

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of  
LUCINDA IRENE HAGE )  
STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Lucinda Hage (Hage) do hereby agree and stipulate to the following:

FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Hage was licensed as a principal broker with Coldwell Banker Professional Group (CBPG).

1.2 On May 26, 2022, Hage was notified that her clients' trust account ending in 0066 (CTA #0066), which held owner funds, had been selected for a reconciliation review. Hage provided documents for March 2022 in a timely manner. An investigation was opened due to the outstanding issues found in the review.

1.3 On November 8, 2022, Agency Investigator, Cidia Nañez (Nañez) requested Hage provide an update on the outstanding items from the March 2022 CTA 006 Review (CTA Review) specifically, the owner ledger balances, two of which had negative balances, the sum of all owner ledger balances did not match the bank statement balance and an explanation for the funds being held in the account belonging to CBPG.

1.4 On February 7, 2023, Nañez asked Hage via email how the property owners had been notified of their final accounting. On February 15, 2023, a response was received from Julie Adams (Adams) stating they either mailed or emailed the final statements to the owners. Unfortunately, they no longer had access to that email account.

1           1.5     In the February 15, 2023, email Adams provided the owner ledger balances and  
2 noted that there were still some corrections to be made. Adams also provided Rental Owner  
3 Statements, cancelled checks, and bank statements. A review of the owner ledgers shows that  
4 they were different than the balances provided during the CTA Review. All amounts that  
5 Adams claimed were final disbursements to owners, were reflected in the rental owner  
6 statements, except for the Gardner property.

7           1.6     In response to the February 15, 2023, email Nañez asked Adams if CBPG was  
8 holding security deposits for their property owners. Adams said they did hold security deposits  
9 and they were returned to the tenant or transferred to the owner. Adams claimed to have  
10 provided cancelled checks for the returned security deposits, however, in review of the  
11 supporting documents provided, cancelled checks were only provided for three properties and  
12 no supporting documentation was found for the remaining properties.

13           1.7     On March 14, 2023, Adams wrote in an email that she had worked with their  
14 software provider to make correcting entries to balance the accounts. In reference to the  
15 Gardner property (referenced in 1.5 above), she wrote “\$600 Security Deposit was never  
16 transferred to CTA after being earned by unpaid rent on August (sic) of 2021.”

17 **(1) Conclusion of Law:** By not transferring security deposit funds totaling \$600 from the  
18 security deposit CTA to the CTA holding rents/owner funds, Hage violated ORS 696.301(3) as  
19 it incorporates ORS 696.890(4)(e) (2019 Edition).

20           1.8     In the February 15, 2023, email, Adams wrote that the Gardner correcting entry  
21 resulted in a surplus for that property and that the surplus was used to pay property  
22 management fees for this owner that had previously gone unpaid for March of 2022.

23 **(2) Conclusion of Law:** By not disbursing earned management fees from the clients’ trust  
24 account at least once each month unless a different schedule of disbursement is specified in  
25 the property management agreement, Hage violated ORS 696.301(3) and its implementing  
26 rule OAR 863-025-0027(6) (2020 Edition).

27           1.9     Adams stated the correcting entry made for the Sylvan property resulted in a  
28 positive balance of \$50 in CTA #0066. Adams explained, “A PM fee of \$80 as earned on  
29 12/19/19 & late fee of \$50 on 7/5/2020 but neither were deducted or paid to Coldwell Banker  
30

1 Professional Group, so I recorded the \$50 fee and this zeroed out the balance in the CTA for  
2 this property.

3 **(3) Conclusion of Law:** By holding funds belonging to CBPG in CTA #0066 Hage violated  
4 ORS 696.301(3) as it incorporates ORS 696.241(5) (2019 Edition).

5 1.10 All of the above demonstrate incompetence or untrustworthiness in performing  
6 any act for which the real estate licensee is required to hold a license and conduct that is  
7 below the standard of care for the practice of professional real estate activity in Oregon.

8 **(4) Conclusion of Law:** Based on the foregoing, Licensee is subject to discipline under  
9 ORS 696.301(12) and (15) (2019 Edition).

10 2.

11 2.1 The forgoing violations are grounds for discipline pursuant to ORS 696.301

12 2.2 The Agency reserves the right to investigate and pursue additional complaints  
13 that may be received in the future regarding the licensee.

14 2.3 In establishing the violations alleged above, the Agency may rely on one or more  
15 of the definitions contained in ORS 696.010.

16 4.

17 STIPULATION AND WAIVER

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

29 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and  
30 understand that the Order which follows hereafter, which I have also read and understand,

1 may be completed and signed by the Real Estate Commissioner or may be rejected by the  
2 Real Estate Commissioner. I further understand that, in accordance with the provisions of  
3 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News  
4 Journal.

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

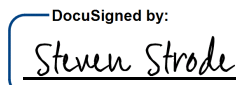
8 ORDER

9 IT IS HEREBY ORDERED that Lucina Hage’s principal broker license be, and hereby is  
10 reprimanded.

11  
12  
13 IT IS SO STIPULATED:

IT IS SO ORDERED:

14  
15 DocuSigned by:  
16   
17 FE161ECAB4BD4CB...  
LUCINDA IRENE HAGE

DocuSigned by:  
  
E2C2D0097AD8471...  
STEVEN STRODE



Real Estate Commissioner

18  
19 Date 4/27/2023 | 9:46 AM PDT

Date 4/27/2023 | 10:50 AM PDT

20  
21 Date of Service: 04/27/2023