

REAL ESTATE AGENCY  
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of  
DARRIN SCOTT PHILLIPS  
STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Darrin Phillips (Phillips) do hereby agree and stipulate to all of the following in lieu of Hearing. Phillips does not dispute the Agency's Procedural History, Findings of Facts, Statements of Law and Conclusions of Law as set forth herein and accepts the Order to surrender Phillips' principal broker license and apply for a restricted real estate broker license which results therefrom.

PROCEDURAL HISTORY

On September 17, 2024, the Agency issued a *Notice of Intent to revoke Phillips principal broker License No. 201220787: Notice of Opportunity for Hearing*. On October 08, 2024, Phillips sent an email requesting a hearing. Phillips entered into settlement discussions with the Agency; the case was also referred to the Office of Administrative Hearings. This Stipulated Final Order is the result of those discussions.

FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

**Findings of Fact:**

1.1 At all times herein, Phillips was a licensed principal broker with EXP Realty, LLC.

1           1.2    On February 14, 2024, the Oregon Real Estate Agency (Agency) received a  
2 written statement and Judgment Order from the Marion County Circuit Courts, from Phillips.  
3 The Agency opened an investigation and assigned Financial Investigator Frank Leonard  
4 (Leonard).

5           1.3    Phillips' statement to the Agency states Phillips was the executive director of the  
6 Oregon State Police Officers Association (OSPOA). The statement reports that an  
7 investigation was launched regarding Phillips' use of OSPOA credit cards for reimbursement  
8 and expenses.

9           1.4    The Judgement Order Phillips provided to the Agency states Phillips pled guilty  
10 to Theft in the First Degree as alleged in counts 19 and 25. The Judgement was signed by  
11 Judge Channing Bennett and filed on January 22, 2024.

12          1.5    Investigator Leonard reviewed an investigative report written by Oregon  
13 Department of Criminal Justice Special Agent Michael Korcek. The report states OSPOA  
14 President Mark Banks (Banks) alleges Phillips used OSPOA for personal expenses by  
15 submitting fraudulent reimbursement requests.

16          1.6    In the report, Banks alleges Phillips failed to provide receipts for purchases, and  
17 that OSPOA staff identified transactions Phillips made with the Association's credit card  
18 including tuition payments for a family member, taxidermy and dry-cleaning services, and  
19 iTunes store purchases.

20          1.7    Korcek's investigative report states OSPOA staff identified multiple instances in  
21 which Philips submitted for reimbursement of travel expenses whose locations and dates are  
22 contradicted by transactions on his OSPOA credit card.

23          1.8    A review of the Judgement Order shows that Phillips' was sentenced to court-  
24 ordered probation, and that Phillips' shall have no employment in a financial role other than  
25 self-employment and shall not renew/reactivate DPSST certification.

26          1.9    Phillips was ordered to pay restitution to OSPOA in the amount of \$59,000.  
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28               **Conclusion of Law:** By being convicted of a misdemeanor related to his capacity to  
29 perform professional real estate activity, Phillips is subject to discipline under ORS  
30 696.301(11) and (14) (2023 Edition).

1.10 Phillips submitted the Judgement Order to the Agency on February 14, 2024. The judgement was filed on January 22, 2024.

**Conclusion of Law:** By failing to notify the Agency of the judgement within twenty days of its filing as required by rule and statute, Phillips' violated ORS 696.301(3) and its implementing rule, OAR 863-015-0175(1)(a)(3)(4) (1/1/2023 Edition).

**Conclusion of Law:** The forgoing violations are grounds for discipline pursuant to ORS 696.301. Based on these violations, a surrender of Phillips' principal broker license is appropriate for these violations of ORS 696.301(11) and (14) (2023 Edition).

## 2.

According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real estate license, whether by operation of law, order of the Real Estate Commissioner or decision of a court of law, or the inactive status of the license, or voluntary surrender of the license by the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee; (3) Take action against a licensee, including assessment of a civil penalty against the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or revoking a license.

