

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4
5 In the Matter of the Principal Broker
6 License of
7 JON DOVER HEMSTREET
8

}
STIPULATED FINAL ORDER

9
10 The Oregon Real Estate Agency (Agency) and Jon Dover Hemstreet (Hemstreet) do
11 hereby agree and stipulate to the following:

12 FINDINGS OF FACT

13 &

14 CONCLUSION OF LAW

15 1.1 Hemstreet was licensed as a principal broker working under the registered
16 business name of Northwest Land and Timber LLC.

17 1.2 On August 1, 2018, the Agency emailed Hemstreet stating his license would
18 expire at the end of August and he needed to renew his license no later than the last day of the
19 month.

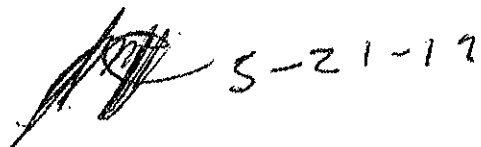
20 1.3 On August 27, 2018, the Agency emailed Hemstreet that he had a few more
21 days to renew his license and avoid paying the late fee.

22 1.4 On September 1, 2018, Hemstreet's principal broker license expired and was not
23 renewed until November 20, 2018.

24 1.5 On November 20, 2018 the Agency emailed Hemstreet that his online renewal
25 was successful. The email stated in part, "If you were in an expired active status prior to
26 renewal, you will be required to be transferred by a principal broker or property manager. After
27 your license has been transferred you will return to the active status."

28 1.6 On November 21, 2018, the Agency emailed Hemstreet that his renewal was
29 pending and he needed to be transferred into a company.

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 5-21-18

1 1.7 On November 21, 2018, the Agency emailed Hemstreet warning that his license
2 was at risk of being inactivated.

3 1.8 All of the emails sent to Hemstreet were sent to: jonhemstreet@yahoo.com, the
4 email address on file at the Agency for Hemstreet. Hemstreet verified this was his correct
5 email address.

6 1.9. Hemstreet's license was not attached to a company until December 21, 2018, at
7 which time his license became active again. From the time Hemstreet's license expired on
8 September 1, 2018 through December 20, 2018, 111 days, Hemstreet continued conducting
9 professional real estate activity as if actively licensed.


10 1.10 On his November 20, 2018, renewal application, Hemstreet answered "Yes," to
11 the following question: "At any time during the past 24 months, while holding an inactive or
12 expired real estate license have you conducted professional real estate activity." Hemstreet
13 made the following comment to the question: "Unknown to me my license expired at the end of
14 August 2018. I had an illness in the family, renewing my real estate [sic] slipped between the
15 cracks. During this time I maintained my listings but didn't have any accepted offers or close
16 on any transaction."

17 **Violation:** By continuing to conduct professional real estate activity for 111 days after
18 Hemstreet's license expired and before renewing and completing all the required steps to
19 return the license to active status, Hemstreet violated ORS 696.020(2), which states an
20 individual may not engage in, carry on, advertise or purport to engage in or carry on
21 professional real estate activity, or act in the capacity of a real estate licensee, within this state
22 unless the individual holds an active license. Hemstreet is subject to discipline or civil penalty
23 pursuant to ORS 696.990.

24 1.11 On May 8, 2018, the Agency issued Hemstreet a Notice of Intent to Levy Civil
25 Penalty.

26 **STIPULATION & WAIVER**

27 I have read and reviewed the above findings of fact and conclusions of law which have
28 been submitted to me by the Agency and further, the order which follows hereafter. I
29 understand that the findings of fact, conclusions of law and this stipulation and waiver embody
30 the full and complete agreement and stipulation between the Agency and me. I further

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5-19

1 understand that if I do not agree with this stipulation I have the right to request a hearing on
2 this matter and to be represented by legal counsel at such a hearing. Hearings are conducted
3 in accordance with the procedures set forth in ORS Chapter 183 and in accordance with the
4 Rules of Practice and Procedure adopted by the Attorney General of the State of Oregon. I
5 freely and voluntarily waive my rights to a hearing, to representation by legal counsel at such a
6 hearing, and to judicial review of this matter.

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

12 ORDER

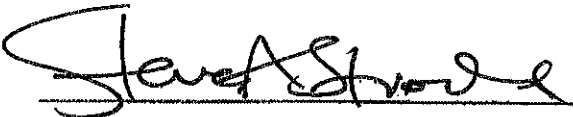
13 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
14 violation set forth above, Hemstreet pay a civil penalty in the sum of \$1,100.00, said penalty to
15 be paid to the General Fund of the State Treasury by paying the same to the Agency. The civil
16 penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of
17 unlicensed activity is considered one violation. In this instance, there were three 30-day
18 periods of unlicensed activity.

19 IT IS FURTHER ORDERED that the notice of intent issued to Hemstreet on May 8,
20 2019, is hereby withdrawn.

21
22 IT IS SO STIPULATED:

IT IS SO ORDERED:

23
24 
25 _____
26 Jon Dover Hemstreet

27 
28 _____
29 Steven Strode

30
Date 5-21-19

Real Estate Commissioner
Date 5/24/19

Date of Service: 5/24/2019