

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Broker License
of
COREY JOSEPH CLARK

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Corey Joseph Clark (Clark) 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.

Findings of Fact:

1.1 On August 1, 2021, Clark’s broker license expired. On September 22, 2021, Clark submitted a renewal application. On the application, Clark indicated he had conducted professional real estate activity while holding an expired or inactive license. He wrote that he had uploaded his continuing education classes and thought the license was automatically renewed and he had recently been notified by a lender that his license was inactive.

1.2 Previously, on June 14, 2021, Clark had uploaded his continuing education information into the Agency’s licensing system. The Agency sent him an email confirming the continuing education courses had been added to his record and stated his license expires on July 31, 2021. On July 1, 2021, and July 26, 2021, the Agency sent email reminders to Clark regarding the need to renew his license during the month of July.

1.3 During the time Clark’s license was expired, from August 1, 2021, to September 21, 2021, 52 days, Clark continued conducting professional real estate activity as if actively

1 licensed.

2 1.4 Clark told Agency staff he had been conducting business as normal with the belief
3 his license was active.

4 **Statements of Law:**

5 ORS 696.020(2) states an individual may not engage in, carry on, advertise or purport
6 to engage in or carry on professional real estate activity, or act in the capacity of a real estate
7 licensee, within this state unless the individual holds an active license as provided for in this
8 chapter.

9 ORS 696.990(4)(a) and (b) states: (4) Any person that violates ORS 696.020(2) may be
10 required by the Real Estate Commissioner to forfeit and pay to the General Fund of the State
11 Treasury a civil penalty in an amount determined by the commissioner of: (a) Not less than
12 \$100 nor more than \$500 for the first offense of unlicensed professional real estate activity;
13 and (b) Not less than \$500 nor more than \$1,000 for the second and subsequent offenses of
14 unlicensed professional real estate activity.

15 ORS 696.990(9) states for the purposes of subsection (4) of this section, any violation
16 of ORS 696.020(2) that results from a failure of a real estate licensee to renew a license within
17 the time allowed by law constitutes a single offense of unlicensed professional real estate
18 activity for each 30-day period after expiration of the license during which the individual
19 engages in professional real estate activity. A civil penalty imposed for a violation of ORS
20 696.020(2) that results from a failure of a real estate licensee to renew a license within the time
21 allowed by law is not subject to the minimum dollar amounts specified in subsection (4) of this
22 section.

23 **Conclusion of Law:**

24 By conducting professional real estate activity over the course of 52 days after Clark's license
25 expired and before renewing it, Clark violated ORS 696.020(2) and is subject to discipline or
26 civil penalty pursuant to ORS 696.990(4) and (9).

27 2.

28 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real
29 estate license, whether by operation of law, order of the Real Estate Commissioner or decision
30 of a court of law, or the inactive status of the license, or voluntary surrender of the license by

1 the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with
2 an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee;
3 (3) Take action against a licensee, including assessment of a civil penalty against the licensee
4 for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or
5 revoking a license.

6 3.

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

9 4.

10 STIPULATION AND WAIVER

11 I, Corey Joseph Clark, have read and reviewed this Stipulated Final Order and its
12 Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings
13 of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full
14 and complete agreement and stipulation between the Agency and me. I further understand
15 that if I do not agree with this stipulation I have the right to request a Hearing on this matter
16 and to be represented by legal counsel at such a Hearing. I also understand that any Hearing
17 would be conducted in accordance with the procedures set forth in ORS Chapter 183 and in
18 accordance with the Rules of Practice and Procedure adopted by the Attorney General of the
19 State of Oregon. By signing this Stipulated Final Order I freely and voluntarily waive my rights
20 to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this
21 matter.

22 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and
23 understand that the Order which follows hereafter, which I have also read and understand,
24 may be completed and signed by the Real Estate Commissioner or may be rejected by the
25 Real Estate Commissioner. I further understand that, in accordance with the provisions of
26 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News
27 Journal.

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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

5 ORDER

6 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
7 violation set forth above, Clark pay a civil penalty in the sum of \$500.00, said penalty to be
8 paid to the General Fund of the State Treasury by paying the same to the Agency. The civil
9 penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of
10 unlicensed activity is considered one violation. In this instance, there was one 30-day period
11 of unlicensed activity.
12

13 IT IS SO STIPULATED:

IT IS SO ORDERED:

15 DocuSigned by:

16 *Corey Joseph Clark*

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17 COREY JOSEPH CLARK

18 Date 2/24/2022 | 9:30 AM PST

DocuSigned by:

16 *Steven Strode*

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17 STEVEN STRODE

18 Real Estate Commissioner

19 Date 3/2/2022 | 8:58 AM PST



20 Date of Service: 03/02/2022