

AGENDA ITEM NO.

I.C.

Notice of Agency
OREGON REAL ESTATE BOARD
Regular Meeting Agenda
Online
June 2, 2025

Real Estate Agency

530 Center St. NE, Suite 100 Salem, Oregon 97301-2505

Phone: (503) 378-4170 www.oregon.gov/rea

I. BOARD BUSINESS - Chair Warren

- A. Call to Order
- B. Chair Warren comments/Roll Call
- C. Approval of the Agenda and Order of Business
- D. Approval of 04.07.25, regular meeting minutes
- E. Date of the Next Meeting: 08.04.25 to begin at 10am, Location: Pendleton

II. PUBLIC COMMENT - Chair Warren

- This time is set aside for persons wishing to address the Board on matters not on the agenda. Speakers will be limited to five minutes.
- The Board Chair reserves the right to further limit or exclude repetitious or irrelevant presentations. If written material is included, 12 copies of all information to be distributed to board members should be given to the Board Liaison prior to the meeting.
- Action will not be taken at this meeting on citizen comments. The Board, however, after hearing from interested citizens, may place items on a future agenda so proper notice may be given to all interested parties.
- If no one wishes to comment, the next scheduled agenda item will be considered.

III. REQUESTS FOR WAIVERS - Chair Warren Waiver request log.

A. John Royston Miller III

IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER - Chair Warren.

- A. John Temple
- B. LiveAble Homes

V. BOARD ADVICE/ACTION - Commissioner Strode

A. None

VI. NEW BUSINESS - Commissioner Strode

- A. Wholesaler Pre-Registration Live
- B. HB 2373 & HB 3137

VII. ADMINISTRATIVE ACTIONS SUMMARY - Chair Warren

VIII. REPORTS - Chair Warren

- A. Commissioner Strode
- B. Agency division reports-Deputy Commissioner Higley
 - 1. eLicense Project Update Mohanaa Tamilselvan
 - 2. Communications Mesheal Tracy
 - 3. Regulation Division Elli Katuara
 - 4. Compliance Division Liz Hayes
 - 5. Land Development Division Michael Hanifin
 - 6. Licensing Division Anna Higley
 - 7. Administrative Services Division Reba Dunnington
- IX. ANNOUNCEMENTS Chair Warren. Next board meeting: 08.04.25 to begin at 10am, Pendleton
- X. ADJOURNMENT Chair Warren

Interpreter services, auxiliary aids for persons with disabilities, and access to attend remotely by videoconference are available upon advance request.



AGENDA ITEM NO.

I.D.

Real Estate Agency

530 Center St. NE, Suite 100 Salem, Oregon 97301-2505

Phone: (503) 378-4170 www.oregon.gov/rea

OREGON REAL ESTATE BOARD

Regular Meeting Minutes Videoconference April 7, 2025 10:00 a.m.

BOARD MEMBERS PRESENT: Michael Warren

Jessenia Juarez Stacy Ellingson Jose Gonzalez James Komro Debra Neal Tom Tapia LaTasha Beal Dawn Duerksen

BOARD MEMBERS ABSENT: Jessenia Juarez

Debra Neal Jose Gonzalez

OREA STAFF PRESENT: Steve Strode, Commissioner

Anna Higley, Deputy Commissioner Elli Kataura, Regulation Division Manager Liz Hayes, Compliance Division Manager

Michael Hanifin, Land Development Division Manager

Nenah Darville, Licensing Division Manager

Reba Dunnington

- I. BOARD BUSINESS Chair Warren
 - A. Call to Order
 - B. Chair Warren comments/Roll Call
 - C. Approval of the Agenda and Order of Business

MOTION TO APPROVE 04.07.2025 REGULAR MEETING AGENDA AS SUBMITTED BY STACY ELLINGSON

SECONDED BY LATASHA BEAL

MOTION CARRIED BY UNANIMOUS VOTE

D. Approval of 04.07.25, regular meeting minutes

MOTION TO APPROVE 02.03.25 REGULAR MEETING MINUTES AS SUBMITTED BY LATASHA BEAL

SECONDED BY JAMES KOMRO

MOTION CARRIED BY UNANIMOUS VOTE

- E. Date of the Next Meeting: 06.02.25 to begin at 10am, Location: Online
- II. PUBLIC COMMENT Chair Warren
 - A. None
- III. REOUESTS FOR WAIVERS Chair Warren
 - A. None
- IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER -Chair Warren

A. John's Waterproofing

MOTION TO APPROVE JOHN'S WATERPROOFING AS SUBMITTED BY TOM TAPIA SECONDED BY STACY ELLINGSON MOTION CARRIED BY UNANIMOUS VOTE



V. BOARD ADVICE/ACTION - Commissioner Strode

A. None

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VI. NEW BUSINESS - Commissioner Strode

A. Agency Office Move

VII. COMMUNICATIONS - ADMINISTRATIVE ACTIONS SUMMARY - Chair Warren

VII. REPORTS - Chair Warren

- A. Commissioner Strode
- B. Agency division reports-Deputy Commissioner Higley
 - 1. Regulation Division Elli Kataura
 - 2. Compliance Division Liz Hayes
 - 3. Land Development Division Michael Hanifin
 - 4. Administrative Services Division Reba Dunnington
 - 5. Licensing Division Nenah Darville

VIII. ANNOUNCEMENTS - Chair Warren Next board meeting: 06.02.25 to begin at 10am, Online

IX. ADJOURNMENT – Chair Warren

OREGON REAL ESTATE AGENCY – Experience Requirement Waiver Request Log (2018-2025)

