REAL ESTATE AGENCY 1 BEFORE THE REAL ESTATE COMMISSIONER 2 3 4 In the Matter of the Real Estate License of 5 JOHN CHRISTOPHER ECKENROAD STIPULATED FINAL ORDER 6 7 8 9 10 The Oregon Real Estate Agency (Agency) and John Christopher Eckenroad 11 (Eckenroad) do hereby agree and stipulate to the following: 12 FINDINGS OF FACT 13 AND 14 CONCLUSIONS OF LAW 15 1. 16 **First Findings of Fact:** 17 1.1 Eckenroad is licensed as a principal broker with the Agency. His license was 18 initially associated with Open Door Associates on March 7, 2022. On January 19, 2023, his 19 license was disassociated from Open Door Associates and Eckenroad's license became 20 inactive and currently remains inactive. 21 On August 5, 2022, the Agency received a complaint from Michael Muniz (Muniz) 1.2 22 against Eckenroad and an investigation was opened. 23 1.3 Muniz was a former tenant of property located at 1235 N Prescott St, Portland 24 (Prescott St property) managed by Open Door Group PBC (ODG) and many of the grievances 25 in the complaint fall under Oregon Residential Landlord Tenant Act and the Portland Municipal 26 Code, which are not regulated by real estate license law and are outside of the Agency scope 27 of jurisdiction. 28 1.4 On December 28, 2022, during a telephone interview Agency Investigator Aaron 29 Grimes (Grimes) asked Eckenroad about clients' trust accounts, stating that they are supposed 30 to be disclosed to the Agency and opened in Oregon. Eckenroad confirmed that they were not

1 of 3 – Stipulated Final Order – John Christopher Eckenroad

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- opened in Oregon and stated that Open Door has "internally controlled accounts". Grimes went over the account on the relocation payment from the Wells Fargo bank account, and Eckenroad confirmed that funds for the Prescott St property went through that account.
- **Conclusion of Law:** By failing to open clients' trust accounts in the state of Oregon (1) Eckenroad violated ORS 696.301(3) as it incorporates ORS 696.241(3)(a) (2021 Edition) and OAR 863-025-0025(2) (1-1-2021 Edition).
- 1.5 All of the above demonstrate incompetence or untrustworthiness in performing any act for which the real estate licensee is required to hold a license and conduct that is below the standard of care for the practice of professional real estate activity in Oregon.
- **(2) Conclusion of Law:** Based on the foregoing, Licensee is subject to discipline under ORS 696.301(12) and (15) (2021 Editions)

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- 2.1 The forgoing violations are grounds for discipline pursuant to ORS 696.301.
- 2.2 The Agency reserves the right to investigate and pursue additional complaints that may be received in the future regarding the licensee.
- 2.3 In establishing the violations alleged above, the Agency may rely on one or more of the definitions contained in ORS 696.010.

3.

STIPULATION AND WAIVER

I, John Christopher Eckenroad, 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.

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

ORDER

IT IS HEREBY ORDERED that John Christopher Eckenroad's license be, and hereby is reprimanded.

IT IS SO STIPULATED:

IT IS SO ORDERED:

Docusigned by: John Christopher Eckenroad

JOHN CHRISTOPHER ECKENROAD

Date 5/11/2023 | 4:10 PM PDT

Steve Strode

STEVEN STRODE

Real Estate Commissioner

Date ______ 1:06 PM PDT

Date of Service: 5/12/2023 | 1:06 PM PDT