REAL ESTATE AGENCY 1 BEFORE THE REAL ESTATE COMMISSIONER 2 3 4 In the Matter of the Principal Broker 5 STIPULATED FINAL ORDER License of 6 7 JON DOVER HEMSTREET 8 9 10 The Oregon Real Estate Agency (Agency) and Jon Dover Hemstreet (Hemstreet) do 11 hereby agree and stipulate to the following: 12 FINDINGS OF FACT 13 & 14 **CONCLUSIONS OF LAW** 15 1. 16 17 1.1 Hemstreet was licensed as a principal broker with Northwest Land and Timber LLC. 18 19 1.2 On October 28, 2020, the Agency received an anonymous complaint alleging 20 Hemstreet had active listings while his license was expired. 21 1.3 In August 2020, the Agency sent Hemstreet several emails regarding his license 22 renewal. Hemstreet's license expired on September 1, 2020, after failing to complete his 23 license renewal in August. 24 1.4 On October 1, 2020, Hemstreet renewed his license, paying the renewal fee and 25 the late fee. 26 1.5 On October 2, 2020, the Agency sent Hemstreet a follow-up email with the 27 subject line reading, "ACTION REQUIRED: Your Real Estate License is Not Active Yet!." 28 Hemstreet did not recall seeing this email. 29 /// 30 ///

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1.6 After renewing his license, Hemstreet failed to complete all the steps necessary to make his license active (re-associate his license with the company), and his license remained inactive.

- 1.7 On November 3, 2020, Hemstreet filled out the application and paid the fees necessary to register his company with the Agency, and his license was re-associated with Northwest Land and Timber LLC. His principal broker license was made active that same day.
- 1.8 Hemstreet did not have an active license between September 1, 2020, and November 2, 2020.
- 1.9 Hemstreet continued to engage in professional real estate activity during the period his license was expired and inactive. During this timeframe Hemstreet had the following listings:
  - 28282 SW Thomason Mill Rd. Sheridan Oregon
  - 6580 SW Gopher Valley Rd, Sheridan Oregon
  - 12655 Oak Rd., Salem Oregon

**Violation:** By continuing to conduct professional real estate activity, while he did not have an active real estate license, Hemstreet violated ORS 696.020(2) and is subject to discipline and civil penalty pursuant to ORS 696.990(4) and (9).

1.10 Previously, Hemstreet was issued a \$1,100.00 civil penalty in 2019 for continuing to engage in professional real estate activity while his license was expired and inactive, for a period of 111 days.

## 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

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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 pursuant to ORS 696.990(1) to (9) and based upon the violation set forth above, Hemstreet pay a civil penalty in the sum of \$1,500.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to the Agency. The civil penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of unlicensed activity is considered one violation. In this instance, there were two (2) 30-day periods of unlicensed activity.

IT IS SO STIPULATED: IT IS SO ORDERED:

DocuSigned by: Jon Henstreet

JON DOVER HEMSTREET

Date  $^{1/14/2021}$  |  $^{11:18}$  AM PST

STEVENSTRODE

Real Estate Commissioner

Date 1/25/2021 | 7:30 AM PST

Date of Service: 01/25/2021