DATE	NAME	LICENSE TYPE	APPROVED/DENIED	FACTS AND BOARD DISCUSSION
04.02.18	Ross Kelley	PB	Denied	FACTS: Ross Kelley requests a waiver of experience to become a principal broker. Mr. Kelley explained his request was based on his legal experience on both residential and commercial real estate and also that his business model would be a small scale of commercial properties. Dave Koch asked Mr. Kelley about his attitude towards managing and Mr. Kelley responded that his goal would be to provide exemplary service and he has reviewed ORS Chapter 696. Mr. Koch asked Mr. Kelley if he had supervision experience and Mr. Kelley responded that has supervised paralegals, attorneys and in his current position as well. Alex MacLean asked Mr. Kelley if he has had any experience with day to day transaction activity and Mr. Kelley responded he has worked with many brokers as well as buyers and sellers. MOTION TO DENY MR. KELLEY'S REQUEST FOR WAIVER OF EXPERIENCE AND RECOMMEND MR. KELLEY MAKE HIS REQUEST AFTER ONE YEAR OF EXPERIENCE BY DAVE KOCH SECOND BY PAT IHNAT MOTION CARRIED BY UNANIMOUS VOTE
06.04.18	Ryan McGraw	PB	Approved	FACTS: Ryan McGraw requests experience waiver to become principal broker. Mr. McGraw appeared and explained the basis for his request for waiver was that he has practiced real estate law in some form for 9 years. He also explained that for the past 2 years he has been the equivalent to a principal broker in California, however, he relocated to Oregon and did not build the business in California. Mr. McGraw obtained his broker license in Oregon about a year ago and has handled some transactions but his goal was to build a residential property management business while continuing to sell homes. Dave Koch asked Mr. McGraw what supervisory experience he had. Mr. McGraw responded that for the last 6 years he has been responsible for supervising 22 staff in his current role. Dave Hamilton asked Mr. McGraw if he was operating as both realtor with a company and also the energy company. Mr. McGraw responded that he was operating as both. Commissioner Bentley clarified the area of concern for board members was Mr. McGraw his lack of experience in supervising new licensees and Mr. McGraw responded that he agreed with that concern and would only take on licensees that are fully experienced. Discussion: Alex MacLean stated although Mr. McGraw's lack of experience with supervision was a concern Mr. MacLean was in support of approval of this motion. Mr. Koch asked Mr. McGraw to expand on his management process/experience and Mr. McGraw described how he has handled various personnel issues as a manager/supervisor. Jose Gonzalez also expressed his support for approval of this motion. Pat Ihnat asked Mr. McGraw how he handled lease negotiations and Mr. McGraw responded that he has been involved as supervising and also has used brokers. MOTION TO APPROVE RYAN MCGRAW'S REQUEST FOR WAIVER OF EXPERIENCE BY LAWNAE HUNTER SECOND BY PAT IHNAT MOTION CARRIED BY UNANIMOUS VOTE
12.10.18	Joseph Edwards	PB	Withdrawn	Joseph Edwards requests an experience waiver, Mr. Edwards contacted the agency to cancel his appearance due to unsafe road conditions.
04.01.19	Ross Kelley	PB	Denied	Ross Kelley requests experience requirement waiver. Chair Farley asked Mr. Kelley to expand on the basis of his request for a waiver. Mr. Kelley explained that since his appearance before the board about a year ago he had completed two transactions and had a listing pending. Mr. Kelley stated that becoming a principal broker would allow him to provide quality service to his clients and also open his own real estate brokerage firm. DISCUSSION: Alex MacLean expressed his appreciation to Mr. Kelley for appearing before the board for a second time and also encouraged him to continue gaining the required experience to become a principal broker. Jose Gonzalez explained that his personal experience of learning from principal brokers was instrumental for him in becoming a principal broker. MOTION TO DENY ROSS KELLEY'S REQUEST FOR WAIVER BY DEBRA GISRIEL SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE
6.3.19	Ruth Howard	PB	Approved	Ruth Howard requested a waiver of experience to become a principal broker. Howard appeared in person. Howard explained the basis for her request. Worked in real estate as a secretary for an office in 1980. Over the years she owned a small business and leased homes for a retirement community, She then got her real estate license. She was asked by the outgoing principal broker and the president of her current company to become the principal broker despite not having the required experience. Dave Koch asked if Laurie Thiel had comments. Theil spoke on Howard's behalf. Koch recused himself from the vote, but recommended approval comments. Thiel spoke on Howard's behalf, Koch recused himself for the vote, but recommended approval of the request. Pat Ihnat commented that Koch is usually is the one that questions experience waiver requests) and that Koch's support is uncharacteristic. Howard explained how her leasing experience helped her in professional real estate. Lawnae commented favorable on 1-loward1s background, Ihnat asked how many are in the office now. Howard responded 20. Lawnae asked about trust accounting experience. Debra Gisriel asked if there is another principal broker

	1			
				in the office who can step in, Thiel stated that there are licensees that who could meet the requirements but no one with the desire or skills to manage, Gisriel suggested that Howard take the Principal Broker Advanced Practices course and the Principal Broker Academy right away. Dave Hamilton asked question about transaction issues. Alex MacLean inquired about time line for Bill (current PB in the office) to mentor, number of deals occurring in office and experience of brokers in office. MacLean also asked how many RE/MAX offices are in Portland, where are management meetings held, if other RE/MAX management is available to her as a resource, and what her plans are for growing office. Koch commented on history of office. MacLean confirmed Bill is retiring from management of office, not from real estate business, and asked about Dave Koch's relationship with the office and RE/MAX. Ihnat commented when Howard obtains a principal broker license, she could leave RE/MAX and open her own office. Jef Farley commented on the shortcomings of the law requiring only three years of active licensed experience to obtain a principal broker license. DISCUSSION: Dave Hamilton commented he considers Dave Koch's recommendation. Lawnae agreed. Pat said leasing experience similar. Susan commented on past leasing experience and number of transactions completed. MOTION TO APPROVE RUTH HOWARD'S REQUEST FOR WAIVER OF EXPERIENCE BY PAT IHNAT. SECOND BY DEBRA GISRIEL.
2.3.20	Christopher Ambrose	РВ	Approved	Christopher Ambrose, Mr. Ambrose explained that he had been practicing attorney with Ambrose Law Group and an active attorney for approximately 30 years. He also stated that he was one of three owners of Total Real Estate Group LLC, which is a residential brokerage based out of Bend and his waiver request is based on his hands on experience as well as working very closely with the principal broker employed at Total Real Estate Group. Mr. Ambrose reported his company closed approximately 70 ns last year, bringing in 55 million in sales and that he had worked with and assisted in the selection of software. Alex MacLean asked Mr. Ambrose how his becoming a principal broker would affect the current principal broker at the company. Mr. Ambrose explained that he would continue to work closely with the principal broker but focus on managing the office and allocating duties while principal broker would continue to produce. Dave Hamilton asked Mr. Ambrose is the current principal broker was a principal in the company and Mr. Ambrose stated current principal broker is not a principal in the company. Discussion: Pat Ihnat, Dave Hamilton and Kim Heddinger all stated that they advocated the approval of the Mr. Ambrose's waiver request based on his experience in both the legal and real estate industry. Ms. Heddinger asked Mr. Ambrose if his intention was to continue to practice law and Mr. Ambrose affirmed. MOTION TO APPROVE CHRISTOPHER AMBROSE'S WAIVER REQUEST BY ALEX MACLEAN SECOND BY PAT IHNAT MOTION CARRIED BY UNANIMOU VOTE
12.07.20	Jerry Jones	РВ	DENIED	Chair Hunter asked Mr Jones to explain the basis for his waiver request and he responded that he had held various business roles in the real estate industry, such as development projects, commercial management firm. He also explained that he wanted to expand to a brokerage firm and that having the principal broker designation would be a tremendous professional benefit. Susan Glen asked Mr Jones if he was aware of the 3 year requirement previously and re responded that he was aware of the requirement. Marie Due asked Mr. Jones if he had management experience. Mr. Jones explained that he had managed teams of 2 to 3 brokers and upwards of 20. Pat Ihnat stated that managing brokers requires dealing with substantive issues rather than broad management. Jose Gonzalez asked Mr. Jones what options were available to him if his waiver request were to be denied and Mr. Jones replied that the principal broker who plans on retiring would postpone his retirement if necessary. MOTION TO DENY JERRY JONES'S 3 YEAR EXPERIENCE WAIVER REQUEST BY ALEX MACLEAN SECOND BY MARIE DUE MOTION CARRIED BY UNANIMOUS VOTE
12.07.20	Eric Zechenelly	РВ		Chair Hunter asked Mr. Zechenelly to explain the basis for his waiver request and he responded that his family owns and operates multiple businesses relating to various areas of real estate, which he has been involved in since he was in high school. He also explained that he received a Master Degree in Real Estate Development from Portland State University. Alex MacLean asked Mr. Zechnelly who he would be managing and what type of business and he responded that the business was a manufactured home company involving commercial real estate transactions and he would be managing a couple of brokers. Pat Ilhnat asked Mr. Zechnelley how he believed his degree weighed in on answering questions from brokers and he replied that many of the courses he took covered law/rule content along with transaction processes. DISCUSSION: Pat Ilhnat stated although Mr. Zechnelly's experience was with manufactured homes, his course study and degree were impressive. Alex MacLean stated Mr. Zechnelley's would benefit from more management experience. MOTION TO DENY ERIC ZECHNELLEY'S 3 YEAR EXPERIENCE WAIVER REQUEST BY ALEX MACLEAN SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE
02.01.21	Robert Tessmer	PB	MOTION FAILED – TIE VOTE	Chair MacLean asked Mr. Tessmer to explain the basis for his waiver request and he responded that his career had consisted of property searches, purchasing, rebuilding, and renovating. He also explained that as a veteran his goals were to work with

