

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate License of

5
6 TY R. OLSON

7
8 } STIPULATED FINAL ORDER
9

10 The Oregon Real Estate Agency (OREA) and Ty R. Olson (Olson) do hereby agree and
11 stipulate to the following:

12 FINDINGS OF FACT
13 &
14 CONCLUSIONS OF LAW

15 1.

16 1.1 Olson was licensed as a broker with Birtola Garmyn High Desert Realty (HDR)
17 from June 19, 2013 until January 17, 2015. Olson was then associated with Fred Real Estate
18 Group, LLC (Fred RE) from January 20, 2015, until May 27, 2015. Currently, Olson is
19 associated with Allison James Estates and Homes of Oregon LLC.

20 1.2 On January 27, 2015, OREA received a complaint from James Birtola (Birtola)
21 alleging that Olson performed real estate activity while unlicensed and terminated a transaction
22 which started at HDR, and continued to work on it with a new company.

23 1.3 On February 19, 2015, OREA opened an investigation.

24 1.4 With the complaint Birtola provided a copy of his transaction file for property 2337
25 SW Volcano Ave, Redmond, OR (subject property). The buyer of the property, Nick Watts
26 (Watts), had been working with Olson before he left HDR. The first purchase and sale
27 agreement (agreement #1) showed Olson as the selling licensee, and HDR as his real estate
28 firm.

29 1.5 Within the transaction file was a termination agreement dated January 17, 2015,
30 the day Olson left HDR.

1 1.6 Birtola also provided a version of the sale agreement (agreement #2), completed
2 while Olson was associated with Fred RE. Agreement #2 listed Fred RE as Olson's real estate
3 firm and had different dates within it for numerous initials and signatures as follows:

- 4 • Page 1. Watts' signature and initials 1/18/2015. The signature date
5 was printed on the form, indicating the date was put there by Olson.
- 6 • Page 2. Watts' initials dated 1/17/2015.
- 7 • Page 3. Watts' initials dated 1/19/2015.
- 8 • Page 4. Watts' initials dated 1/17/2015.
- 9 • Pages 5, 6, 7, and 8 Watts' initials dated 1/18/2015.
- 10 • Pages 9 and 10 Watts' signature and initials dated 1/18/2015
- 11 • Addenda S-1, S-2 Watts' signature dated 1/18/2015

12 1.7 After the termination for agreement #1 was signed, on January 17, 2015, Olson's
13 license was disassociated with HDR causing his license to go into inactive status. His license
14 was not made active until Tuesday, January 20, 2015, when his license was associated with
15 Fred RE. In an email to Investigator/Auditor Peter Bale (Bale), Olson wrote, "My license was
16 never actually revoked from HDR until Tuesday the 20th because the 19th was a holiday; my
17 license was then transferred to Fred on the 20th."

18 **Violation:** By working with buyer Watts on the agreement #2 for the purchase of the
19 subject property on January 18, and/or January 19, 2015, while his license was inactive, Olson
20 violated ORS 696.020(2) (2013 Edition), which states, an individual may not engage in, carry
21 on, advertise or purport to engage in or carry on professional real estate activity, or act in the
22 capacity of a real estate license, within this state unless the individual holds an active license.

23 1.8 On January 17, 2015, Olson submitted a termination for agreement #1 to HDR,
24 signed by Watts concerning his purchase of the subject property. Olson explained in the
25 investigation that the lender needed a revised contract on the deal. After Olson left HDR, he
26 continued to work with Watts with his subsequent purchase of the subject property, without a
27 written referral agreement with HDR.

28 **Violation:** Watts violated ORS 696.301(6) (2013 Edition), which states that OREA may
29 discipline a real estate licensee who has intentionally interfered with the contractual relations of
30 others concerning real estate or professional real estate activity.

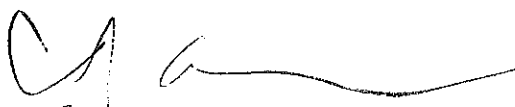
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ORDER

IT IS HEREBY ORDERED that Olson's broker license be, and hereby is, reprimanded.

IT IS SO STIPULATED:

IT IS SO ORDERED:



TY R. OLSON



GENE BENTLEY
Real Estate Commissioner

Date 3/25/16

Date 4.6.16

DATE of service: 4/6/2016