1 **REAL ESTATE AGENCY** 2 BEFORE THE REAL ESTATE COMMISSIONER 3 4 In the Matter of the Unlicensed Professional 5 Real Estate Activity of 6 STIPULATED FINAL ORDER 7 **CRAIG DEAN HORTON** 8 9 The Oregon Real Estate Agency (OREA) and Craig Dean Horton (Horton) do hereby 10 11 agree and stipulate to the following: 12 FINDINGS OF FACT 13 & 14 CONCLUSIONS OF LAW 15 1. 16 1.1 In November 2015, OREA opened an investigation after they became aware of 17 property management advertising being done by Medford Better Housing Association, Inc. 18 (Medford Better Housing). Medford Better Housing was not registered with OREA as a 19 registered business name. 20 1.2 The investigation found Craig Horton (Horton) to be the President of Medford 21 Better Housing. At the time of the investigation Horton did not hold a real estate license. 22 1.3 Medford Better Housing performs standard property management duties for 23 multiple properties. The duties include but are not limited to the following: setting property rent levels for all units, collecting all rents, finding tenants for vacant units, handling complaints from 24 25 tenants, emergency maintenance, coordinating move-in and move-out processes, dealing with 26 evictions, coordinating maintenance and repairs, maintaining tenant records and managing 27 budgets for rental units. 28 1.4 Medford Better Housing receives a management fee of 9% of the gross rents 29 collected for each property. 30 III

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- 1.5 Horton's duties as President are to advertise rentals, answer phone inquiries about vacancies, show vacant units, accept rental applications, run credit checks, select tenants, accept deposits and rents, sign leases and property condition checklists, inspect rentals for move-in and move outs, coordinate cleaning and repairs, collect late rent charges, inform owners of late rent notices, issue 72 hour notice for non-payment of rent when necessary, deposit rents to bank, attend eviction hearings and file eviction documentation with the court.
- 1.6 Horton received an annual salary of \$40,000 from Medford Better Housing for his services.
- 1.7 The properties Horton managed through Medford Better Housing, were properties owned by multiple family owned LLCs. Medford Better Housing did not own any of the properties it managed.

Violation: By engaging in the property management activity outlined above, Horton engaged in professional real estate activity as described in ORS 696.010(14), without a license, in violation of ORS 696.020(2) (2015 Edition).

1.8 On June 1, 2017, OREA issued Horton a property manager license. Horton registered Medford Better Housing Association Inc., with OREA as a registered business name.

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.

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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.

ORDER

IT IS HEREBY ORDERED that, pursua	ant to ORS 696.990 and based upon the violati	
set forth above, Horton pay a civil penalty in the sum of \$1,000.00, said penalty to be paid to		
the General Fund of the State Treasury by paying the same to OREA.		
IT IS SO STIPULATED:	IT IS SO ORDERED:	
Craig Dean Horton	FIG	
CRAIG DEAN HORTON	GENE BENTLEY	
Date July 26, 2019	Real Estate Commissioner Date 7 · 28 · 17	
	Date of Service: $\frac{728}{2017}$	