				disabled veterans and assist them with finding homes. Pat Ihnat asked Mr. Tessmer to explain how his experience met with the
02.01.21	Eric Zechenelly	РВ	APPROVED	waiver request requirements and he explained that he his experience included lease negotiations, writing leases, and contract management. Vice Chair Ihnat asked Mr. Tessmer if he planned to employ brokers and he responded that at some point he would be employing brokers. Lawnae Hunter asked Mr. Tessmer to provide a summary of his supervisory experience and he responded that he had vast experience with contract management and managing people with setting their career enhancement guidelines. Lawnae Hunter also asked Mr. Tessmer if he was familiar with the financial responsibilities required of a principal broker. Mr. Tessmer explained that he was familiar with the financial responsibilities. Dave Hamilton asked Mr. Tessmer what experience he had with overseeing several brokers and ensuring that they follow proper guidelines and he responded he would have a business plan in place to facilitate proper supervision. Discussion: Chair MacLean asked Mr. Tessmer to elaborate on his connection to Mr. Larkin. Mr. Tessmer explained that his relationship with Mr. Larkin was as a mentor and seeking his advice/input on certain situations. Susan Glen asked Mr. Tessmer if he had considered working under the supervision of a principal broker for a period of time and he responded that he would not work well in that type of setting or environment. MOTION TO APPROVE ROBERT TESSMER'S EXPERIENCE WAIVER REQUEST BY LAWNAE HUNTER SECOND BY PAT IHNAT MOTION FAILS BY TIE VOTE (AYES: LAWNAE HUNTER, SUSAN GLEN, PAT IHNAT, ALEX MACLEAN. NAYS: MARIE DUE, DEBRA GISRIEL, KIM HEDDINGER, DAVE HAMILTON) Eric Zechnelley - Mr. Zechenelly asked Chair MacLean the reason the board denied his previous waiver request on 12.7.20 and
02.01.21	Exterior Exercises		74716 122	both Chair MacLean and Dave Hamilton responded that the reason for the denial was lack his of experience. Vice Chair Ihnat stated that she would be inclined to support Mr Zechenelly's waiver request based on his college degree. David Malcolm, attorney for Mr. Zechenelly, explained that he reviewed the last 5 years of waiver requests and board meeting minutes and determined that Mr. Zechenelly has met the requirements for to qualify for a waiver request. MOTION TO APPROVE ERIC ZECHNELLEY'S WAIVER REQUEST BY PAT IHNAT SECOND BY LAWNAE HUNTER
04.05.21	Robert Tessmer	РВ	APPROVED	Robert Tessmer - David Malcolm, attorney for Mr. Tessmer explained Mr. Tessmer's qualifications qualifying him for the waiver request. Alex MacLean asked Mr. Malcolm to explain Mr. Tessmer's anticipated supervisory duties would be and Mr. Malcolm responded that Mr. Tessmer had no plans to hire brokers. Pat Ihnat summarized Mr. Tessmer's business plan as a sole proprietor shop, assisting buyers to find property. Debra Gisriel asked Mr. Tessmer is he currently held a brokers' license or taken the principal broker's course work and Mr. Malcolm responded that Mr. Tessmer did not hold a broker's license or taken the principal broker's coursework. MOTION TO APPROVE ROBERT TESSMER'S EXPERIENCE WAIVER REQUIREMENT REQUEST BY LAWNAE HUNTER SECOND BY PAT IHNAT MOTION CARRIED BY 6 AYES (ALEX MACLEAN, PAT IHNAT, MARIE DUE, KIM HEDDINGER, JOSE GONZALEZ, AND LAWNAE HUNTER) AND 3 NAYS (DAVID HAMILTON, SUSAN GLEN, AND DEBRA GISRIEL)
06.07.21	Michael Paluska	РВ	APPROVED	Michael Paluska explained his background as an attorney he did not practice litigation and had over 25 years of experience in real estate law. Chair MacLean asked Mr. Paluska what experience he had with continuing education and Mr. Paluska responded that he had provided continuing education for the commercial industry members and for attorneys. Lawnae Hunter asked Mr. Paluska if he intended to operate a traditional brokerage, which would include supervising other brokers and he indicated that was his intention. Chair MacLean asked Mr. Paluska to elaborate on his current supervisory role and he explained that his practice consisted of one attorney and his management experience has been managing staff at various companies that he has owned. Dave Hamilton asked if he intended to continue to run his law firm and Mr. Paluska responded that he would. MOTION TO APPROVE MICHAEL PALUSKA'S REQUEST FOR EXPERIENCE WAIVER BY PAT IHNAT SECOND BY KIM HEDDINGER MOTION CARRIED BY 8 YES VOTES (ALEX MACLEAN, PAT IHNAT, MARIE DUE, JOSE GONZALEZ, DEBRA GISRIEL, LAWNAE HUNTER, SUSAN GLEN, AND KIM HEDDINGER) ONE NO (DAVE HAMILTON)
04.04.22	Dana McNeil	РВ	APPROVED	Dana McNeil requested board approval for a 21 month waiver of the 3 year broker experience requirement for the principal broker license. Ms. McNeil outlined her experience of 15 years in commercial real estate, working specifically in the GSA niche in real estate negotiation, project management and construction. MOTION TO APPROVE DANA MCNEIL'S REQUEST FOR EXPERIENCE WAIVER BY ALEX MACLEAN SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE
06.06.22	Robert Pile	РВ	MOTION FAILED – TIE VOTE	MOTION TO APPROVE ROBERT PILE PRINCIPAL BROKER EXPERIENCE WAIVER BY ALEX MACLEAN SECOND BY LAWNAE HUNTER MOTION DOES NOT CARRY WITH SPLIT VOTE— (Gisriel-Nay, Due-Nay, Glen-Nay, Heddinger-Nay, Beal-Aye, Hunter-Aye, MacLean-Aye, Ihnet-Aye)
12.5.22	Robert Pile	PB	APPROVED	MOTION TO APPROVE ROBERT PILE'S REQUEST FOR EXPERIENCE WAIVER BY LAWNAE HUNTER SECOND BY LATASHA BEAL MOTION CARRIED BY UNANIMOUS VOTE

