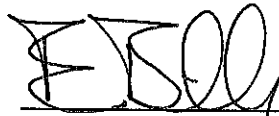
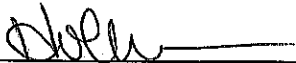
ORDER

IT IS HEREBY ORDERED that the principal broker license of Holly Booren be revoked, with said revocation to be effective the date of this order.

IT IS FURTHER ORDERED that Booren will not own, have partial ownership, or be an employee of a property management company or any company that engages in the management of rental real estate.

IT IS SO STIPULATED:

IT IS SO ORDERED:



HOLLY BOOREN

GENE BENTLEY

Real Estate Commissioner

Date 3/2/15

Date 3.9.15

DATE of service: 3-9-2015