

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

ALICIA ANN GREENE

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Alicia Ann Greene (Greene) do hereby agree and stipulate to the following:

FINDINGS OF FACT
&
CONCLUSIONS OF LAW
1.

1.1 At all times mentioned herein, Greene was licensed as a principal broker with RE/MAX Equity Group.

1.2 On January 29, 2016, Greene renewed her principal broker license and answered "Yes," to the question regarding criminal convictions within the last 24 months.

Criminal Conviction:

1.3 On September 8, 2015, Greene accepted a plea agreement to plead guilty to Structuring Transactions with Domestic Financial Institutions to Evade Reporting Requirements in violation of Title 31, United States Code, Section 5324 and to forfeit \$14,793.75 (her half of the commission on the related real estate deal).

1.4 On or about March 26, 2016, Greene was convicted in the United States District Court, District of Oregon (Case No: 3:15-CR-00336-S-2) of violating 31 U.S.C. § 5324(a)(3) and § 5324(d) (Structuring Transactions with Domestic Financial Institutions to Evade Reporting Requirements) and sentenced to one year of probation, a \$100 fine, and required to forfeit all interest in real or personal property involved in the charged offense.

(1) Violation: By pleading guilty to Structuring Monetary Transactions with Domestic

1 Financial Institutions to Evade Reporting Requirements Greene violated ORS 696.301(11)
2 which states a licensee's real estate license may be disciplined if they have been convicted of
3 a felony or misdemeanor which is substantially related to the real estate licensee's
4 trustworthiness or competence to engage in professional real estate activity.

5 Facts Related to Conviction:

6 1.5 Greene was representing clients in California that were trying to buy a
7 foreclosure house. The clients submitted a loan application and were close to closing when
8 they only had 2 days to close due to the foreclosure. The clients' reached out to several hard
9 money lenders.

10 1.6 Greene's brother-in-law, Chris Holenstein (Holenstein) owned Gresham Animal
11 Hospital and loaned her clients a portion of the funds needed to close, with the understanding
12 they would secure a loan within 6 months to repay him.

13 1.7 Holenstein wired \$850,000.00 from his line of credit to an escrow company in
14 California.

15 1.8 Instead of her clients obtaining a loan to pay the money back, Greene's client
16 wanted to pay Holenstein back in cash.

17 1.9 Holenstein lived in Oregon and Greene lived in California, so Holenstein asked
18 Greene to deposit the money for him, into his bank in increments, so as not to exceed his
19 bank's daily cash limit per customer to avoid bank fees.

20 1.10 Between June 3, 2013 and August 12, 2013, 89 deposits in amounts below
21 \$10,000 were made to multiple banks on Holenstein's behalf.

22 1.11 Greene stated, "I followed directions obviously having no idea that making these
23 deposits in this manner was illegal. There was no financial benefit to me. I never received a
24 dime other than ½ the selling commission. I would not break the law intentionally for anyone
25 and I do not believe Chris would have asked me to do anything which he thought was illegal. I
26 practice full disclosure in real estate."

27 **(2) Violation:** Greene engaged in dishonest conduct and was convicted of Structuring
28 Monetary Transactions with Domestic Financial Institutions to Evade Reporting Requirements
29 in violation of ORS 696.301(14), which states a licensee's real estate license may be
30 disciplined if they have committed an act of fraud or engaged in dishonest

1 conduct substantially related to the fitness of the applicant or real estate licensee to conduct
2 professional real estate activity, without regard to whether the act or conduct occurred in the
3 course of professional real estate activity.

4 1.12 On October 3, 2018, Greene’s California broker license was revoked and she
5 was issued a 2- year restricted salesperson license. This disciplinary action was taken as a
6 result from Greene’s criminal conviction.

7 1.13 On January 14, 2020, Greene completed her Oregon principal broker license
8 renewal. She answered, “No,” to the question that asked if she had any occupational or
9 professional license subjected to disciplinary action in the last 24 months.

10
11 2.

12 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301.
13 Based on these violations a suspension is appropriate for violations of ORS 696.301(11) and
14 (14).

15 2.2 A suspension of Greene’s principal broker license is appropriate under ORS
16 696.396(2)(c)(C). According to ORS 696.396(2)(c)(C), the Agency may suspend a real estate
17 license if the material facts establish a violation of a ground for discipline under ORS 696.301
18 that exhibits dishonesty or fraudulent conduct.

19 2.3 The Agency reserves the right to investigate and pursue additional complaints
20 that may be received in the future regarding this licensee.

21 2.4 In establishing the violations alleged above, OREA may rely on one or more of
22 the definitions contained in ORS 696.010.

23 2.5 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a
24 real estate license, whether by operation of law, order of the Real Estate Commissioner or
25 decision of a court of law, or the inactive status of the license, or voluntary surrender of the
26 license by the real estate licensee does not deprive the commissioner of jurisdiction to: (1)
27 proceed with an investigation of the licensee; (2) conduct disciplinary proceedings relating to
28 the licensee; (3) Take action against a licensee, including assessment of a civil penalty against
29 the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order
30 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. 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 Green’s principal broker be suspended for a period of 90 days, effective immediately from when the Commissioner signs this order.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DocuSigned by:

AG

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ALICIA ANN GREENE

Date 11/4/2020 | 3:40 PM PST

DocuSigned by:

Steven Strode

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STEVEN STRODE

Real Estate Commissioner

Date 11/5/2020 | 8:03 AM PST



Date of Service: 11/05/2020