2.6.23	Kristie Hornbeck	PB	MOTION FAILED – TIE VOTE	MOTION TO APPROVE KRISTIE HORNBECK PRINCIPAL BROKER EXPERIENCE WAIVER MOTION BY LAWNAE HUNTER SECOND BY KIM HEDDINGER MOTION DOES NOT CARRY WITH SPLIT VOTE— (Hunter-Aye, Heddinger-Aye, Beal-Aye, Gonzalez-Aye, Due-Nay, Ihnat-Nay, MacLean-Nay, Warren-Nay, Glen-Abstain)
4.3.23	Kristie Hornbeck	PB	APPROVED	MOTION TO APPROVE KRISTIE HORNBECK PRINCIPAL BROKER EXPERIENCE WAIVER MOTION BY LAWNAE HUNTER SECOND BY SUSAN GLEN MOTION CARRIED BY UNANIMOUS VOTE



Experience Requirement Waiver Request

Oregon Real Estate Board

530 Center Street NE Suite 100 Salem OR 97301-2505 Phone: 503-378-4170

Fax: 503-378-2491 www.oregon.gov/rea

Date: 04/20/2025	
Name: John Royston Miller III	Oregon License Number: 201254114
Address: 2106 NW Black Pines Place	Daytime Phone Number: 407 463 3645
City and State: Bend, OR	Zip Code: 97703
GENERAL INFORMATION AND DOCUMENTATION	
	<u>rer</u> to become a PRINCIPAL REAL ESTATE BROKER. (ORS
696.022 and OAR 863-014-0040): 🗸 Yes	No
2. I am currently licensed as a real estate broker	
a. If yes, state the dates for which you held a	an Oregon real estate license: to
b. Was your Oregon license obtained throug	h a reciprocal agreement with another state?
Yes 【✓ _No	
	ate license in another state that was issued by the
state's licensing authority: ✓ Yes No	
If ves. Indicate your license history below:	

Type of License	State Issued	Dates A	Active License Held
Sales Associate	FL	From: 4/22/15	To: 4/15/16
Sales Associate	FL	From: ^{2/5/25}	To: 4/22/25
		From:	То:

REQUIRED STEPS

	Date Completed	Additional Required Information	Agency Use Only
Submit a letter requesting the waiver of the 3 years of active licensed experience requirement.		 The reason for the request, including the compelling reason why you cannot wait to complete the three years of active licensed experience. Any real estate experience you have equivalent to 3 years of licensed real estate experience. A description of your knowledge and expertise in adequately managing a real estate business, supervising Oregon real estate licensees, and handling clients' trust accounts 	ND

Submit documentation that you completed the Brokerage Administration and Sales Supervision (BASS) course for principal brokers. Complete PRIOR to submitting a waiver request.	04/07/25	Original course certificate.	ND
Submit documentation that you applied for a principal real estate broker and paid the \$300 application fee in eLicense. Complete this PRIOR to submitting a waiver request.	04/07/25	Copy of confirmation email from Agency.	ND
Successfully pass the Oregon Principal Broker exam. You must pass both portions of the license exam PRIOR to submitting waiver request.	04/16/25	National Score: 69 State Score: 44	ND
Provide the number and type(s) of real estate transactions (listings and transactions that were closed) completed while holding a real estate license in Oregon or in another state.		Attach a document showing the number and types of transactions you have completed while licensed.	ND
Participate in interview with Agency staff to review submission and discuss Board evaluation process.		Agency staff will call to schedule an appointment to review the applicant's submission and the Board presentation requirements. Appointment should be at least 20 days before the scheduled Board meeting.	

OPTIONAL STEPS

A four-year college or university degree in real estate curriculum approved by the Commissioner. (OAR 863-014-0042)	04/07/25	Attach official transcript.	ND
A two-year associate degree in real estate curriculum approved by the Commissioner. (OAR 863-014-0042)		Attach official transcript.	
Substantial real estate-related experience equivalent to at least 3 years active licensed experience. Include any real estate designations achieved. (OAR 863-014-0042)		Attach written details about your additional real estate experience that would assist in the Board's consideration of your waiver request.	ND

OPTIONAL DOCUMENTATION

Letters of reference pertaining to your real estate experience.	Include with application.	
Letters of reference from current or past supervising principal brokers.	Include with application.	
Documentation of any supervisory experience.	Include with application.	
A description of your familiarity and experience in real estate-related industries, e.g., escrow, title, mortgage.	Include with application.	

IMPORTANT INFORMATION

- You must submit this waiver application and all supporting documentation no later than 21 days before
 the scheduled Board meeting during which your waiver application will be discussed. Email all
 documentation to nenah.y.darville@rea.oregon.gov.
- Upon receipt of your waiver application, Agency staff will call to schedule an appointment to review your submission and to provide guidance on your presentation to the Board. This appointment should be at least 20 days before the scheduled Board meeting.
- You must attend the Board meeting during which your waiver is discussed. The Oregon Real Estate
 Agency will provide you with the Board's schedule upon receipt of your documents. Be prepared to answer
 questions from the Board to support your request.
- Any real estate experience not included in this submission will not be considered.
- All documents submitted become part of the Board Packet and, therefore, are public record. The Agency highly recommends that you remove/redact any confidential information on your documents, such as your social security number, date of birth, and credit card information.

Please direct any questions to Nenah Darville at (971) 719-3718 or nenah.y.darville@rea.oregon.gov.

I certify that the above information is true to the best of my knowledge.		
Signature of Waiver Applicant		

2025 BOARD MEETING DATES

Submit

MEETING DATE	Waiver Packet Due Date
February 3, 2025	January 13, 2025
April 7, 2025	March 17, 2025
June 2, 2025	May 12, 2024
August 4, 2025	July 14, 2025
October 6, 2025	September 15, 2025
December 1, 2025	November 10, 2025

John Royston Miller III

Oregon License Number: 201254114 407 463 3645 May 22nd, 2025

Oregon Real Estate Agency

530 Center St NE Suite 100 Salem, OR 97301

Re: Experience Waiver Request for Principal Broker Licensing

To Whom It May Concern,

I am submitting this formal request for a waiver of the three-year active real estate license experience requirement pursuant to OAR 863-014-0042(3). I appreciate the opportunity to provide supporting documentation and respectfully request that the Real Estate Board consider this waiver based on the following:

1. Reason for Request and Compelling Circumstances

I am requesting this waiver due to extensive experience in the management and practice of real estate in both residential and commercial. I currently serve as Managing Member of Royston Thomas Holdings LLC in Florida, and my goal is to step into a Principal Broker position to ensure continuity in real estate investment.

Waiting for the full three years of active licensed experience would have a significant impact on the business. The waiver will allow me to assume these responsibilities immediately, preventing disruption to clients and potential real estate transactions in progress.

2. Equivalent Real Estate Experience

Although I have not yet completed three full years as an actively licensed broker in Oregon, I have equivalent experience that demonstrates my readiness. My background includes:

• 2+ years as a licensed sales associate (broker) with EASTSHORE CAPITAL HOLDINGS LLC from 07/31/2014 to 04/15/2016, during which I was actively involved with residential real estate transactions. As Florida doesn't maintain records in excess of ten years, I've included the previous experience document from the State of Florida as well.

