REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

GEOFFREY J CHISHOLM

FINAL ORDER ON DEFAULT

On June 5, 2013, the Real Estate Commissioner issued, by certified mail, a notice of intent to revoke the real estate broker license of Geoffrey J. Chisholm (Chisholm). The Real Estate Agency (OREA) sent the notice of intent to Chisholm's last known address of record with the OREA. The notice of intent was also mailed to Chisholm by regular first class mail in a handwritten envelope.

The certified mailing was returned to OREA with postal notations “Return to Sender Unclaimed” and “Unable to Forward.” The mailing in the handwritten envelope was not returned.

Chisholm requested a hearing within 20 days of receiving the Notice of Intent to Revoke. On July 22, 2013, OREA referred the case to the Office of Administrative Hearings to schedule a hearing. A hearing was scheduled for February 19, 2014 through February 20, 2014. The hearing was postponed and rescheduled for June 25, 2014 through June 26, 2014. Chisholm failed to appear for the scheduled hearing and is therefore in default.

Copies of the entire investigation file are designated as the record for purposes of default, including any submission from respondent and all information in the administrative file relating to the mailing of notices and any responses received.

Based upon the foregoing and upon a review of the above described investigation reports, documents and files, the Real Estate Commissioner makes the following:

FINDINGS OF FACT

1. At all times mentioned herein, Chisholm was licensed as a real estate broker.

2. On September 30, 2011, the State of Oregon Department of Consumer Business Services (DCBS) issued Chisholm a cease and desist order, for acting as a loan originator.
without being licensed as a Mortgage Broker or Mortgage Lender in Oregon and performing
debt management services without being registered as a debt management service provider in
Oregon. DCBS also assessed a civil penalty in the amount of $223,200 that was included in
the cease and desist order issued to Chisholm.
3. Chisholm did not notify the OREA of the DCBS order as required by the OREA.
4. After January 1, 2010, acting as a loan originator, Chisholm contacted Oregon
homeowners (clients), who were facing foreclosures on their home loans and offered them
mortgage loan modification services through the company name of Safe Harbor Northwest.
Chisholm contracted with at least 31 Oregon residents facing foreclosure of their home loans.
The clients understood and believed that Chisholm would work with the clients’ lenders to
modify their home loans. The clients were told that Chisholm would work with their lenders to
restructure their home loans. Chisholm charged the clients an upfront fee of $3,250 or $3,500
to assist with the loan modifications. Chisholm did not negotiate the clients’ home loans as
promised and clients were either forced into short sales or they lost their homes through
foreclosure. In at least one instance a client was charged overdraft charges from their bank
because Chisholm withdrew excessive fees from the client’s account. In another instance,
Chisholm told a client to not make a payment, when they were only one month behind.

CONCLUSIONS OF LAW
1. The foregoing violations are grounds for discipline pursuant to ORS 696.301 and
ORS 696.396.
2. By failing to notify the Commissioner of the final order entered against him in the
DCBS action, Licensee violated OAR 863-015-0175(1)(b)(c), (4), which requires a real estate
licensee to notify the commissioner within 20 days of any adverse decision or judgment
resulting from any civil or criminal suit or any administrative proceeding related to the licensee
in which the licensee was named as a party. This is grounds for discipline under ORS
696.301(3).
3. By engaging in the conduct described in paragraph 4 above, Licensee violated
ORS 696.301(14) because his actions demonstrated fraud and dishonest conduct in
transactions that are substantially related to Licensee’s fitness to conduct professional real
estate activity.
4. Licensee's conduct with multiple consumers resulted in significant damage or injury to them. Involved consumers paid thousands of dollars for services they did not receive. As a result, several were forced to sell their homes through short sales or lost their homes to foreclosure. Licensee's conduct induced consumers to pay Safe Harbor Northwest thousands of dollars when neither Licensee or any of his associates were licensed by DCBS to engage in debt management servicing; loan originating or loan modification. Licensee's actions demonstrated dishonest and fraudulent conduct. Revocation of his real estate license is appropriate under ORS 696.396(2)(c)(A) and (C).

ORDER

IT IS HEREBY ORDERED that the real estate broker license of Chisholm is hereby revoked.

Dated this 23rd day of September, 2014.

OREGON REAL ESTATE AGENCY

[Signature]

GENE BENTLEY
Real Estate Commissioner

DATE of service: 9-24-2014

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the date of service of this order. Judicial review is pursuant to the provisions of ORS 183.482.