

1 REAL ESTATE AGENCY  
2 BEFORE THE REAL ESTATE COMMISSIONER  
3

4  
5 In the Matter of the Property Manager License  
6 of  
7 SUSAN M. HEINEY  
8

STIPULATED FINAL ORDER

9  
10 The Oregon Real Estate Agency (OREA) and Susan M. Heiney (Heiney) do hereby  
11 agree and stipulate to the following:

12 FINDINGS OF FACT

13 Heiney was licensed as a property manager with Diamond Property Management.  
14 Heiney's license expired on August 1, 2013 and was not renewed until March 7, 2014. During  
15 the time Heiney's license was expired, August 1, 2013 to March 6, 2014, 281 days, Heiney  
16 continued conducting professional real estate activity as if actively licensed.

17 CONCLUSION OF LAW

18 By conducting professional real estate activity over the course of 218 days after  
19 Heiney's license expired and before renewing it, Heiney violated ORS 696.020(2) and is  
20 subject to 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, Heiney pay a civil penalty in the sum of \$3,100.00, 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 seven 30-day  
14 periods of unlicensed activity.

15  
16 IT IS SO STIPULATED:

IT IS SO ORDERED:

17  
18  
19 Susan M. Heiney  
20 SUSAN M. HEINEY

21 Gene Bentley  
22 GENE BENTLEY  
23 Real Estate Commissioner

24 Date 1-29-16

25 Date 2-2-16

26  
27  
28  
29  
30  
DATE of service: 2-2-2016