- While actively licensed, I worked as an Commercial Real Estate Appraisal Trainee at Integra Realty Resources in Orlando, FL from 2014-2015, where I coordinated transactions, assisted with compliance, and assisted with feasibility studies related to multi-million-dollar lending decisions.
- While actively licensed, I worked as an Acquisitions Analyst at The Florida
 Department of Transportation in Fort Lauderdale, FL during 2016, where I coordinated transactions, assisted with compliance, and assisted with feasibility studies related to multi-million-dollar acquisition decisions.
- While actively licensed, I worked as Managing Member of Royston Thomas
 Holdings in St. Petersburg, FL from 2019-Present, where I coordinated
 transactions, led investment decisions, and assisted with feasibility studies related
 to multi-million-dollar investment decisions.
- While licensed while inactive, I worked as a Real Estate Analyst at Darden Restaurants in Orlando, FL in 2020.
- I have completed extensive continuing education beyond the required hours, including yearly continuing education classes.
- I have been consistently involved in the management side of residential and commercial investment, including management, transaction oversight, and buy/sell agent support.

3. Knowledge and Expertise in Managing a Real Estate Business

I have acquired in-depth knowledge and practical experience in the following areas critical to the Principal Broker role:

- **Broker Supervision**: I have mentored new licensees, reviewed transaction files, and helped ensure compliance with Florida real estate laws.
- **Business Management**: I have contributed to operational procedures, marketing strategies, lead generation systems, and training processes within our firm.
- **Regulatory Compliance**: I maintain a thorough understanding of Oregon real estate laws.

4. Transaction History

Please find attached a summary of the real estate transactions I have completed while licensed, which includes:

Total transactions: 7

• Residential purchases: 6

Residential listings: 6

Commercial transactions (if applicable): 3

Lease transactions: 25+

Volume of sales: \$2.5m+

This document highlights the diversity and depth of my transactional experience and demonstrates my readiness to assume Principal Broker responsibilities.

Attachments:

- Transaction History Summary
- Resume
- Proof of prior real estate-related experience
- Linkedin:
 - o https://www.linkedin.com/in/johnroystonmiller/details/experience/

Thank you for considering my waiver request. I am fully committed to upholding the standards of professionalism, ethics, and responsibility expected of Oregon principal brokers. I am available to attend the upcoming board meeting to provide additional context or answer any questions.

Sincerely,

John R Miller

407 463 3645

JOHN R. MILLER III

(407) 463-3645 • johnrmiller407@gmail.com • linkedin.com/in/johnroystonmiller/

SUMMARY

- Served as financial business partner to FlightOps, IT, and VCO teams, leading multi-year forecasting and strategic
 planning initiatives; drove cloud migration to AWS by developing the financial business case in collaboration with
 Rackspace and BCG, securing board-level approval for transitioning from on-premise infrastructure to a scalable,
 cloud-native environment
- Key support person in the \$400m sale of Vx Freighter Investment Fund (VXF) entire portfolio of 38 leased freighter aircraft during a period of worldwide industry disruption caused by the COVID-19 pandemic
- Acted as liaison between debt/equity investors, service providers, and Vx during fundraising and management of CARGO 2018-1 the first all-cargo ABS portfolio raising \$189 million across three classes of term loans
- Set and managed CARGO 2018-1 budgets, debt repayment, and other expenses against the cash inflows consisting of contracted lease revenue, maintenance income, and disposition proceeds

PROFESSIONAL EXPERIENCE

Royston Thomas Holdings (Saint Petersburg, FL)

Co-Founder & Managing Partner | 2019-Current

- Co-founded a private equity and asset management firm with \$10M in assets under management spread across residential and commercial real estate
- Lead end-to-end investment lifecycle including deal sourcing, acquisition, capital structuring, asset management, and disposition
- Structured syndicated equity offerings and secured debt financing from regional banks and private lenders to fund acquisitions and development
- Executed value-add strategies including ground-up development, adaptive reuse, and property repositioning across core urban and suburban markets
- Oversaw refinancing of stabilized assets to optimize capital stack, enhance cash flow, and return capital to investors
- Directed third-party property management, leasing, and construction teams to maximize NOI and asset value
- Built and maintained investor relations, providing regular reporting, performance updates, and capital event communications

Atlas Air Worldwide Holdings (Acquired by Apollo Global Management | NYSE: APO) (White Plains, NY)

Senior Financial Planning & Analysis Manager | Corporate FP&A | 2024 - 2025

- Lead the development and presentation of business cases for major strategic initiatives, including fleet investments and new business opportunities, mirroring contributions to revenue growth as seen in Atlas Aircraft's \$4.5 billion revenue achievement. Support the integration of Atlas Air into Apollo's portfolio by conducting financial modeling, assessing synergies, and aligning reporting structures
- Track and optimize Block Hours (\$/BH) utilization, improving fleet efficiency and reducing idle time, leading to increased revenue per available ton mile (RTM). Monitor and reduce Cost Per Available Ton Mile (CATM) by identifying fuel efficiencies, fleet optimization strategies, and route profitability improvements.
- Partner with the Value Creation Office and senior leadership to establish project baselines, validate third-party cost savings estimates, and monitor progress against key performance metrics, akin to tracking EBITDA performance shifts from \$1.1 billion to \$899.2 million
- Analyze and provide recommendations on the joint collective bargaining agreement (JCBA) for its Atlas Air and Southern Air pilots, who are represented by the International Brotherhood of Teamsters (IBT), ensuring strategic alignment with workforce management, similar to Atlas Aircraft's operational cost reviews
- Design and implement advanced financial models for high-value investments, supporting data-driven decision-making processes for senior management
- Streamline monthly and quarterly financial reporting processes, enhancing profitability analysis and business segment reporting for board-level presentations
- Responsible for headcount planning (FTE) and management for Atlas within Anaplan to provide monthly reporting on hiring against budget for executive review

VMO Aircraft Leasing (Acquired by Ares Management Corporation | NYSE: ARES) (San Francisco, CA)

Consultant | Corporate FP&A | 2021 - 2024

- Led financial monitoring, account reconciliation, and budget analysis in the reactivation and redelivery of a portfolio of EETC aircraft rejected by LATAM Airlines under aircraft maintenance storage
- Participated in the creation, implementation, and management of purchasing and asset management modules within Dynamics 365 Business Central from Microsoft
- Led the Asset Transfer System (ATS) from GE Digital for leased asset records and project management which helps drive efficiencies throughout the entire life of a leased asset to include aircraft deliveries, annual inspection audits, and asset transitions

Vx Capital Partners (San Francisco, CA)

Manager, Operations | Corporate FP&A | 2020 - 2024

- Assist with month-end close requirements, including preparation of monthly project status and accrual reports
- Manage debt requirements, free cash-flow distribution, and budget reconciliation processes
- Created and maintain vital financial reports used to support statements with monthly analysis on profitability
- Identify and assess key points, implications and make recommendations based on analytical reviews of business cases as related to high-level strategic vision
- Managed multiple engine acquisition and disposition transactions, resulting in P&L gains and lessee operational continuity
- Work with airlines towards the reimbursement of maintenance claims through the collection of Additional Rent
- Monitoring and managing the technical provisions of aircraft and engine lease agreements

Manager, Investment and Portfolio Analysis | Corporate FP&A | 2019 - 2020

Budget Analyst | Technical | 2016 - 2019

FlightCar (San Francisco, CA)

