

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of)
TRAVIS DAGGETT) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Travis Daggett (Daggett) do hereby agree and stipulate to the following:

FINDINGS OF FACT
&
CONCLUSIONS OF LAW
1.

1.1 At all times mentioned herein, Daggett was licensed as a real estate broker with Keller Williams Realty, Eugene and Springfield (KWR). On February 1, 2019, Daggett’s license expired after he failed to renew it, and, on February 1, 2020, Daggett’s license lapsed.

1.2 On July 26, 2018, the Agency received a complaint from Tammy Crafton against Daggett.

1.3 Tammy Crafton was assisting her brother-in-law, Jerry Crafton, with the sale of his property at 4199 Scenic Drive (Scenic). On April 20, 2018, Daggett made a verbal offer for buyer Claire Senderling (Senderling) of Montclair Capital Inc.

1.4 On April 30, 2018, Daggett sent Tammy Crafton a listing agreement. On May 1, 2018, Jerry Crafton signed the listing agreement.

1.5 Senderling signed a purchase and sale agreement for Scenic on April 27, 2018, and Jerry Crafton’s name was signed to it on May 2, 2018. After the inspection date expired, Daggett contacted Tammy Crafton saying that Senderling wanted to terminate the sale agreement because foundation repairs would cost \$120,000. Daggett sent Tammy Crafton an

1 unsigned termination agreement. Tammy Crafton signed Jerry Crafton's name to the
2 termination via DocuSign.

3 1.6 According to Tammy Crafton, each time she received electronic documents from
4 Daggett, she would contact Jerry Crafton and read each document to him before she
5 electronically signed Jerry Crafton's name or initials to them. Tammy Crafton did not have a
6 power of attorney at the time. Tammy Crafton stated Daggett was aware that she was signing
7 on behalf of Jerry Crafton. Tammy Crafton stated Daggett had not ever asked her for a copy of
8 a power of attorney.

9 **(1) Violation:** By allowing Tammy Crafton to sign Jerry Crafton's name on a real estate
10 transaction document regarding Scenic without a power of attorney, Daggett violated ORS
11 696.301(3) as it incorporates ORS 696.805(3)(a) (2017 Edition), which states that a seller's
12 agent owes the seller the affirmative duty to exercise reasonable care and diligence.

13 1.7 Daggett did not transmit the executed listing agreement and other signed written
14 agreements between Jerry Crafton, Tammy Crafton, and Senderling to Daggett's principal
15 broker, Thomas Dye (Dye), for more than a month.

16 **(2) Violation:** By not transmitting documents of written agreement to his principal broker
17 within 3 banking days, Daggett violated ORS 696.301(3) as it incorporates OAR 863-015-
18 0250(2) (01-01-2018 Edition), which states when a real estate broker receives any document
19 referred to in (1) of this rule the real estate broker must transmit to the real estate broker's
20 principal broker the document within 3 banking days of the real estate broker's receipt of the
21 document.

22 1.8 Daggett reported to the Agency that Senderling never intended to terminate the
23 agreement even though he told Tammy Crafton and Dye that Senderling wanted to terminate
24 the agreement. Once Tammy Crafton received the unsigned termination letter, Tammy Crafton
25 and Jerry Crafton thought they were free to list Scenic with another broker and enter into
26 another sale agreement.

27 **(3) Violation:** By reporting to Tammy Crafton and Dye that Senderling was terminating the
28 agreement for Scenic, and by sending Tammy Crafton an unsigned Termination Agreement,
29 Daggett violated ORS 696.301(3) as it incorporates ORS 696.805(2)(a) and (3)(a), and ORS
30 696.810(2)(a) and (3)(a) (2017 Edition). Per ORS 696.805: (2)(a) A seller's agent owes the

1 seller, other principals and the principals' agents involved in a real estate transaction the
2 affirmative duty to deal honestly and in good faith; and (3)(a) A seller's agent owes the seller
3 the affirmative duty to exercise reasonable care and diligence. Per ORS 696.810: (2)(a) A
4 buyer's agent owes the buyer, other principals and the principals' agents involved in a real
5 estate transaction the affirmative duty to deal honestly and in good faith; and (3)(a) A buyer's
6 agent owes the buyer the affirmative duty to exercise reasonable care and diligence.

