REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Principal Broker License of JON DOVER HEMSTREET

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Jon Dover Hemstreet (Hemstreet) do hereby agree and stipulate to the following:

FINDINGS OF FACT

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CONCLUSION OF LAW

1.1 Hemstreet was licensed as a principal broker working under the registered business name of Northwest Land and Timber LLC.

1.2 On August 1, 2018, the Agency emailed Hemstreet stating his license would expire at the end of August and he needed to renew his license no later than the last day of the month.

1.3 On August 27, 2018, the Agency emailed Hemstreet that he had a few more days to renew his license and avoid paying the late fee.

1.4 On September 1, 2018, Hemstreet's principal broker license expired and was not renewed until November 20, 2018.

1.5 On November 20, 2018 the Agency emailed Hemstreet that his online renewal was successful. The email stated in part, "If you were in an expired active status prior to renewal, you will be required to be transferred by a principal broker or property manager. After your license has been transferred you will return to the active status."

1.6 On November 21, 2018, the Agency emailed Hemstreet that his renewal was pending and he needed to be transferred into a company.

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1.7 On November 21, 2018, the Agency emailed Hemstreet warning that his license was at risk of being inactivated.

1.8 All of the emails sent to Hemstreet were sent to: jonhemstreet@yahoo.com, the email address on file at the Agency for Hemstreet. Hemstreet verified this was his correct email address.

1.9 Hemstreet's license was not attached to a company until December 21, 2018, at which time his license became active again. From the time Hemstreet's license expired on September 1, 2018 through December 20, 2018, 111 days, Hemstreet continued conducting professional real estate activity as if actively licensed.

1.10 On his November 20, 2018, renewal application, Hemstreet answered "Yes," to the following question: "At any time during the past 24 months, while holding an inactive or expired real estate license have you conducted professional real estate activity." Hemstreet made the following comment to the question: "Unknown to me my license expired at the end of August 2018. I had an illness in the family, renewing my real estate [sic] slipped between the cracks. During this time I maintained my listings but didn't have any accepted offers or close on any transaction."

Violation: By continuing to conduct professional real estate activity for 111 days after Hemstreet’s license expired and before renewing and completing all the required steps to return the license to active status, Hemstreet violated ORS 696.020(2), which states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license. Hemstreet is subject to discipline or civil penalty pursuant to ORS 696.990.

1.11 On May 8, 2018, the Agency issued Hemstreet a Notice of Intent to Levy Civil Penalty.

STIPULATION & WAIVER

I have read and reviewed the above findings of fact and conclusions of law which have been submitted to me by the Agency and further, the order which follows hereafter. I understand that the findings of fact, conclusions of law and this stipulation and waiver embody the full and complete agreement and stipulation between the Agency and me. I further

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[Signature] 8-19
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. Hearings are conducted
in accordance with the procedures set forth in ORS Chapter 183 and in accordance with the
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 may be completed and signed by the Real
Estate Commissioner or may be rejected by the Real Estate Commissioner. I 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.

ORDER

IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
violation set forth above, Hemstreet pay a civil penalty in the sum of $1,100.00, said penalty to
be paid to the General Fund of the State Treasury by paying the same to the Agency. The civil
penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of
unlicensed activity is considered one violation. In this instance, there were three 30-day
periods of unlicensed activity.

IT IS FURTHER ORDERED that the notice of intent issued to Hemstreet on May 8,
2019, is hereby withdrawn.

IT IS SO STIPULATED:

[Signature]
Jon Dover Hemstreet
Date 5-21-19

IT IS SO ORDERED:

[Signature]
Steve Strode
Real Estate Commissioner
Date 5/24/19

Date of Service: 5/24/2019