

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of)
LYNN S CUMBERLAND) STIPULATED FINAL ORDER

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

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Cumberland was licensed as a principal broker with Cumberland Realty Group (CRG).

1.2 The Agency received a letter from US Bank dated April 25, 2025, which indicated that CRG wrote a check out of clients' trust account ending in -9300 (CTA #9300), in the amount of \$7,000.00, which exceeded the current balance of \$4,278.44.

1.3 In response, Cumberland wrote, "The deposits to the CTA account and this check must have crossed. Before I wrote that check, I verified that the bank had over \$10,000 in the CTA. We have since taken the appropriate measure to remedy this unintentional oversight."

1.4 Agency Investigator Dylan Ray (Ray) requested Cumberland submit the April 2025 reconciliation and supporting documentation for CTA #9300.

1.5 A review of the records Trust Account Reconciliation document showed:

- Part I: Bank reconciliation date of April 30, 2025, and balance of \$5,036.29, with no outstanding deposits or withdrawals.

- Part II: Left Blank, with a handwritten explanation that read, “Need to provide correct ledgers.”
- Part III: Balance of \$3,742.44
- Part IV: Left blank, with a handwritten explanation that read, “Need to Research – the trust accounts are correct with the exception of ck20930 which was NSF for maple + maple 2 – Both Bank + Security Dep are correct.”

1.6 The Trust Account Reconciliation document was not signed and was dated June 20, 2025.

(1) Conclusion of Law: By failing to sign and complete the clients’ trust account reconciliation within 30-days of the bank statement, Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(2)(a)(B)(b)(d)(A)(B) 1/1/2025 Edition.

1.7 Separate check and deposit registers were provided to the Agency. These records did not comply with Agency requirements for a journal of receipts and disbursements. The records were not organized by date, did not have a running balance after each transaction, or identify a purpose for the disbursements.

1.8 The check register included two disbursements to CRG on April 29, 2025, in the amount of \$359.34. One disbursement was noted as “voided” with a handmade slash through the figure. However, each disbursement was of positive value, and no additional documentation was provided to show this was done in April 2025.

1.9 A review of the provided April 2025 Venmo statement showed that at the start of April 2025, all Venmo deposits had an equal corresponding transfer reflected in the registers. Beginning on April 16, 2025, no further Venmo deposits were identified.

1.10 Ray identified seven Venmo transactions in April 2025 that were not identified in the check and deposit registers.

(2) Conclusion of Law: By failing to include all required information in a record of receipts and disbursements, Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0040(1)(2)(a)(b)(C)(D)(e)(5) 1/1/2025 Edition.

(3) Conclusion of Law: By failing to deposit funds within five days of receipt, Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0065(4) 1/1/2025 Edition.

1 1.11 A review of the Trust Account Detail (Cash) report showed multiple owners with
2 negative balances during the month of April 2025.

3 1.12 The first owner identified had a ledger balance of -\$7.70 for one day when rent
4 was deposited creating a positive balance.

5 1.13 The second owner is identified twice under two separate ledgers. The two
6 ledgers had beginning balances of -\$74.38 and -\$82.43 respectively. Both ledgers showed an
7 April 12, 2025, payment made to CRG in the amount of \$34.35.

8 **(4) Conclusion of Law:** By allowing negative balances on multiple owner ledgers,
9 Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(3)
10 1/1/2025 Edition.

11 1.14 Ray interviewed Cumberland and accountant Sandra Landis (Landis). During the
12 interview they explained that the reason the check #20930 was returned for nonsufficient funds
13 was due to Venmo having a delay of two to three days before funds are transferred into CTA
14 #9300, in addition to daily and weekly caps on transfers.

15 1.15 Landis further explained that she completed the Venmo transfer but wrote the
16 check before funds had cleared the account due to the delay. Landis told Ray that every month
17 would cause problems with getting funds into the bank account on time, due to the delays and
18 transfer limits on Venmo.

19 1.16 Cumberland and Landis told Ray they had been using Venmo for approximately
20 one year and had identified that Venmo was an issue approximately one year ago during a
21 previous Agency investigation.

22 **(5) Conclusion of Law:** By failing to verify funds deposited electronically before disbursing,
23 Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(7)
24 1/1/2025 Edition.

25 **(6) Conclusion of Law:** Cumberland continued to use a mobile payment application which
26 caused multiple non-sufficient funds and negative balances in clients' trust accounts. This act
27 is Ground for Discipline under ORS 696.301(12) and (15) 2023 Edition.

28 1.17 During the interview, Landis identified her duties with CRG as pay bills, collect
29 deposits from tenants, record deposits into Yardi, complete reconciliations, email monthly
30 owner statements, and make payments to owners.

1 1.18 A review of the delegation of authority that was provided showed that Landis had
2 authorization to receive and disburse funds from CTA #9300. No additional duties were listed
3 on the delegation of authority.

4 **(7) Conclusion of Law:** By failing to have a written delegation of authority, Cumberland
5 name violated ORS 696.301(3) and its implementing rule OAR 863-025-0015(5) 1/1/2025
6 Edition.

7 1.19 When asked specific questions about the records that were submitted for April
8 2025, Cumberland and Landis told Ray that they did not have the records available or
9 accessible to view.

10 **(8) Conclusion of Law:** By failing to have records of professional property management
11 available for review by the Agency, Cumberland violated ORS 696.301(3) as it incorporates
12 ORS 696.280(3)(4)(c)(d)(5) 2023 Edition.