7 1.9 Daggett used a business name other than KWR in his email signature block on
8 five different occasions in May 2018.

9 1.10 Dye was unaware Daggett was advertising a different business name until shortly
10 before Daggett left KWR.

11 **(4) Violation:** By advertising using a personal business, and not the registered business
12 name with which his license was associated, Daggett violated ORS 696.301(4) (2017 Edition),
13 and ORS 696.301(3) as it incorporates OAR 863-015-0125(2)(b), (4), and (5)(a) (1-1-18
14 Edition). Per ORS 696.301(4): The Real Estate Commissioner may suspend or revoke the real
15 estate license of any real estate licensee, reprimand any real estate licensee or deny the
16 issuance or renewal of a license to an applicant who has knowingly or recklessly published
17 materially misleading or untruthful advertising. Per OAR 863-015-0125: (2)(b) Advertising by a
18 licensee, in process and in substance, must be truthful and not deceptive or misleading; (4)
19 The licensed name or registered business name of the principal real estate broker, sole
20 practitioner real estate broker, or property manager must be prominently displayed,
21 immediately noticeable, and conspicuous in all advertising; and (5)(a) A real estate broker
22 must submit proposed advertising to the licensee's principal broker for review and receive the
23 principal broker's approval before publicly releasing any advertisement.

24 1.11 All of the above demonstrates incompetence and untrustworthiness in performing
25 any act for which Daggett is required to hold a license, dishonest conduct substantially related
26 to the fitness of a real estate licensee, and conduct that is below the standard of care for the
27 practice of professional real estate activity.

28 **(5) Violation:** Through his actions listed above, Daggett violated ORS 696.301(12), (14),
29 and (15) (2017 Edition), which states the Real Estate Commissioner may suspend or revoke
30 the real estate license of any real estate licensee, reprimand any real estate licensee or deny

1 the issuance or renewal of a license to an applicant who has (12) demonstrated incompetence
2 or untrustworthiness in performing any act for which the real estate licensee is required to hold
3 a license; (14) committed an act of fraud or engaged in dishonest conduct substantially related
4 to the fitness of the applicant or real estate licensee to conduct professional real estate activity,
5 without regard to whether the act or conduct occurred in the course of professional real estate
6 activity; and (15) engaged in any conduct that is below the standard of care for the practice of
7 professional real estate activity in Oregon as established by the community of individuals
8 engaged in the practice of professional real estate activity in Oregon.

9 2.

10 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301.
11 Based on these violations, a reprimand is appropriate for violations of ORS 696.301(3), (4),
12 (12), (14), and (15).

13 2.2 The Agency reserves the right to investigate and pursue additional complaints
14 that may be received in the future regarding this licensee.

15 2.3 In establishing the violations alleged above, the Agency may rely on one or more
16 of the definitions contained in ORS 696.010.

17 2.4 According to ORS 696.775, the lapsing, expiration, revocation, or suspension of
18 a real estate license, whether by operation of law, order of the Real Estate Commissioner, or
19 decision of a court of law, or the inactive status of the license, or voluntary surrender of the
20 license by the real estate licensee does not deprive the commissioner of jurisdiction to: (1)
21 proceed with an investigation of the licensee; (2) conduct disciplinary proceedings relating to
22 the licensee; (3) Take action against a licensee, including assessment of a civil penalty against
23 the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order
24 suspending or revoking a license.

25
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

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

14 ORDER

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

17
18 IT IS SO STIPULATED:

18 IT IS SO ORDERED:

19
20 DocuSigned by:
21 *Travis Daggett*
44854CA0A40B406...

20 DocuSigned by:
21 *Steven Strode*
D141D267DDE14A0...



22 TRAVIS DAGGETT

22 STEVEN STRODE

23 Real Estate Commissioner

24 Date 7/23/2020 | 8:04 AM PDT

24 Date 7/27/2020 | 9:37 AM PDT

25
26 Date of Service: 07/27/2020
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