

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of )  
DENNIS KELLEY ) STIPULATED FINAL ORDER

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

FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Kelley was licensed as a real estate broker associated with JMA Properties, LLC.

1.2 On September 24, 2024, the Agency received a complaint from licensee Jessica Omelian (Omelian) reporting that Kelley had accessed a property located at 4048 SE Long St. Portland, OR 97202 (the Property) listed by Omelian on two occasions without receiving permission from Omelian or the owner.

1.3 Included in the complaint materials were copies of notifications from a SentiLock device installed on the property showing Kelley accessed the property on September 20, 2024, and the following day September 21, 2024.

1.4 Omelian's complaint materials report that the owners were very distressed Kelley had accessed the property without permission.

1.5 In response to the complaint, Kelley wrote that he spoke with Omelian soon after first accessing the property, and Omelian was pleased to hear that Kelley's client was considering submitting an offer. Kelley wrote that Omelian did not communicate that the seller was upset Kelley had accessed the property.

1           1.6     On October 8, 2024, Agency Investigator Dylan Ray (Ray) requested from Kelley  
2 copies of his text message communications with Omelian. On October 14, 2024, Ray  
3 requested from Omelian a copy of the MLS listing for the property and any additional materials  
4 she had to share on the events.

5           1.7     A review of the MLS listing for the property showed the property described as  
6 private and states all showings for the property should be scheduled through Aligned  
7 Showings.

8           1.8     In an interview with Ray on October 16, 2024, Kelley explained that he was  
9 unfamiliar with using Aligned Showings prior to the first instance of accessing the property and  
10 had since taken classes to learn how to use it.

11          1.9     Kelley further explained that he had not reviewed the MLS listing for the property  
12 before the first access, and that he had been outside the property with a buyer he had a long  
13 working relationship with that wanted to view the property. Kelley said he used a personalized  
14 RMLS code to open the SentiLock device.

15          1.10    In the interview, Kelley stated to Ray he had not considered calling Omelian to  
16 first access the property. When asked, Kelley said he was aware of the procedure to request  
17 access before he accessed the property a second time without following those procedures.  
18 Kelley stated to Ray that he has never accessed a property without permission before and that  
19 he takes these events seriously and would learn from the experience.

20          1.11    All of the above demonstrates incompetence or untrustworthiness in performing  
21 acts for which the real estate licensee is required to hold a license and conduct that is below  
22 the standard of care for the practice of professional real estate activity in Oregon.

23 **(1) Conclusion of Law:** By entering a listed property twice without requesting or receiving  
24 permission from the property owner or listing agency, Kelley is subject to discipline under ORS  
25 696.301(12)(15) 2023 Edition.

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2.

2.1 The foregoing 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 this 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, Dennis Kelley, 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 Dennis Kelley's broker license be, and hereby is reprimanded.

IT IS SO STIPULATED:

IT IS SO ORDERED:

DocuSigned by:

*Dennis Kelley*

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DENNIS KELLEY

Signed by:

*Steve Strobe*

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STEVEN STRODE

Real Estate Commissioner

Date 4/24/2025 | 11:17 AM PDT

Date 4/29/2025 | 11:40 AM PDT

Date of Service: 4/29/2025