Sr. Manager, FP&A | 2016-2017

- Peer-to-peer car-sharing Series B startup. Secured \$20.7M in capital and achieved a \$100M post-money valuation from investors including Priceline, Tencent, and GGV Capital
- Implemented time, budget, and cost KPI's for improvement in operating efficiency and forecasting of operating expenses
- Utilized effective cost accounting, reconciling over 2,400 claims totaling more than \$1.5M
- Increased subrogation efficiency by over 448% over four months, negotiating over \$250K in outstanding claims.
- Decreased processing times by 67% over four months. Worked with major insurance companies to implement transparency in the subrogation process
- Developed action plans by analyzing trends and variances. Decreased average Cost Per Claim by 57% over a four-month period
- Successfully negotiated with commercial lending institutions, such as American Express and Visa, to implement policy changes in their CDW policies

EDUCATION

Bachelor of Science in Business Administration | May 2014

University of Central Florida (Orlando, FL)

- <u>Majors</u>: Finance, Business Management and Real Estate

LICENSES

Florida Real Estate Sales Associate | July 2014

Department of Business & Professional Regulation (Tallahassee, FL)

Oregon Principal Brokers License | March 2025 (In Progress)

Oregon Real Estate Agency (Salem, OR)



State of Florida

Department of Business & Professional Regulation 2601 BLAIR STONE ROAD TALLAHASSEE, FL 32399-0783

04/22/2025

MILLER, JOHN ROYSTON III 2106 NW BLACK PINES PLACE BEND, OR 97703

LICENSURE CERTIFICATION

For Florida Licensee: MILLER, JOHN ROYSTON III

License Number: SL3302213 License Type: Real Estate Sales Associate

Current License Status: Current, Active Date of License Expiration: 03/31/2026

Date of Initial License: 07/29/2014

EDUCATION:

Sales Associate: Minimal education requirements - 63 hours of prelicense education; 45 hours of post license education completed by expiration date after initial licensing date; 14 hours of continuing education biannually to maintain license after the initial renewal.

EXAMINATION:

Licensee has successfully completed a Real Estate Broker or Sales approved examination. A "Law Only" exam indicates the person came to our state through mutual agreement with one of the states we have written agreements to accept their licensees based on having similar licensing requirements to our state. See our web site for the current list of agreements,

http://www.myfloridalicense.com/dbpr/re/MutualRecognition.html

Real Estate Sales Associate Exam - Real Estate Sales Associate Exam: 07/28/2014

EXPERIENCE:

Note: calculation of time is from the date the licensee requested the certification going back the amount of years requested up to 10 years. The start date on the first relationship may not reflect the exact start date if they started longer than 10 years ago. The records will only go back 10 years from the date of request due to record availability.

Licensee has the following amount of active experience from the past 10 years.

435 Days

Employed by SYNCHRONICITY REAL ESTATE SOLUTIONS LLC from 02/05/2025 to 04/22/2025 Employed by EASTSHORE CAPITAL HOLDINGS LLC from 04/22/2015 to 04/15/2016

I hereby certify that a good faith search was conducted on the above licensee and that information provided is true and correct.

Jocelyn Pomales, Senior Management Analyst I

Florida Department of Business and Professional Regulation

Florida Division of Real Estate

Joselyn Pomalas





State of Florida

Department of Business & Professional Regulation 2601 BLAIR STONE ROAD TALLAHASSEE, FL 32399-0783

04/22/2025

MILLER, JOHN ROYSTON III 2106 NW BLACK PINES PLACE BEND, OR 97703

LICENSURE CERTIFICATION

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License Number: SL3302213

Current License Status: Current, Active Date of Initial License: 07/29/2014

License Type: Real Estate Sales Associate Date of License Expiration: 03/31/2026

DISCIPLINE: No results found.

Verify this license status and discipline online at MyFloridaLicense.com.

I hereby certify that a good faith search was conducted on the above licensee and that information provided is true and correct.

Jocelyn Pomales, Senior Management Analyst I Florida Department of Business and Professional Regulation

Florida Division of Real Estate

Joseph Pomales



Principal Broker Course Completion Certificate

THIS CERTIFICATE WILL VERIFY THAT: **John Miller**

Real Estate License Number: 201254114

Mailing Address of: 2106 NW Black Pines Place, Bend, OR 97703

has successfully completed the final examination for the correspondence/Internet study course:

Brokerage Administration and Sales Supervision

The course credit granted is **40 hours** on the date of **February 6, 2025** at www.OnlineEd.com. The date of completion is the date the actual Internet study course examination was actually taken and graded. This course is approved by the Oregon Real Estate Agency to meet the requirements of the Oregon Principal Real Estate Broker - Brokerage Administration and Sales Supervision 40 hour course required as a prerequisite to obtaining an Oregon Principal Real Estate Brokers License.

THIS OFFERING IS UNDER THE TOPIC OF **Brokerage Administration and Sales Supervision**

OREGON REAL ESTATE AGENCY CERTIFIED CONTINUING EDUCATION COURSE

PROVIDER COURSE NUMBER: 1038-1039

THIS COURSE WAS SPONSORED AND THIS CERTIFICATE ISSUED BY:

OnlineEd, LLC.

Chris Culbertson, School Director
14355 SW ALLEN BLVD STE 240, BEAVERTON OR 97005-4700
mail@OnlineEd.com, https://www.onlineed.com/
Phone: (503) 670-9278

Certificate Authentication Number: 2585900

This certificate is void if the above authentication number cannot be verified by OnlineEd Click to verify: https://www.onlineed.com/VERIFY?43B9-57BA-B02B-C029-22C7









Be It Known To All Here Present That John Miller

Having Successfully Completed The Designated Curriculum

Is Hereby Awarded This Certificate For Completion Of The Course:

Oregon Real Estate Broker Pre-License Training



Chris Culbertson
OnlineEd School Administrator
https://www.OnlineEd.com
August 8, 2024



This certificate is for your personal records and is not proof of course completion or competency





Oregon Real Estate Agency

OR Principal Broker - National

Miller, John 2106 NW BLACK PINES PL BEND, OR 97703-1678 US

 CANDIDATE ID NUMBER:
 *****4114

 EXAMINATION DATE:
 03/20/2025

 CONTROL ID:
 504203238

BOOKING ID: DL7FV7WP

Congratulations. You have **passed** this examination. Your score is **69**. The passing score is **60**.

Content Area		Your Score	Max Score
Property Ownership		8	8
Land Use Controls		4	5
Valuation		7	7
Financing		6	7
Contracts		8	14
Agency		9	9
Property Disclosures		4	6
Property Management		4	4
Transfer of Title		6	6
Practice of real estate		9	10
Real estate calculations		4	4
	TOTAL	69	80

THIS IS NOT A LICENSE. Do not conduct professional real estate activity until you are notified by the Oregon Real Estate Agency that you are licensed.

- Your fingerprint results can take up to 4 weeks to reach the Agency.
- The Agency will receive your exam scores in 3 business days.
- Check the status of your license application by logging in to your eLicense account at https://orea.elicense.irondata.com.
- Passing exam scores and background clearances are good for 1 year. The Agency can only issue a license while your scores and background clearance are valid.
- The requirements for your specific license can be found via the "Get a License" link at www.oregon.gov/rea.
- Once all license requirements are completed, including association to a registered business name (RBN), the Agency will issue a license.

Oregon Real Estate Agency

OR Principal Broker - State

Miller, John 2106 NW BLACK PINES PL BEND, OR 97703-1678 US CANDIDATE ID NUMBER: *****4114

EXAMINATION DATE: 04/05/2025

CONTROL ID: 504257828

BOOKING ID: AAM2M9AD

Congratulations. You have **passed** this examination. Your score is **44**. The passing score is **38**.

