

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Unlicensed Professional  
Real Estate Activity of  
KASLYNN KATHEEL BREWER

STIPULATED FINAL ORDER AND AND  
ORDER TO CEASE AND DESIST

The Oregon Real Estate Agency (Agency) and Kaslynn Katheel Brewer (Brewer) do hereby agree and stipulate to the following:

FINDINGS OF FACT, STATEMENTS OF LAW  
AND  
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

**First Findings of Fact:**

1.1 Brewer initially applied for a property manager license on May 10, 2021. Brewer’s license was active from June 29, 2021 through August 10, 2021. Brewer’s license was then moved to “pending association” status since the license was not associated with an Agency registered business name. As of September 10, 2021, Brewer’s license is in inactive status.

1.2 In June 2021, the Agency received a complaint from property owners Amanda Maney (Maney) and Jeremy Jiracek (Jiracek) against Brewer. The Agency opened an investigation.

1.3 Maney and Jiracek owned property located at 1921 NE Wasco St., Portland, OR 97232 (subject property). Jiracek and Brewer signed a property management agreement, dated and effective December 8, 2017, for Brewer to manage the subject property for a one-year term which would renew automatically unless it was terminated by either party. This was

1 done prior to Brewer obtaining a property manager license.

2 1.4 The property management agreement states Brewer would receive a start up fee  
3 of \$1,500.00 and be compensated \$175.00 per month for managing the subject property.

4 **First Statement of Law:** ORS 696.020(2) (2015 Edition) states an individual may not  
5 engage in, carry on, advertise or purport to engage in or carry on professional real estate  
6 activity, or act in the capacity of a real estate licensee, within this state unless the individual  
7 holds an active license as provided for in this chapter. ORS 696.010(14)(h) (2015 Edition)  
8 defines professional real estate activity as any of the following actions, when engaged in for  
9 another and for compensation or with the intention or in the expectation or upon the promise of  
10 receiving or collecting compensation, by any person who: (h) engages in the management of  
11 rental real estate. ORS 696.010(11) (2015 Edition) defines management of rental real estate  
12 activity. ORS 696.990(4)(a) and (b) (2015 Edition) states: (4) Any person that violates ORS  
13 696.020(2) may be required by the Real Estate Commissioner to forfeit and pay to the General  
14 Fund of the State Treasury a civil penalty in an amount determined by the commissioner of: (a)  
15 Not less than \$100 nor more than \$500 for the first offense of unlicensed professional real  
16 estate activity; and (b) Not less than \$500 nor more than \$1,000 for the second and  
17 subsequent offenses of unlicensed professional real estate activity.

18 **First Conclusion of Law:** By entering into a property management agreement with  
19 owners Maney and Jiracek to manage the subject property, without a license, Brewer engaged  
20 in professional real estate activity as described in ORS 696.010(14)(h), in violation of ORS  
21 696.020(2) (2015 Edition). Brewer is subject to a civil penalty under ORS 696.990(4)(a)(b)  
22 (2015 Edition).

23 **Second Findings of Fact:**

24 1.5 An internet search of Brewer's name performed on November 8, 2021, by  
25 Agency staff led to a Montavilla News webpage article titled "Mt Tabor Villas Opens to  
26 Residents," which was posted online on September 19, 2020. The article announced that the  
27 construction on Mt. Tabor Villas was completed and stated 12 apartment units were now  
28 available for rent.

29 1.6 The article indicated that Brewer was a property manager for Edge Management,  
30 the company representing Mt. Tabor Villas when the article was posted on September 19,  
2020.

1           1.7     Brewer was mentioned by her full name and made the following statement in part  
2 regarding the Mt. Tabor Villas, as reported in the article, “Everyone wants their deposit back,  
3 so our job is to help make that happen.’ Said Kaslynn Brewer, Property Manager with Edge  
4 Management, who represents this building.” At that time, Brewer did not hold an active  
5 property manager license.

6           1.8     The article stated John Olson (Olson) had taken over development of Mt. Tabor  
7 Villas from another development group. Multnomah County Assessor records show John  
8 Olson purchased Mt. Tabor Villas on May 30, 2018, and sold the apartment complex to  
9 AFOOFOO 2, DCCL on April 19, 2019. Oregon Secretary of State business records reported  
10 Olson as the registered agent and sole member of AFOOFOO 2, DLLC. Brewer was not listed  
11 as an owner of Mt. Tabor Apartments or managing member of AFOOFOO 2 DLLC.

12           **Second Statement of Law:** ORS 696.020(2) (2019 Edition) states an individual may  
13 not engage in, carry on, advertise or purport to engage in or carry on professional real estate  
14 activity, or act in the capacity of a real estate licensee, within this state unless the individual  
15 holds an active license as provided for in this chapter. ORS 696.010(17)(h) (2019 Edition)  
16 defines professional real estate activity as any of the following actions, when engaged in for  
17 another and for compensation or with the intention or in the expectation or upon the promise of  
18 receiving or collecting compensation, by any person who: (h) engages in the management of  
19 rental real estate. ORS 696.010(14) (2019 Edition) defines management of rental real estate  
20 activity. ORS 696.990(4)(a) and (b) (2019 Edition) states: (4) Any person that violates ORS  
21 696.020(2) may be required by the Real Estate Commissioner to forfeit and pay to the General  
22 Fund of the State Treasury a civil penalty in an amount determined by the commissioner of: (a)  
23 Not less than \$100 nor more than \$500 for the first offense of unlicensed professional real  
24 estate activity; and (b) Not less than \$500 nor more than \$1,000 for the second and  
25 subsequent offenses of unlicensed professional real estate activity.

26           **Second Conclusion of Law:** By advertising herself as a property manager with Edge  
27 Management who represented the Mt. Tabor Villas apartments, in the September 2020  
28 website article noted above, when she did not have a license, Brewer engaged in professional  
29 real estate activity as described in ORS 696.010(17)(h), which is a violation of ORS 696.020(2)  
30 (2019 Edition). Brewer is subject to a civil penalty under ORS 696.990(4)(a)(b) (2019 Edition).

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2.

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.

3.

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

4.

#### STIPULATION AND WAIVER

I, Kaslynn Katheel Brewer, have read and reviewed this Stipulated Final Order and its Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights 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. I also understand that any Hearing would be 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. By signing this Stipulated Final Order I 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, which I have also read and understand, may be completed and signed by the Real Estate Commissioner or may be rejected by the Real Estate Commissioner. I further 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.

1 In addition to all of the above, I agree that once the Commissioner executes this  
2 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby  
3 waive the right to challenge the validity of service.

4 ORDER

5 IT IS HEREBY ORDERED that, pursuant to ORS 696.397, Brewer immediately cease  
6 and desist from engaging in any professional real estate activity as defined in ORS  
7 696.010(17)(a) to (n) (2021 Edition), unless Brewer activates her real estate license from the  
8 Agency. The Commissioner’s authority for this order is under ORS 696.397.

9 IT IS FURTHER ORDERED that, pursuant to ORS 696.990 and based upon the  
10 violation set forth above, Brewer pay a civil penalty in the sum of \$1,500.00, said penalty to be  
11 paid to the General Fund of the State Treasury by paying the same to the Agency.

12  
13 IT IS SO STIPULATED:

13 IT IS SO ORDERED:

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18 KASLYNN KATHEEL BREWER

18 STEVEN STRODE

19 Real Estate Commissioner

20 Date 3/1/2022 | 6:17 PM PST

20 Date 3/8/2022 | 10:09 AM PST

21 Date of Service: 03/08/2022