

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Property Manager License)
of)
BARBARA MCCOSH NEWTON)

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Barbara McCosh Newton (Newton) do hereby agree and stipulate to the following:

FINDINGS OF FACT
&
CONCLUSIONS OF LAW

1.

1.1 On August 27, 2020, Newton submitted a renewal application to renew her property manager license. On the application, Newton answered, "Yes" to the following question: "At any time during the past 24 months, while holding an inactive or expired real estate license, have you conducted professional real estate activity?"

1.2 Newton made the following comment on the question. "Work as a property management under LOFT Property Management employee, part time." The Agency opened an investigation.

1.3 From the investigation it was discovered that Newton assisted landlord Bill Johnson, owner of Loft Property Management, starting in mid-2017 and worked with him part-time as an unlicensed employee managing Johnson's properties.

(1) Violation: By engaging in the management of rental real estate activity prior to having an active license, Newton engaged in professional real estate activity as defined in ORS 696.010(17)(h) in violation of ORS 696.020(2). ORS 696.020(2) states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license. ORS 696.010(14) defines management of rental real estate activity.

1 the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order
2 suspending or revoking a license.

3 STIPULATION & WAIVER

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

14 I hereby agree and stipulate to the above findings of fact and conclusions of law and
15 understand that the order which follows hereafter may be completed and signed by the Real
16 Estate Commissioner or may be rejected by the Real Estate Commissioner. I understand that,
17 in accordance with the provisions of ORS 696.445(3), notice of this order shall be published in
18 the Oregon Real Estate News Journal. I agree once the Commissioner executes this stipulated
19 order, I will accept service of the final order by email, and hereby waive the right to challenge
20 the validity of service.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

29 ///

30 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ORDER

IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violations set forth above, Newton pay a civil penalty in the sum of \$600.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to the Agency.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DocuSigned by:

Barbara McCosh Newton

FC69B539C37A488...

BARBARA MCCOSH NEWTON

Date 7/21/2021 | 11:48 AM PDT

DocuSigned by:

Steven Strobe

D141D267DDE14A0...

STEVEN STRODE

Real Estate Commissioner

Date 7/28/2021 | 9:30 AM PDT

Date of Service: 07/28/2021

