

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of
SHELLEY GRETCHEN CONRAD) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Shelley Gretchen Conrad (Conrad) do hereby agree and stipulate to the following:

FINDINGS OF FACT
&
CONCLUSIONS OF LAW
1.

- 1.1 At all times mentioned herein, Conrad was licensed as a real estate broker with Fisher Nicholson Realty, LLC.
- 1.2 On November 30, 2018, the Agency received a complaint from John King (King) an investigator with the Department of Human Services in the Protective Service/ Elder Abuse Division. The complaint was regarding Conrad’s dealings with Carole Jeanne Chavarria (Chavarria), an elderly individual.
- 1.3 In 2016, Conrad sold Chavarria’s home in Keno and helped her purchase another home in Klamath Falls.
- 1.4 In 2017, Chavarria determined she was unable to care for the Klamath Falls home, so she listed it with Conrad. Conrad sold the home and helped Chavarria move into an assisted living facility. Conrad visited Chavarria regularly and ran errands for her.
- 1.5 Chavarria shared with Conrad that she was unhappy at the assisted living facility and wanted to move out. Conrad showed her some homes, but Chavarria did not like any.
- 1.6 Conrad suggested that Chavarria move in with Conrad and her husband into the house they were having built.

1 1.7 Conrad completed an undated gift letter document for All Seasons Mortgage for
2 the purchase of real estate located at 7818 Scenic View Drive, Klamath Falls, OR (7818
3 Scenic View). The gift letter listed Chavarria as the donor making a gift of \$105,000 to Conrad
4 and her husband to be applied to the purchase of 7818 Scenic View. The gift letter identified
5 Chavarria as Conrad’s “Aunt,” which was untrue.

6 **(1) Violation:** By making a false statement on the gift letter, Conrad violated ORS
7 696.301(12) and (14) (Edition 2017). Per ORS 696.301(12): The Real Estate Commissioner
8 may suspend or revoke the real estate license of any real estate licensee, reprimand any real
9 estate licensee or deny the issuance or renewal of a license to an applicant who has
10 demonstrated incompetence or untrustworthiness in performing any act for which the real
11 estate licensee is required to hold a license. Per ORS 696.301(14): The Real Estate
12 Commissioner may suspend or revoke the real estate license of any real estate licensee,
13 reprimand any real estate licensee or deny the issuance or renewal of a license to an applicant
14 who has committed an act of fraud or engaged in dishonest conduct substantially related to the
15 fitness of the applicant or real estate licensee to conduct professional real estate activity,
16 without regard to whether the act or conduct occurred in the course of professional real estate
17 activity.

18 1.8 On August 14, 2019, Stacy Ellingson, Conrad’s supervising principal broker, was
19 asked if she was aware of the details of this transaction. She said no.

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1 **(2) Violation:** By failing to transmit her professional real estate records to her principal
2 broker for the purchase of 7818 Scenic View, in which she was a principal to the transaction,
3 Conrad violated ORS 696.301(3) as it incorporates OAR 863-015-0145(3) (1-1-18 Edition),
4 which states: (3) Each transaction described in section (1) of this rule of a real estate broker
5 associated with a principal broker must be conducted under the supervision of the licensee's
6 principal broker and all documents and funds must be transmitted through the licensee's
7 principal broker.

8 **(3) Violation:** By failing to transmit her records of professional real estate activity to her
9 principal broker, Conrad also violated ORS 696.301(3) as it incorporates OAR 863-015-
10 0250(1)(c),(d) and (2) (1-1-18 Edition), which states (1) complete and adequate records of
11 professional real estate activity include complete, legible, and permanent copies of all
12 documents required by law or voluntarily generated during a real estate transaction, including
13 all offers received by or through real estate brokers or principal brokers to the client, including,
14 but not limited to, the following: (c) a copy of any written agreement for the listing, sale,
15 purchase, rental, lease, lease option, or exchange of real property generated by a real estate
16 broker or principal broker while engaging in professional real estate activity that must be
17 signed by all parties to such agreement; and (d) a copy of any receipt issued by a real estate
18 broker or principal broker to evidence acceptance of funds or documents; and (2) when a real
19 estate broker receives any document referred to in (1) of this rule, the real estate broker must
20 transmit to the real estate broker's principal broker the document within 3 banking days of real
21 estate broker's receipt of the document.

22 2.

23 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301.
24 Based on these violations, a reprimand is appropriate for violations of ORS 696.301(3), (12),
25 and (14).

26 2.2 The Agency reserves the right to investigate and pursue additional complaints
27 that may be received in the future regarding this licensee.

28 2.3 In establishing the violations alleged above, the Agency may rely on one or more
29 of the definitions contained in ORS 696.010.

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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. I understand that, in accordance with the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real Estate News Journal.

I agree once the Commissioner executes this stipulated order, I will accept service of the final order by email and hereby waive the right to challenge the validity of service.

ORDER

IT IS HEREBY ORDERED that the broker license of Conrad be, and hereby is, reprimanded.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DocuSigned by: Shelley Gretchen Conrad
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Shelley Gretchen Conrad

DocuSigned by: Steven Strode
D141D267DDE14A0...
STEVEN STRODE



Date 6/10/2020 | 4:26 PM PDT

Date 6/11/2020 | 8:48 AM PDT

Date of Service: 06/11/2020