

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate License of

5
6 MICHELLE M. ANDERSON

7
8 } STIPULATED FINAL ORDER
9

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

12 FINDINGS OF FACT
13 &
14 CONCLUSIONS OF LAW

15 1.

16 1.1 Anderson is licensed as a principal broker. Anderson's license expired on
17 October 1, 2016, when she failed to renew.

18 1.2 OREA received a complaint against Anderson and opened an investigation in
19 October 2015.

20 1.3 On April 26, 2016, Anderson was indicted through Deschutes County Circuit
21 Court (Case # 16CR24819) on two counts of Theft of Services, one count of Attempted Theft
22 of Services, one count of Negotiating a Bad Check, one count of Forgery in the First Degree,
23 one count of Criminal Possession of Forged Instrument in the First Degree, and one count of
24 Attempted Aggravated Theft in the First Degree.

25 1.4 Count 5 Forgery in the First Degree on the Indictment, alleged that Anderson,
26 "unlawfully, knowingly and with intent to injure and defraud, falsely make a mortgage pre-
27 approval letter, a written instrument, to wit: related to the purchase of residence located at
28 1021 E. Cascade Ave, Sisters, OR."

29 1.5 On April 24, 2017, Anderson pled No Contest to Count 5, Forgery in the First
30 Degree. On June 28, 2017, Anderson was convicted through the Deschutes County Circuit

1 Court (Case #16CR24819) of Forgery in the First Degree. Anderson was sentenced to 24
2 months of supervision probation and ordered to complete 164 hours of community work
3 service. Anderson was ordered to spend 72 hours in jail and pay \$8,500.00 in restitution.

4 1.6 As a condition of probation, the Court ordered Respondent to surrender and
5 agree to permanent revocation of her real estate license. The Judgement states the following:
6 "Defendant agrees to surrender (within 30 days) and to permanent revocation of her
7 Oregon principal broker license with the Oregon Real Estate Agency, with the following
8 language. Defendant's conduct is grounds for discipline of her real estate license
9 pursuant to ORS 696.301. Defendant agrees her actions violated ORS 696.301(14),
10 and agrees to the revocation of her Oregon Principal Real Estate Broker License.

11 **Violation:** Anderson's actions and conduct leading to the arrest and subsequent
12 conviction for Forgery I violated ORS 696.301(14) (2015 and 2017 Editions), which states a
13 licensee's real estate license can be disciplined if they have committed an act of fraud or
14 engaged in dishonest conduct substantially related to the fitness of the applicant or licensee to
15 conduct professional real estate activity, without regard to whether the act or conduct occurred
16 in the course of professional real estate activity.

17 2.

18 2.1 The foregoing constitutes grounds for discipline pursuant to ORS 696.301.
19 Revocation is appropriate under ORS 696.396(2)(c)(C)(2015 and 2017 Editions). According
20 to ORS 696.396(2)(c)(C), OREA may revoke a real estate license if the material facts establish
21 a violation of a ground for discipline under ORS 696.301 that exhibits dishonesty or fraudulent
22 conduct.

23 2.2 OREA reserves the right to investigate and pursue additional complaints that
24 may be received in the future regarding this licensee.

25 **STIPULATION & WAIVER**

26 I have read and reviewed the above findings of fact and conclusions of law which have
27 been submitted to me by OREA and further, the order which follows hereafter. I understand
28 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
29 complete agreement and stipulation between OREA and me. I further understand that if I do
30 not agree with this stipulation I have the right to request a hearing on this matter and to be

1 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
2 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
3 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
4 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
5 judicial review of this matter.


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

11 ORDER

12 IT IS HEREBY ORDERED that Anderson's principal broker license is surrendered.

13 IT IS FURTHER ORDERED, that Anderson's principal broker license is revoked.

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15
16 IT IS SO STIPULATED:

17
18 
19 _____

20 MICHELLE M. ANDERSON

21
22 Date 7/28/17
23 _____

IT IS SO ORDERED:

24
25 
26 _____

27 GENE BENTLEY

28 Real Estate Commissioner

29 Date 7.31.17
30 _____

Date of Service: 7/31/2017