

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of )  
LYNDA BECK-GARDNER ) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Lynda Beck-Gardner (Beck-Gardner) do hereby agree and stipulate to the following:

FINDINGS OF FACT  
&  
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Beck-Gardner was licensed as a real estate broker with Equity Oregon Real Estate.

1.2 On January 2, 2019, Beck-Gardner renewed her broker license. On the renewal application, she reported pleading no contest to two felony theft charges in 2017.

1.3 The criminal convictions were the result of an investigation conducted by the Oregon Department of Justice’s Medicaid Fraud Control Unit.

1.4 In January 2014, Beck submitted an application to the Oregon Department of Human Services (DHS) to be a paid Homecare Worker.

1.5 In March 2016, Beck was indicted with 12 felony counts each of Theft by Deception and False Claims for Healthcare Payment.

1.6 The State asserted that during the time Beck was being paid as a Homecare Worker the individual she was caring for was working construction, maintaining a cemetery by doing yard work, and visiting his probation officer monthly completely able bodied.

1.7 In February 2017, Beck-Gardner pled no contest to Making a False Claim for Health Care Payment and Theft in the First Degree/Theft by Deception. Beck-Gardner didn’t

1 report these convictions to the Agency until January 2, 2019, on her broker renewal  
2 application.

3 **(1) Violation:** By failing to timely report the convictions Beck- Gardner violated ORS  
4 696.301(3) as it incorporates OAR 863-015-0175(1)(a)(4) (11/15/16 and 1/1/18 Editions) which  
5 states (1) a real estate licensee must notify the commissioner of the following: (a) any criminal  
6 conviction (felony or misdemeanor), including a “no contest” plea or bail forfeiture; (4) the  
7 notification required by this rule must be made within twenty 20 calendar days after receiving  
8 written notification of an adverse judgement, award, or decision described in this rule.  
9 Notification must be made under this rule whether or not the decision is appealed.

10 **(2) Violation:** Beck-Gardner was convicted of a felony or misdemeanor substantially  
11 related to her trustworthiness or competence to engage in professional real estate activity, and  
12 she committed an act of fraud, or engaged in dishonest conduct, substantially related to the  
13 fitness of a real estate licensee to conduct professional real estate activity, without regard to  
14 whether the act or conduct occurred in the course of professional real estate activity in  
15 violation of ORS 696.301(11) and (14) (2017 and 2019 Editions).

16 1.8 Beck-Gardner’s felony conviction was reduced to a misdemeanor conviction and  
17 Beck-Gardner has paid in full the restitution of \$25,098.61 ordered as a result of the conviction.

18 2.

19 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301.  
20 Based on these violations a suspension is appropriate for violations of ORS 696.301(3), (11),  
21 and (14).

22 2.2 A suspension of Beck-Gardner’s broker license is appropriate under ORS  
23 696.396(2)(c)(C). According to ORS 696.396(2)(c)(C), the Agency may suspend a real estate  
24 license if the material facts establish a violation of a ground for discipline under ORS 696.301  
25 that exhibits dishonesty or fraudulent conduct.

26 2.3 The Agency reserves the right to investigate and pursue additional complaints  
27 that may be received in the future regarding this licensee.

28 2.4 In establishing the violations alleged above, the Agency may rely on one or more  
29 of the definitions contained in ORS 696.010.

30 2.5 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a

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

8  
9 **STIPULATION & WAIVER**

10 I have read and reviewed the above findings of fact and conclusions of law which have  
11 been submitted to me by the Agency and further, the order which follows hereafter. I  
12 understand that the findings of fact, conclusions of law and this stipulation and waiver embody  
13 the full and complete agreement and stipulation between the Agency and me. I further  
14 understand that if I do not agree with this stipulation I have the right to request a hearing on  
15 this matter and to be represented by legal counsel at such a hearing. Hearings are conducted  
16 in accordance with the procedures set forth in ORS Chapter 183 and in accordance with the  
17 Rules of Practice and Procedure adopted by the Attorney General of the State of Oregon. I  
18 freely and voluntarily waive my rights to a hearing, to representation by legal counsel at such a  
19 hearing, and to judicial review of this matter.

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

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

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ORDER

IT IS HEREBY ORDERED that Beck-Gardner’s broker license is suspended for 60 days. The suspension shall begin immediately effective the date of this order.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DocuSigned by:  
*Lynda Beck-Gardner*  
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LYNDA BECK-GARDNER

DocuSigned by:  
*Steven Strode*  
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STEVEN STRODE



Date 2/7/2021 | 4:14 AM PST

Real Estate Commissioner  
Date 2/8/2021 | 8:24 AM PST

Date of Service: 02/08/2021