

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of
CHRISTINE TURK

STIPULATED FINAL ORDER

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

PROCEDURAL HISTORY

On January 26, 2022, the Agency issued a *Notice of Intent to Revoke License No. PM 201218968*. On February 3, 2022, through her attorney Andrea Coit, Turk requested a hearing. On April 7, 2022, the case was referred to the Office of Administrative Hearings. The hearing was scheduled to occur on January 10, 2023, through January 11, 2023. Coit, on behalf of her client, Turk, entered into settlement discussions with the Agency and this Stipulated Final Order is the result of those discussions.

FINDINGS OF FACT CONCLUSIONS OF LAW

1.

1.1 Turk holds a property manager license, which is associated with 5 Star Property Management, LLC (5 Star Management). Turk's license was previously associated with Granite Properties LLC (Granite). When Turk was associated with Granite, she was the sole property manager for Granite. As the property manager Turk was responsible for reconciliation of Granite's Client Trust Account ending in #6902

1.2 On September 25, 2020, Turk resigned from Granite.

1.3 After Turk left Granite it was discovered that she had not reconciled the client trust account ending in #6902 since September 2019.

By failing to properly reconcile clients' trust account ending in #6902 Turk violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(2) (01/01/18, 1/1/2019 and 01/01/20 Editions) and implementing statute ORS 696.890(4)(c)(e)(f) (2019 Edition).

1
2 1.4 After Turk resigned, Granite discovered multiple unreconciled adjustments in
3 clients' trust account ending in #6902.

4 By failing to resolve all unreconciled adjustments in clients' trust account ending in
5 #6902 Turk violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(4)
6 (01/01/18, 1/1/2019, and 01/01/20 Editions) and implementing statute ORS
7 696.890(4)(c)(d)(e)(f) (2019 Edition).

8 By failing to create and maintain the clients' trust account records, financial information
9 and related documents (ledgers, reports, and records) in a format which readily enables
10 tracking and reconciliation, Turk violated ORS 696.301(3) and its implementing rule OAR 863-
11 025-0035(3)(b) (01/01/18, 1/1/19 and 01/01/20 Editions).

12 1.5 Turk set up the health insurance premium payments from the clients' trust
13 account. The health insurance premium were for Turk and Bulski.

14 By paying or allowing to be paid non-owner and non-tenant related expenses from
15 clients' trust account ending in #6902, Turk violated ORS 696.301(12),(14),(15) and ORS
16 696.301(3) and its implementing statute ORS 696.890(4)(a)(c)(e)(f) (2019 Edition).

17 The forgoing violations, if proven, would be grounds for discipline pursuant the statutes
18 and rules cited above. For purposes of resolution of the complaint pending against her only,
19 Turk agrees to the imposition of a suspension of Turk's property manager license under ORS
20 696.396(2)(c)(B). According to ORS 696.396(2)(c)(B), the Agency may suspend a real estate
21 license if the material facts establish a violation of a ground for discipline under ORS 696.301
22 that: (B) exhibits incompetence in the performance of professional real estate activity. As
23 previously noted, the Agency has set forth the grounds of discipline as ORS 696.301(3).

24 2.

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

6 4.

7 STIPULATION AND WAIVER

8 Licensee has read and reviewed this Stipulated Final Order and its Findings of Fact,
9 Statements of Law and Conclusions of Law. Licensee understands 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 Licensee. Licensee also
12 understand that she is waiving her right to a contested case hearing conducted in accordance
13 with the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice
14 and Procedure adopted by the Attorney General of the State of Oregon. By signing this
15 Stipulated Final Order Licensee freely and voluntarily waives her rights to a Hearing, to
16 representation by legal counsel at such a Hearing, and to judicial review of this matter.

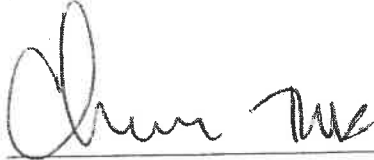
17 **Licensee denies the findings of fact and conclusions of law above** but understands
18 that the Agency is making those findings of fact and conclusions of law as part of this
19 Stipulated Final Order. Licensee further understands that, in accordance with the provisions of
20 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News
21 Journal. In addition to all of the above, Licensee agrees that once the Commissioner executes
22 this Stipulated Final Order, Licensee will accept service of the Stipulated Final Order by email,
23 and hereby waives the right to challenge the validity of service.

24 ORDER

25 IT IS HEREBY ORDERED that Christine Turk's property manager license be, and
26 hereby is suspended six months. The suspension will be effective immediately once the order
27 is signed by the Commissioner. As a condition for reinstatement, Turk must complete the 27-
28 hour Property Manager Advanced Practices Course and submit proof of completion to the
29 Agency (see detail below). Turk must comply with all other applicable license reinstatement
30 requirements.

1 IT IS FURTHER ORDERED that Turk complete the 27-hour Property Manager
2 Advanced Practices Course, (detailed in OAR 863-022-0022, 1-1-21 Edition) within six months
3 from when the Commissioner signs this order. Previously completed 27-hour Property
4 Manager Advanced Practices Courses do not qualify. Turk must submit a certificate to the
5 Agency showing completion of the 27-hour Property Manager Advanced Practices Course.
6 This certificate must be submitted to the Agency no later than 10 days after the education has
7 been completed.
8
9

10 IT IS SO STIPULATED:

11 

12
13
14 CHRISTINE TURK

15 Date 1/3/2023

IT IS SO ORDERED:



DocuSigned by:



16
17
18 STEVEN STRODE

19 Real Estate Commissioner

20 Date 01/04/2023

21
22
23
24
25
26
27
28
29
30
Date of Service: 01/04/2023