13 1.20 The April 2025 bank statement included two checks issued by CRG identified as
14 Final Accounting and Security Deposit Refund. Additionally, the April 2025 Deposit Register
15 contained two additional payments, identified as a tenant deposit and rent.

16 1.21 A review of the September 2024 reconciliation for CTA #9300, identified an
17 additional security deposit refund check.

18 1.22 In response to Ray's questions regarding the security deposit refund checks,
19 Cumberland wrote, "This was a refund of security deposits. Even though we do not hold the
20 deposits, the owners do, and at their direction we refund the tenant deposits from their account
21 as and [sic] expense."

22 1.23 Ray asked Cumberland to provide owner and tenant ledgers, as well as a copy of
23 the instructions from property owners on handling the disbursement of security deposit
24 refunds.

25 1.24 Cumberland submitted supporting records to Ray but did not provide the
26 requested owner and tenant ledgers. Cumberland later followed up with Ray and wrote, "We
27 don't use tenant ledgers."

28 **(9) Conclusion of Law:** By failing to maintain tenant ledgers, Cumberland violated ORS
29 696.301(3) and its implementing rule OAR 863-025-0035(1)(f)(4) 1/1/2025 Edition. In addition,
30

1 Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0050(1)(4)(a)(b)
2 (c)(d)(A)(B)(C)(D)(e)(A)(B)(C)(D)(E)(f) 1/1/2025 Edition.

3 1.25 A review of an owner ledger provided showed the property owner received an
4 owner payment dated April 12, 2025, with check #250415 in the amount of \$1,599.78 and on
5 April 25, 2025, the amount of \$3,898.92 with check #42529.

6 1.26 A review of the 'Bank Reconciliation Report' showed a disbursement identified by
7 check #250415 on April 12, 2025, to the owner in the amount of \$3,429.78.

8 1.27 A review of the 'Check Register' showed disbursements to the property owner in
9 the amount of \$3,898.92 with check #42529, and the amount of \$3,429.78 with check
10 #250415.

11 1.28 The owner ledger did not include check #42529.

12 **(10) Conclusion of Law:** By failing to identify a disbursement from an owner ledger,
13 Cumberland violated ORS 696.301(3) and its implementing rule OAR 863-025-0055(3)(c)(A)
14 (B)(D)(E) 1/1/2025 Edition.

15 **(11) Conclusion of Law:** By failing to maintain owner ledgers in a format that readily
16 enables tracking and reconciliation, Cumberland violated ORS 696.301(3) and its
17 implementing rule OAR 863-025-0035(3)(b) 1/1/2025 Edition.

18 1.29 The Agency received two additional letters from US Bank regarding CTA #9300.
19 The first letter indicated the account had a negative balance of -\$633.32. The second letter
20 identified the starting balance for the account of -\$633.32, and an ending balance of -\$821.83

21 **(12) Conclusion of Law:** The Agency received two notices of non-sufficient funds from US
22 Bank for CTA #9300. This is Grounds for Discipline under ORS 696.301(12) and (15) 2023
23 Edition.

24 1.30 All of the above demonstrates a failure to uphold affirmative duties to account in
25 a timely manner for all funds received from or on behalf of the owner, and to act in a fiduciary
26 manner in all matters relating to trust funds.

27 1.31 All of the above demonstrates incompetence or untrustworthiness in performing
28 acts for which the real estate licensee is required to hold a license and conduct that is below
29 the standard of care for the practice of professional real estate activity in Oregon.

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1 **(13) Conclusion of Law:** Based on the foregoing, Cumberland violated ORS 696.301(3) as
2 it incorporates ORS 696.890(4)(c)(d)(e) 2023 Edition.

3 **(14) Conclusion of Law:** Based on the foregoing, Cumberland is subject to discipline under
4 ORS 696.301(12) and (15) 2023 Edition.

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6 2.

7 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301.

8 2.2 The Agency reserves the right to investigate and pursue additional complaints
9 that may be received in the future regarding this licensee.

10 2.3 In establishing the violations alleged above, the Agency may rely on one or more
11 of the definitions contained in ORS 696.010.

12
13 3.

14 **STIPULATION AND WAIVER**

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

26 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and
27 understand that the Order which follows hereafter, which I have also read and understand,
28 may be completed and signed by the Real Estate Commissioner or may be rejected by the
29 Real Estate Commissioner. I further understand that, in accordance with the provisions of
30

1 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News
2 Journal.

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

6 ORDER

7 IT IS HEREBY ORDERED that Lynn Cumberland’s principal broker license be
8 reprimanded.

9 IT IS FURTHER ORDERED that Cumberland complete the Agency-hosted Property
10 Management and Reconciliation Requirements course within six months of the issuance of this
11 order. Failure to complete the required course would be a violation of ORS 696.301(13) 2023
12 Edition.

13 IT IS FURTHER ORDERED that due to the violations addressed above, Cumberland
14 will be subject to a future client’s trust account review with six months of the issuance of this
15 order.

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19 IT IS SO STIPULATED:

IT IS SO ORDERED:



21 Signed by:

22 *Lynn Cumberland*

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23 LYNN CUMBERLAND

Signed by:

24 *Steve Strode*

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25 STEVEN STRODE

Real Estate Commissioner

26 Date 2/17/2026 | 5:06 PM PST

27 Date 2/18/2026 | 10:05 AM PST

28 Date of Service: 2/18/2026

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