

1 REAL ESTATE AGENCY  
2 BEFORE THE REAL ESTATE COMMISSIONER

3  
4 In the Matter of the Unlicensed Professional )  
5 Real Estate Activity of )  
6 )  
7 DAVID BOWDEN )  
8 \_\_\_\_\_ )

STIPULATED FINAL ORDER AND ORDER  
TO CEASE AND DESIST

9  
10 The Oregon Real Estate Agency (Agency) and David Bowden (Bowden) do hereby  
11 agree and stipulate to the following:

12 FINDINGS OF FACT  
13 AND  
14 CONCLUSIONS OF LAW

15 1.

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

18 **First Findings of Fact:**

19 1.1 At all times mentioned herein, Bowden was not licensed to conduct professional  
20 real estate activity in Oregon.

21 1.2 On January 23, 2023, the Agency received a complaint from Steve Nielsen  
22 (Nielsen) against Bowden. The Agency opened an investigation.

23 1.3 The complaint alleges that Nielsen was hired to manage properties that were  
24 formerly managed by Bowden. Nielsen provided one of Bowden’s business cards stating he is  
25 a Property Manager.

26 1.4 On February 2, 2023, Bowden submitted a complaint response to the Agency. In  
27 the response, Bowden stated he managed nine properties for Michele Piastro (Piastro) and  
28 Daniel Pak (Pak).

29 1.5 Bowden stated he managed properties for Piastro from 2016 through 2022.

30 1.6 Bowden stated he managed properties for Pak from 2019 through 2022.

1 1.7 On April 13, 2023, in an email to Agency Investigator Frank Leonard Jr.  
2 (Leonard), Bowden stated he was approached by Piastro in 2016 to manage her properties for  
3 below-market compensation.

4 1.8 Bowden also stated Piastro introduced him to Pak in 2019 at which time he  
5 began managing his properties for below-market compensation.

6 1.9 In response to a question from Leonard, Bowden stated he collected rent from all  
7 properties, deposited rent into each owner's respective bank account, coordinated services  
8 with vendors, and communicated with the owners regarding any necessary repairs or  
9 disbursement of funds to vendors.

10 1.10 Bowden stated he did not have a signed Property Management Agreement with  
11 Piastro or Pak.

12 1.11 On May 8, 2023, in an email to Leonard, Bowden stated he worked 15 hours per  
13 month for Piastro and 10 hours per month for Pak.

14 **First Conclusion of Law:** By collecting rent, depositing rent into each owner's bank account,  
15 coordinating services with vendors, and communicating with owners regarding repairs or  
16 disbursement of funds to vendors, Bowden engaged in the management of rental real estate  
17 as defined in ORS 696.010(11)(a)(F)(G)(H) (2015 Edition) and ORS 696.010(14)(a)(F)(G)(H)  
18 (2017, 2019, and 2021 Editions), and as such engaged in professional real estate activity as  
19 defined by ORS 696.010(14)(h) (2015 Edition) and ORS 696.010(17)(h) (2017, 2019, and  
20 2021 Editions), without a real estate license in Oregon, which is a violation of ORS 696.020(2)  
21 (2015, 2017, 2019, and 2021 Editions). Bowden is subject to a civil penalty under ORS  
22 696.990(4)(a)(b) (2015, 2017, 2019, and 2021 Editions)

23 2.

24 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real  
25 estate license, whether by operation of law, order of the Real Estate Commissioner or decision  
26 of a court of law, or the inactive status of the license, or voluntary surrender of the license by  
27 the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with  
28 an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee;  
29 (3) Take action against a licensee, including assessment of a civil penalty against the licensee

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

3 3.

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

6 4.

7 STIPULATION AND WAIVER

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

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

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

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ORDER

IT IS HEREBY ORDERED that, pursuant to ORS 696.397, David Bowden immediately cease and desist from engaging in any professional real estate activity as defined in ORS 696.010(17)(a) to (n) (2015, 2017, 2019, and 2021 Editions) unless Bowden first obtains a real estate license from the Agency. The Commissioner’s authority for this order is under ORS 696.397.

IT IS FURTHER ORDERED that, pursuant to ORS 696.990 and based upon the violation set forth above, Bowden 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.

IT IS SO STIPULATED:

IT IS SO ORDERED:



DocuSigned by:

*[Signature]*

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DAVID BOWDEN

DocuSigned by:

*[Signature]*

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STEVEN STRODE

Real Estate Commissioner

Date 7/28/2023 | 2:15 PM PDT

Date 8/8/2023 | 8:38 AM PDT

Date of Service: 8/8/23