

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of )  
CHARLSY STRANGE AFFUSO ) STIPULATED FINAL ORDER

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

FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Affuso was licensed as a real estate broker with Realty One Group – At the Beach.

1.2 On October 11, 2023, Sarah Boylan (Boylan) submitted a complaint against Affuso on behalf of her client Richard Dir (Dir). The Agency opened an investigation.

1.3 According to the complaint, Boylan wrote that on August 19, 2023, over 1,100 real estate professionals received a defamation email from Affuso, regarding property owned by Dir.

1.4 On April 10, 2023, Boylan, the listing agent, listed Dir’s property located in Lincoln City, Oregon (subject property).

1.5 On April 22, 2023, Affuso met a buyer at the open house, and wrote a sales agreement which was then accepted on April 25, 2023.

1.6 An inspection of the subject property was completed on May 8, 2023. The next day, a 121-page report was published.

1           1.7     On May 10, 2023, Affuso sent an email to Boylan letting her know the buyers  
2 were terminating the transaction due to the inspection report. On May 11, 2023, the buyers  
3 signed a Notice of Buyer's Unconditional Disapproval.

4           1.8     In an email to Affuso dated May 12, 2023, Boylan noted that since Affuso's  
5 clients had unconditionally disapproved of the house, that her client has the right to obtain a  
6 copy of the Inspection Report. Affuso emailed the Inspection Report to Boylan on May 13,  
7 2023.

8           1.9     On August 19, 2023, Affuso sent an email on the Regional Multiple Listing  
9 Service's (RMLS) email service, FlexMLS. The subject of the email was "Buyers beware!!!!  
10 RMLS listing." In the email Affuso wrote, "Hello LCBR - I wanted to bring to your attention  
11 [subject property]. This house is listed by a Portland Realtor. I had buyers go into contract on  
12 this house. We terminated after inspection. If you have buyers interested in this house, please  
13 reach out to me. The list of issues with this house is incredible. A foot of standing water in the  
14 crawlspace with ACTIVE open wires. The foundation is held up by split logs. Among other  
15 things."

16           1.10    In an interview with Agency Investigator Frank H. Leonard, Jr. (Leonard), on  
17 January 9, 2024, Affuso said "...we cancelled once we got the inspection report back. About  
18 three months later, the house goes up on the market again." Affuso said she went to the RMLS  
19 to look and there was "...no disclosures about what was found in the prior inspection report."

20           1.11    In her interview with Leonard, Affuso noted that she went to the RMLS and sent  
21 out an email regarding buyer beware regarding the subject property. Affuso told Leonard she  
22 was also a commissioner with the Lincoln City Planning Commission. Affuso said "I'm sorry,  
23 I'm not making excuses, I do take full responsibility for the email that was sent within a private  
24 MLS sector. That was not sent out to the public." Affuso said to Leonard that "I believe that my  
25 ethical duty to the public and by informing other agent to please do your due diligence..."

26           1.12    On February 21, 2024, Leonard interviewed Dir. Dir indicated that they are still  
27 having problems with people bringing up the email. Dir included that realtors and clients ask  
28 about the email that was sent stating buyers beware and talking about the repairs that needed  
29 to be done. Dir said the house has been on the market five or six months.

30

1 **(1) Conclusion of Law:** By sending the “Buyers beware!!!!...” email using the RMLS email  
2 service, FlexMLS, which included the property address, direction for brokers and their buyers  
3 to contact her with questions, and issues found in the inspection report. Affuso violated ORS  
4 696.301(3) as it incorporates ORS 696.301(1)(7)(15) 2023 Edition.

5 1.13 All of the above demonstrates incompetence or untrustworthiness in performing  
6 acts for which the real estate licensee is required to hold a license.

7 **(2) Conclusion of Law:** Based on the foregoing, Licensee is subject to discipline under  
8 ORS 696.301(12) (2023 Edition)

9  
10 2.

11 2.1 The foregoing 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 this 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  
17 3.

18 **STIPULATION AND WAIVER**

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

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

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

10  
11 ORDER

12 IT IS HEREBY ORDERED that Charlsy Affuso's broker license be, and hereby is  
13 reprimanded.

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15  
16  
17 IT IS SO STIPULATED:

IT IS SO ORDERED:



18  
19 DocuSigned by:

20 *Charlsy Affuso*

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21 CHARLSY AFFUSO

DocuSigned by:

22 *Steve Strode*

E2C2D0097AD8471...

23 STEVEN STRODE

Real Estate Commissioner

24 Date 5/6/2024 | 6:57 PM EDT

25 Date 5/8/2024 | 9:25 AM PDT

26 Date of Service: May 8, 2024