1	REAL ESTATE AGENCY		
2	BEFORE THE REAL ESTATE COMMISSIONER		
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4	In the Matter of the Escrow Agent License of)		
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6	SANTIAM E	SCROW, INC	STIPULATED FINAL ORDER
7		}	
8		}	
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10	The Oregon Real Estate Agency (Agency) and Santiam Escrow, Inc (SEI) do hereby		
11	agree and stipulate to the following:		
12	FINDINGS OF FACT, STATEMENTS OF LAW		
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 696.505.		
18	First Findings of Fact:		
19	1.1	At all times mentioned herein, SE	I was licensed as an escrow agent in Oregon.
20	1.2	On February 15, 2023, the Agenc	y received a complaint from Arden Lynn Aker
21	(Aker) against SEI. The Agency opened an investigation.		
22	1.3 Aker stated in the complaint that SEI failed to make payments and provide an		
23	accounting from November 2022 through February 2023.		
24	1.4 Aker filed a previous complaint against SEI for the same issue on September 13,		
25	2022. The Agency issued SEI an Educational Letter of Advice as a result of the previous		
26	investigation.		
27	1.5 On February 21, 2023, the Agency received a response from James Templin		
28	(Templin), CSCEO of Santiam Escrow. Templin confirmed the accuracy of the complaint and		
29	stated that he had sent the payment to Aker along with the requested accounting.		
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1.6 On February 24, 2023, Templin submitted to the Agency copies of the check 1 2 issued to Aker for the missing payments.

3 1.7 On March 29, 2023, Agency Investigator, Dylan Ray (Ray), had a telephone conversation with Aker who confirmed that all funds and accounting documents had been 4 received. 5

1.8 On March 29, 2023, Ray, had a telephone conversation with Templin and asked 6 what had happened to cause this issue again. Templin stated that he was working with their IT team to add "void after 90 days" to their checks and during that process Aker's payments got lost in the shuffle. Templin also stated that the payments are now automated.

10 Statement of Law: ORS 696.581(2) (2021 Edition) states except as provided in this 11 section, an escrow agent must follow dated, written escrow instructions executed by the 12 principals or a dated executed written agreement between the principals to a transaction. OAR 863-050-0015 states except as otherwise provided in ORS 696.581, an escrow agent must 13 14 use documents or other property deposited in escrow only in accordance with the dated written instructions of the principals to the escrow transactions or pursuant to court order. ORS 15 16 696.535(h) states the real estate Commissioner may reprimand an escrow agent who is 17 licensed, if the escrow agent failed to deliver within a reasonable time to persons entitled to 18 receive funds, property or documents or other things of value held or agreed to be delivered by the licensee, as and when paid for and due to be delivered. 19

Conclusion of Law: By failing to make payments and provide requested accounting documentation, SEI violated ORS 696.581(2) and OAR 863-050-0015 and is subject to a reprimand per ORS 696.535(h).

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

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STIPULATION AND WAIVER

I, SEI, have read and reviewed this Stipulated Final Order and its Findings of Fact. 28 29 Statements of Law and Conclusions of Law. I understand that the Findings of Fact, 30 Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full and complete agreement and stipulation between the Agency and SEI. I further understand that if
SEI does not agree with this stipulation SEI has 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 SEI freely and voluntarily waive SEI
rights to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review
of this matter.

SEI hereby agrees and stipulates 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, SEI agrees that once the Commissioner executes this Stipulated Final Order, SEI will accept service of the Stipulated Final Order by email, and hereby waive the right to challenge the validity of service.

IT IS HEREBY ORDERED that, pursuant to ORS 696.535 and based upon the violation(s) set forth above, SEI's license be, and hereby is reprimanded.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DocuSigned by: 'NTHAM ESTRANN. INT Bv James Templin CSCEO Date 4/27/2023 | 10:10 AM PDT

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Steven Strode Real Estate Commissioner Date 4/27/2023 | 10:53 AM PDT

DATE of service: 04/27/2023