

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of  
MYRANDA RAE READ )  
STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Miranda Rae Read (Read) do hereby agree and stipulate to the following:

FINDINGS OF FACT  
&  
CONCLUSIONS OF LAW  
1.

1.1 Miranda Read (Read) was first licensed as a broker in September 2014, working for Re/Max Out West Realty, LLC, before transferring to Keller Williams Realty Central Oregon on February 17, 2017. On November 12, 2018, Read's license became inactive and remained so until it expired on July 1, 2020.

1.2 On September 6, 2019, the Agency received a complaint from Angela Boothroyd (Boothroyd), a broker with Windermere Central Oregon Real Estate, against Read. On September 9, 2019, the Agency received complaints from Casie Conlon, the CEO of Central Oregon Association of Realtors, and Michael Warren II (Warren), a broker with Crook County Properties, against Read. The three complaints alleged that Read was impersonating Amanda Chapman (Chapman), an active real estate broker.

1.3 On June 13, 2019, Boothroyd, listing broker for 4562 SE Jerry Lane (Jerry Lane), received a text message from Read's phone number with the following message: "Hi Angela- Amanda with KW- I'd like to show Jerry Drive tomorrow about 5:15 if possible My phone went swimming- can you let us in?" When Boothroyd asked for feedback on the showing, "Amanda" informed her that her clients decided to write an offer on another parcel.

1           1.4    During the investigation, Read admitted to sending text messages impersonating  
2 Chapman.

3    **(1)    Violation:** By showing the Jerry Lane property, Read violated ORS 696.020(2) (2017  
4 edition). ORS 696.020(2) states that an individual may not engage in, carry on, advertise or  
5 purport to engage in or carry on professional real estate activity, or act in the capacity of a real  
6 estate licensee, within this state unless the individual holds an active license.

7           1.5    Lorraine Abney (Abney), principal broker with Keller Williams Realty Central  
8 Oregon provided a list of Chapman’s 2019 transactions. One of the transactions, 4791 SE  
9 David Way (David Way) in Prineville, was written around the time Read contacted Boothroyd,  
10 The home was located in the High Desert Estate Subdivision, the same subdivision as  
11 Boothroyd’s listing.

12          1.6    When reviewing the transaction file for David Way, it was discovered that Read  
13 was copied on several emails regarding the sale.

14          1.7    Kelly Jo Story (Story), listing broker for David Way, had text messages saved  
15 from “Amanda Kw.” These messages were sent from Read’s phone number.

16          1.8    On June 14, 2019, Story received the following text message from Read’s phone  
17 number: “Hey Kelly- can I show David Way tomorrow at 10am? Phone went swimming can  
18 they leave it open?”

19          1.9    According to Debra Bishop (Bishop), she and her husband were working  
20 exclusively with Read. Bishop said Read showed them five to six properties, including the  
21 David Way property.

22          1.10   During the investigation, Read admitted showing the David Way property to the  
23 Bishops while Chapman was not present.

24    **(2)    Violation:** By showing the David Way property, Read violated ORS 696.020(2) (2017  
25 edition). ORS 696.020(2) states that an individual may not engage in, carry on, advertise or  
26 purport to engage in or carry on professional real estate activity, or act in the capacity of a real  
27 estate licensee, within this state unless the individual holds an active license.

28          1.11   According to Bishop, when she and her husband decided to write an offer on  
29 David Way, Read did everything including writing the offer. All documents were signed through  
30 DocuSign.

1 1.12 Read admitted to filling out the paperwork. According to Read, Chapman  
2 provided Read with her DocuSign login information. Read said Chapman was aware of the  
3 offer, but didn't see the paperwork before it was submitted.

4 1.13 On July 19, 2019, the David Way transaction closed. Documentation showed that  
5 Read profited \$1,500 from the transaction.

6 **(3) Violation:** By preparing an offer to purchase for the Bishops, Read violated ORS  
7 696.020(2) (2017 edition). ORS 696.020(2) states that an individual may not engage in, carry  
8 on, advertise or purport to engage in or carry on professional real estate activity, or act in the  
9 capacity of a real estate licensee, within this state unless the individual holds an active license.

10 1.14 On August 24, 2019, Boothroyd, listing broker for 490 NE Combs Flat Road  
11 (Combs Flat), received another text message from Read's phone number: "Hi it's Manda with  
12 KW I would like to show combs flat at 2 if possible. My phone went swimming so can you let  
13 us in or is there a hide a key?" Boothroyd was out of town at the time but followed up with a  
14 text message on August 26, 2019, letting "Manda" know she would be at the property that day  
15 if she wanted to stop by with her clients. Read responded, "We were able to get in Saturday.  
16 The roofer was there."

17 **(4) Violation:** By showing the Combs Flat property, Read violated ORS 696.020(2) (2017  
18 edition) which states that an individual may not engage in, carry on, advertise or purport to  
19 engage in or carry on professional real estate activity, or act in the capacity of a real estate  
20 licensee, within this state unless the individual holds an active license.

21 1.15 By conducting the above acts of professional real estate activity with an inactive  
22 license and while presenting herself as Chapman, Read engaged in fraudulent and dishonest  
23 conduct.

24 **(5) Violation:** By engaging in fraudulent and dishonest conduct, Read violated ORS  
25 696.301(14) (2017 edition) which states that the Real Estate Commissioner may suspend or  
26 revoke the real estate license of any real estate licensee, reprimand any real estate licensee or  
27 deny the issuance or renewal of a license to an applicant who has committed an act of fraud or  
28 engaged in dishonest conduct substantially related to the fitness of the applicant or real estate  
29 licensee to conduct professional real estate activity, without regard to whether the act or  
30 conduct occurred in the course of professional real estate activity.

2.

2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301. Based on these violations a revocation is appropriate for violations of ORS 696.301 (14).

2.2 A revocation of Read's real estate broker license is appropriate under 696.396(2)(c)(C) which states that the Real Estate Commissioner may authorize the revocation of a real estate license if the material facts establish a violation of a ground of discipline under ORS 696.301 that exhibits dishonesty or fraudulent conduct.

2.3 The foregoing violations also established grounds for the Agency to assess a civil penalty pursuant to ORS 696.990(5) for violations of ORS 696.020(2). Per ORS 696.990(5), the Real Estate Commissioner can require any person who violates ORS 696.020 to forfeit and pay a civil penalty up to the amount such person profited in transactions that violated ORS 696.020. Facts discovered in the investigation show Read profited \$1,500 in the transaction for real estate located at David Way.

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

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

2.6 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

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

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

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

15 ORDER

16 IT IS HEREBY ORDERED that Read's broker license be, and is hereby is, revoked.

17 IT IS FURTHER ORDERED that, pursuant to ORS 696.990(5) and based upon the  
18 violation set forth above for engaging in professional real estate activity while her license was  
19 inactive, Read pay a civil penalty of \$1,500.00, said penalty to be paid to the General Fund of  
20 the State Treasury by paying the same to the Agency.

21  
22 IT IS SO STIPULATED:

IT IS SO ORDERED:

23  
24 DocuSigned by:

25 *Myranda Read*

26 MYRANDA RAE READ

27  
28 Date 9/23/2020 | 9:16 PM PDT

DocuSigned by:

25 *Steven Strode*

26 STEVEN STRODE

27 Real Estate Commissioner

28 Date 9/24/2020 | 1:47 PM PDT



29  
30 Date of Service: 09/24/2020