

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of )  
JOEL C. HAMLEY ) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Joel C. Hamley (Hamley) do hereby agree and stipulate to the following:

FINDINGS OF FACT  
&  
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Hamley was licensed as a principal broker. Prior to December 1, 2020, Hamley’s license was affiliated with Meadows Group, Inc., Realtors. In December 2020, the company was acquired by John L. Scott Oregon, Inc. and Hamley’s license became associated with John L. Scott Oregon, Inc effective December 1, 2020.

1.2 In September 2020, the Agency received a complaint from Alexander Mayan (Mayan) and the Agency opened an investigation.

1.3 In July 2020 Alexander and Candice Mayan (Mayans) listed their home located at 4349 NE 78 Ave, Portland, OR (subject property) for sale. Mayan had installed a security video surveillance system in the garage to monitor activity in the space through real-time notifications and live and recorded video.

1.4 On July 18, 2020, Hamley entered the subject property with the purpose of previewing the property. While in the Mayans’ home, Hamley opened and looked through drawers, and touched and examined their personal belongings with no legitimate purpose to do so.

1.5 On January 28, 2021, during an interview with Agency staff, Hamley described

1 the listing agent contacting him to relay the Mayans had viewed his actions in their home via  
2 their video surveillance systems. Hamley stated, “He asked if I was in the garage going  
3 through stuff. I said I was trying to get to utilities when I saw the boxes in front of me that I  
4 picked some items from.”

5 1.6 Footage from the video shows Hamley walked in a straight line from the interior  
6 garage entrance directly toward what Mayan described as the medicine cabinet.

7 1.7 During his January 28<sup>th</sup> interview, Hamley was shown the video footage from the  
8 garage, which showed a man looking through, touching, and examining the Mayans’ personal  
9 belongings. Hamley confirmed he was the man in the video.

10 1.8 During his interview, Hamley stated he opened the Mayans’ cabinet and  
11 examined medicine bottles out of “curiosity sake.”

12 1.9 Hamley’s actions described above demonstrated untrustworthiness in performing  
13 any act for which Hamley is required to hold a license, and Hamley engaged in conduct that is  
14 below the standard of care for the practice of professional real estate activity in Oregon.

15 **Violation:** ORS 696.301(12) and (15) (2019 Edition) which states a licensee’s real  
16 estate license may be disciplined if they have: (12) Demonstrated untrustworthiness in  
17 performing any act for which the real estate licensee is required to hold a license. (15)  
18 Engaged in any conduct that is below the standard of care for the practice of professional real  
19 estate activity in Oregon as established by the community of individuals engaged in the  
20 practice of professional real estate activity in Oregon.

21  
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(12) and  
25 (15).

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.

30 2.4 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 Joel C. Hamley's principal broker license be, and hereby is reprimanded.

IT IS FURTHER ORDERED that Hamley be issued a principal real estate broker license with limitations as set forth below:

(a) The limited license period shall be for 1 year;

(b) Hamley shall not be convicted of any felony or misdemeanor during the limited license term;

(c) Hamley shall not violate any license law or rule during the limited license term;

(d) Hamley must conduct professional real estate activity under the direct supervision of a principal broker, as set forth by OAR 863-015-0140, during the limited license term;

(e) Hamley shall not supervise the real estate activity of another broker or principal broker, as set forth by OAR 863-015-0140.

(f) Hamley shall be required to give a copy of this Order to any supervising principal broker through whom Hamley is licensed during the limited license term, prior to licensing, and the principal broker shall acknowledge receiving a copy of this Order in writing to the OREA;

(g) The supervising principal broker shall immediately notify the OREA of any criminal convictions or license law violations by Hamley during the limited license term, and

(h) The restrictions shall continue until Hamley (1) requests an unrestricted license, in writing, and (2) Hamley's supervising principal broker endorses Hamley for an unrestricted license in writing. OREA will conduct an inquiry on Hamley including but not limited to a check through the Law Enforcement Data System. If OREA finds that there is no reason to continue the limited license, an unrestricted license will be issued.

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1 IT IS FURTHER ORDERED that, should Hamley violate any term or condition of this  
2 Order, it may be a basis on which to revoke Hamley's license in accordance with ORS  
3 696.301(13).

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5 PRINCIPAL BROKER'S ACCEPTANCE

6 I hereby accept and agree to abide by the foregoing and acknowledge that I have  
7 received a copy of the stipulated final order on 06/18/2021.

8  
9 DocuSigned by:  
10 ISRAEL MICHAEL HILL  
11 770AE2FAF14B44D...  
12 Israel Michael Hill, Supervising Principal Broker  
13 License Number: PB. 200411111  
14  
15  
16

17 IT IS SO STIPULATED:

18  
19 DocuSigned by:  
20 [Signature]  
21 968FE6CD8ABD458...  
22 JOEL C. HAMLEY

23 Date 6/17/2021 | 5:38 PM PDT

IT IS SO ORDERED:



24 DocuSigned by:  
25 Anna Higley  
26 7237997468544CB...  
27 Anna Higley, Deputy Commissioner on behalf  
28 of Steven Strobe Real Estate Commissioner

29 Date 6/18/2021 | 10:34 AM PDT

30 Date of Service: 06/18/2021