Content Area		Your Score	Max Score
License Law and Disciplinary Measures		4	7
Handling of Clients' Funds		5	5
Agency Law and Rules		4	5
Regulation of Broker Activities		8	8
Document Handling and Recordkeeping		3	4
Property Management		5	6
Oregon Real Estate Related Statutes		15	15
	TOTAL	44	50

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National Student Clearinghouse®

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DegreeVerify Certificate

Transaction ID#: 365175049 Date Requested: 04/07/2025 12:26 EDT

Requested By: John Miller Date Notified: 04/07/2025 12:26 EDT

Status: Confirmed

Fee: \$13.00

INFORMATION YOU PROVIDED

Subject Name: JOHN MILLER

School Name: UNIVERSITY OF CENTRAL FLORIDA

Degree Award Year: 2014

Attempt To: Verify a degree

INFORMATION VERIFIED

Name On School's Records: JOHN R MILLER

Date Awarded: 05/01/2014

Degree Title: BACHELOR OF SCIENCE IN BUS ADM

Official Name of School: UNIVERSITY OF CENTRAL FLORIDA

Major Course(s) of Study: FINANCE

(and NCES CIP Code, if available): 520801

MANAGEMENT

(and NCES CIP Code, if available): 520201

REAL ESTATE

(and NCES CIP Code, if available): 521501

Dates of Attendance: 01/07/2009 to 04/29/2014

Major Course(s) of Study: FINANCE

(and NCES CIP Code, if available): 520801

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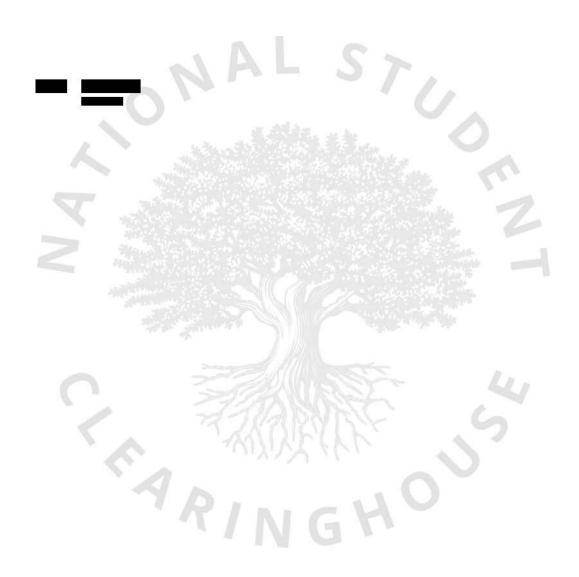
DegreeVerify Certificate

MANAGEMENT

(and NCES CIP Code, if available): 520201

REAL ESTATE

(and NCES CIP Code, if available): 521501



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Registrar's Office P.O. Box 160114 Orlando, FL 32816-0114 (407) 823-3100

FICE 003954

The words "University of Central Florida" and "Void" appear on alternate rows when photocopied.

Send To: John Miller johnrmiller407@gmail.com

Date Printed: 04/07/2025

me : Miller.John R

Residency: FL Resident for Tuition Calc



Brian C. Boyd, University Registrar

This official signature of the Registrar is white and is imposed upon the institutional seal. Reject document as official if either the signature or seal is distorted.

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Date Printed: 04/07/2025

Miller, John R

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Course Title Atmp Earne Grde Typ Point:	Course Title Atmp Earne Grde Typ Points
Fall 2010 (08/23/2010 to 12/13/2010)	Fall 2012 (08/20/2012 to 12/11/2012) (cont)
FIL 1000 CINEMA SURVEY AL FLORIDAS.00 0.00 WEST VICTORIAN	REE 3433 REAL ESTATE LAW 3.00 3.00 A 12.000
Totals for GPA Attempt Earned Points GPA	Totals for GPA Attempt Earned Points GPA Term 15.00 15.00 47.25 3.150 UCF Cumulative for GPA 75.00 71.00 169.00 2.253
Term 0.00 0.00 0.00 0.00 0.00 UCF Cumulative for GPA 19.00 19.00 38.75 2.039	UCF Cumulative for GPA 75.00 71.00 169.00 2.253
	Spring 2013 (01/07/2013 to 04/30/2013)
Spring 2011 (01/10/2011 to 05/02/2011)	MAN 3301 MANAGEMENT OF HUMAN RESOURCES 3.00 3.00 B 9.000
ACG 2071 PRIN OF MANAGERIAL ACCOUNTING 3.00 3.00 C 6.000	MAN 3520 QUALITY & PROD MANAGEMENT 3.00 3.00 A- 11.250 MAN 4701 BUSINESS ETHICS AND SOCIETY 3.00 3.00 B 9.000
Totals for GPA Attempt Earned Points GPA Term 3.00 3.00 6.00/2.000 UCF Cumulative for GPA 22.00 22.00 44.75 2.034	MAR 3391 PROFESSIONAL SELLING 3.00 3.00 B 9.000 REE 3043 FUNDAMENTALS OF REAL ESTATE 3.00 3.00 B 9.000
UCF Cumulative for GPA 22.00 22.00 44.75 2.034	
Summer 2011 (05/16/2011 to 08/05/2011)	Term 15.00 15.00 47.25 3.150
FIN 3403C BUSINESS FINANCE LANGE 4.00 0.00 F RA	UCF Cumulative for GPA 90.00 86.00 216.25 2.403
GEB 3375 INTRODUCTION TO INT BUSINESS 4.00 4.00 C 8.000	Summer 2013 (05/13/2013 to 08/02/2013)
Totals for GPA Attempt Earned Points GPA Term 8.00 4.00 8.00 1.000	REE 4203 COMMERCIAL REAL ESTATE FINANCE 3.00 3.00 A- 11.250
Totals for GPA Attempt Earned 8.00 4.00 8.00 1.000 Term UCF Cumulative for GPA 30.00 26.00 52.75 1.758	Totals for GPA Attempt Earned Points GPA
Academic Stdg: Placed on Academic Probation	Term 3.00 3.00 11.25 3.750 UCF Cumulative for GPA 93.00 89.00 227.50 2.446
Fall 2011 (08/22/2011 to 12/10/2011)	Fall 2013 (08/19/2013 to 12/10/2013) A F OR DA
ECO 3411 QUANTITATIVE BUSINESS TOOLS II 4.00 4.00 C 8.000	FIN 3303 FINANCIAL MARKETS 3.00 3.00 C 6.000
FIN 3403C BUSINESS FINANCE 4.00 4.00 C 8.000 GEB 3031 CORNERSTONE: PROFESSIONAL S(SL) 3.00 0.00 W	FIN 3414 INPERMEDIATE CORPORATE FINANCE 3.00 3.00 B- 8.250 FIN 3504 INVESTMENT ANALYSIS 3.00 3.00 C 6.000
GEB 3031L CORNERSTONE LAB:PRO SKILLS 1.00 0.00 W MAN 3025 MANAGEMENT OF ORGANIZATIONS 4.00 4.00 C 8.000	REE 4103 REAL EST APPRAISAL & VALUATION 3.00 3.00 B 9.000 REE 4204 RES REAL ESTATE FINANCE 3.00 3.00 B 9.000
Totals for GPA Attempt Earned Points GPA	Totals for GPA Attempt Earned Points GPA
12.00 12.00 24.00 2.000	13.00 13.00 30.23 2.330
Academic Stdg: Continued Academic Probation	Spring 2014 (01/06/2014 to 04/29/2014)
Spring 2012 (01/09/2012 to 04/30/2012)	FIN 4453 FINANCIAL MODELS 3.00 3.00 C 6.000 FIN 4514 PORTFOLIO ANALYSIS AND MGMT 3.00 3.00 C 6.000
BUL 3130 LEGAL AND ETHICAL ENVT OF BUS 4.00 4.00 B 12.000 GEB 3031 CORNERSTONE: PROFESSIONAL S(SL) 3.00 3.00 C 6.000	FIN 4533 FINANCIAL DERIVATIVES 3.00 3.00 C 6.000 MAN 4720 STRATEGIC MANAGEMENT 4.00 4.00 B 12.000
GEB 3031L CORNERSTONE LAB:PRO SKILLS 1.00 1.00 A 4.000	REE 4303 REAL ESTATE INVEST ANALYSIS 3.00 3.00 A 12.000
MAN 4600 INTERNATIONAL MANAGEMENT 3.00 3.00 C 6.000 MAR 3203 SUPPLY CHAIN MANAGEMENT 4.00 4.00 C 8.000	Totals for GPA Attempt Earned Points GPA Term 16.00 16.00 42.00 2.625
Totals for GPA Attempt Earned Points GPA	Term 16.00 16.00 42.00 2.625 UCF Cumulative for GPA 124.00 120.00 307.75 2.482
Term 15.00 15.00 36.00 2.400 UCF Cumulative for GPA 57.00 53.00 112.75 1.978	OF CENTRAL FLORIDA • UNI
Academic Stdg: Continued Academic Probation	Transfer Credits for GPA 72.00 68.00 183.00 2.542
Summer 2012 (05/14/2012 to 08/03/2012)	Overall for GPA 196.00 188.00 490.75 2.504 _
	* Total Credit Accepted Including Not for GPA: 192.00
	End of UCF Undergraduate Record
Totals for GPA Attempt Earned 3.00 3.00 9.00 3.000 GPA 3.00 56.00 121.75 2.029 UCF Cumulative for GPA 60.00 56.00 121.75 2.029	END OF TRANSCRIPT
Academic Stdg: Removed Academic Probation	ORIDA • LINIVERSITY OF CENTRAL FLORIDA
Fall 2012 (08/20/2012 to 12/11/2012)	NTV OF CENTERAL FLORIDA
BUL 4540 EMPLOYMENT LAW 3.00 3.00 A- 11.250	DITY OF CENTRAL FLORIDA . UNIVERSITY OF
FIN 2100 PERSONAL FINANCE & INVEST 3.00 3.00 B 9.000 GEB 3113 HOW TO START A BUSINESS 3.00 3.00 B 9.000 MAN 4441 CONFLICT RESOLUTION & NEGOTIAT 3.00 3.00 C 6.000	L FLORIDA • UNIVERSITY OF CENTRAL FLOF F CENTRAL FLORIDA • UNIVERSITY OF CENT

