

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
7 DEBORAH BAUSKE
8

STIPULATED FINAL ORDER AND ORDER
TO CEASE AND DESIST

9
10 The Oregon Real Estate Agency (Agency) and Deborah Bauske (Bauske) do hereby
11 agree and stipulate to the following:

12 FINDINGS OF FACT

13 &

14 CONCLUSIONS OF LAW

15 1.

16 1.1 At all times mentioned herein, Bauske was not licensed to conduct professional
17 real estate activity in Oregon.

18 1.2 Bauske is the President of Seaside Property Management, Inc. (Seaside PM),
19 Seaside Realty, Inc., and Seaside Rentals.

20 1.3 Bauske through Seaside PM, Seaside Realty, and Seaside Rentals has been
21 engaging in property management activity on behalf of LLCs owned by Bauske, other family
22 members and others. Property management fees were being paid to Seaside PM, Seaside
23 Realty and Seaside Rentals for their services.

24 1.4 Between November 2016 and March 2019, Bauske conducted professional real
25 estate activity on 11 different occasions.

26 1.5 The following evictions were filed by Seaside Realty, Inc:

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- 28 • 870 S. Holladay #3, Seaside, Eviction Date- November 2016
 - 29 • 1159 S. Downing, Seaside, Eviction Date – January 2017
 - 30 • 2124 S. Franklin, Seaside, Eviction Date- January 2017
 - 2481 Hwy 101 N, Seaside, Eviction Date- January 2017

- 1 • 842 12th Avenue, Seaside, Eviction Date- February 2017

2 1.6 None of the above properties were owned by Seaside Realty, Inc.

3 1.7 The following evictions were filed by Seaside PM:

- 4 • 1159 S. Downing, Seaside, Eviction Date- February 2017
5 • 2481 Hwy 101 N, Seaside, Eviction Date- July 2017
6 • 222 3rd Avenue, Seaside, Eviction Date- September 2017
7 • 1020 S. Columbia, Seaside, Eviction Date- February 2018
8 • 981 Beach Drive, Seaside, Eviction Date- April 2018

9 1.8 None of the above properties were owned by Seaside PM.

10 1.9 The following eviction was filed by Seaside Rentals:

- 11 • 222 3rd Ave, Seaside, Eviction Date- March 2019

12 1.10 The above property was not owed by Seaside Rentals.

13 (1) **Violation:** By engaging in the management of rental real estate outlined above,
14 Bauske engaged in professional real estate activity as described in ORS 696.010(14) (2015
15 Edition), and ORS 696.010(17) (2017 Edition), without a license, which is a violation of ORS
16 696.020(2) (2015 and 2017 Editions).

17 1.11 On April 5, 2019, Bauske placed an ad on Craigslist.com offering properties for
18 rent as Seaside Rentals.

19 1.12 On May 1, 2019, Bauske placed an ad on Craglist.com offering properties for
20 rent as Seaside Property Management.

21 1.13 Bauske had a Facebook page for Seaside Rentals advertising properties for rent.
22 The last post on the Facebook page was from March 2011. Screenshots were obtained during
23 the investigation showing the advertising as it was on June 17, 2017, and September 14, 2019.

24 (2) **Violation:** By advertising properties for rent, Bauske engaged in professional real
25 estate activity as described in ORS 696.010(14) (2011, 2013, and 2015 Edition), and ORS
26 696.010(17) (2017 Edition), without a license, which is a violation of ORS 696.020(2) (2011,
27 2013, 2015 and 2017 Editions).

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2.

According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real estate license, whether by operation of law, order of the Real Estate Commissioner or decision of a court of law, or the inactive status of the license, or voluntary surrender of the license by the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee; (3) take action against a licensee, including assessment of a civil penalty against the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or revoking a license.

STIPULATION & WAIVER

I have read and reviewed the above findings of fact and conclusions of law which have been submitted to me by the Agency 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 the Agency 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.

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.

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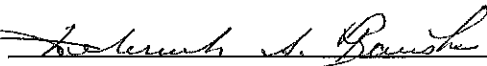
ORDER

IT IS HEREBY ORDERED that, pursuant to ORS 696.397, Bauske immediately cease and desist from engaging in any professional real estate activity as defined in ORS 696.010(17)(a) to (n) (2017 Edition) unless Bauske first obtains a real estate license from the Agency. The Commissioner's authority for this order is under ORS 696.397.

IT IS FURTHER ORDERED that, pursuant to ORS 696.990 and based upon the violation set forth above, Bauske pay a civil penalty in the sum of \$6,600.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to the Agency.

IT IS SO STIPULATED:

IT IS SO ORDERED:



DEBORAH BAUSKE

Date 2/27/2020



STEVEN STRODE

Real Estate Commissioner

Date 2 MARCH, 2020

Date of Service: 3/2/2020