## 3.

THE AGENCY RESERVES THE RIGHT TO INVESTIGATE AND PURSUE ADDITIONAL COMPLAINTS THAT MAY BE RECEIVED IN THE FUTURE REGARDING THIS LICENSEE. Based on the above findings of fact, Phillip's fitness for licensing is at issue, especially in light of the statutory standard under ORS 696.022(5) that a license shall be granted only to an individual who is trustworthy and competent to conduct professional real estate activity. It would be the intent of the Real Estate Commissioner to deny issuance of an

1 unrestricted real estate broker license to Phillips at this time. A limited license is necessary so  
2 that Phillips has an opportunity to demonstrate fitness for licensing.

3 To obtain the limited license, Phillips, must complete all licensing requirements per ORS  
4 696.022(2)(b) and OAR 863-014-0035, and provide proof to the Agency the principal broker  
5 agreeing to supervise Phillips has reviewed and agreed to this stipulated final order.  
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8 4.  
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#### 10 STIPULATION AND WAIVER

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

22 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and  
23 understand that the Order which follows hereafter, which I have also read and understand,  
24 may be completed and signed by the Real Estate Commissioner or may be rejected by the  
25 Real Estate Commissioner. I further understand that, in accordance with the provisions of ORS  
26 696.445(3), notice of this Order shall be published in the Oregon Real Estate News Journal.

27 In addition to all of the above, I agree that once the Commissioner executes this  
28 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby  
29 waive the right to challenge the validity of service.  
30

ORDER

IT IS HEREBY ORDERED that Darrin Phillips principal broker license is hereby surrendered.

IT IS HEREBY ORDERED that Darrin Phillips be issued a real estate broker's license (providing he has completed the broker application, paid the broker licensing fee, and had his supervising principal broker associate his license with the registered business name) with limitations as set forth below:

(a) The limited license period shall be for 5 years starting from the date the restricted broker license is issued associated with the registered business name.

(b) Phillips shall not engage in any property management activity.

(c) Phillips shall not be convicted of any felony or misdemeanor during the limited license term;

(d) Phillips shall not violate any license, law, or rule during the limited license term;

(e) Phillips shall be required to give a copy of this Order to any principal broker through whom Phillips is licensed during the limited license term, prior to licensing, and the principal broker shall acknowledge receiving a copy of this order in writing to the Agency.

(f) The employing principal broker shall immediately notify the Agency of any criminal convictions or license law violations by Phillips during the limited license term, and

(g) The restrictions shall continue until Phillips (1) requests an unrestricted principal broker license, in writing, and (2) Phillips' principal broker endorses him for an unrestricted license in writing. The Agency will conduct an inquiry on Phillips including but not limited to a check through the Law Enforcement Data System. If the Agency finds that there is no reason to continue the limited license, an unrestricted license will be issued.

IT IS FURTHER ORDERED that, should Phillips violate any term or condition of this Agreement, it may be a basis on which to revoke Phillips' license in accordance with ORS 696.301(13).

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PRINICPAL BROKER'S ACCEPTANCE

I hereby accept and agree to abide by the foregoing and acknowledge that I have received a copy of the stipulated final order on 03/24/2025. I also certify that I have the authority to sign this Order on behalf of Registered Business Name (RBN) Legacy Real Estate, number RBN.201249471.

Principal Broker (Printed) James D. Hauge

Principal Broker Signature

Signed by:

James Hauge  
A152F9A6616343B...

License No. PB.200107093

IT IS SO STIPULATED:

DocuSigned by:  
[Signature]  
647F74DE730F416...

Date 3/20/2025 | 1:46 PM PDT

IT IS SO ORDERED:



Signed by:  
Steve Strode  
E2C2D0097AD8471...

STEVEN STRODE

Real Estate Commissioner

Date 03/26/2025

Date of Service: 3/26/2025 | 1:47 PM PDT