University of Central Florida Registrar's Office • P.O. Box 160114, Orlando, FL 32816-0114 • (407) 823-3100 • http://registrar.ucf.edu/

Transcript Key

Accreditation

The University of Central Florida is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award degrees at the associate, baccalaureate, master, specialist and doctoral levels. The University of Central Florida's College of Medicine M.D. Program has received preliminary accreditation by Liaison Committee on Medical Education which is composed of representatives of the Association of American Medical Colleges and the American Medical Association.

History

The University of Central Florida was established in 1963 and was first named Florida Technological University. Classes began in 1968. The name was changed by action of the Florida Legislature on December 6, 1978. The University of Central Florida is one of eleven universities in the State University System of Florida. The College of Medicine M.D. Program was approved by the Florida Board of Governors and Florida Legislature in 2006. The M.D. Program admitted the charter class Fall of 2009.

Credit and Grades

Quarter credit hours were used at UCF from Fall 1968 through Summer 1981. Semester credit hours have been used since Fall 1981. All credit hours on this record have been converted to semester credit hours. A semester hour of credit represents one class hour of work (or two or more laboratory hours of work) per week for a semester. Classes may be offered for a six-week period during the Summer term. During this shortened term, two class hours of work (or four or more laboratory hours of work) per week are required to represent a semester hour of credit. All undergraduate credit transferred to UCF is shown on the permanent record. The listing of courses on the transcript does not assure acceptance toward any specific graduation requirement. The plus/minus grading system became effective Fall 2001.

Grau	mg System e	Jseu III GI A Cu	mputation (Graue and Grade Foints)
A	4.00	C -	1.75
A-	3.75	D+	1.25
B+	3.25	D	1.00
В	3.00	D -	0.75
B -	2.75	F	0.00 Failing
C+	2.25	WF	0.00 Withdrawn Failing
C	2.00		

Grading System Used in CPA Computation (Grade and Grade Points)

Grading Not Used in GPA Computation

Grading 110	c escu in G172 Computation
I	Incomplete
N	No Grade Reported
NC	No Credit
S	Satisfactory (with credit)
U	Unsatisfactory (no credit)
W	Withdrawn
WH	Withdrawn (health form withdrawal)
WM	Medical Withdrawal
WP	Withdrawn Passing
X	Audit
Z	Designation for Academic Dishonesty (precedes letter grade)

Course Levels

The UCF course numbers appearing on this transcript are part of the Florida Common Course Numbering System. The first digit indicates the level of instruction:

1	Freshman
2	Sophomore
3	Junior
4	Senior
5 and higher	Post-Baccalaureate, Graduate and Medicine

Course Type (located next to Grade)

blank	Regular Credit
G	Repeated Course (For Grade Forgiveness, multiple attempts)
K	Repeated Course (Latest attempt)
O	Repeated Course (Not Grade Forgiveness)
P	Repeated Course (Not Grade Forgiveness)
Q	Repeated Course (Second degree, used in first degree)
R	Repeated Course (For Grade Forgiveness, included in GPA)
T	Repeated Course (not included in GPA)
V	Repeated Course (Latest attempt)

High Impact Practice Course Designations

GL	Global Learning course
IE	Integrative-Learning Experience course
RI	Research Intensive course
SL	Service-Learning course

College of Medicine Grading System (M.D. Program Only) A Excellent Performance

Good Performance
Conditional Performance
Unacceptable Performance
Incomplete Work
Withdrew
Grade Forgiveness (grade follows reflecting student
repeated course)
Temporary Grade (Performance pending review by the
Student Evaluation and Promotion Committee)
Faculty may specify some programs (selectives/electives) can
be graded using [P] Pass [F] Fail

NOTE: UCF College of Medicine M.D. Program does not calculate GPA or Class Rankings.

Academic Standing

A student is placed on *academic probation* when his/her UCF cumulative GPA drops below 2.0. A student on academic probation is *disqualified* upon failure to achieve a minimum term 2.0 GPA while on academic probation. A student who is disqualified may not enroll at UCF for two semesters following disqualification. Disqualified students who require 15 or more semester hours of "B" grade course work to raise the UCF cumulative GPA to 2.0 **are not** eligible for readmission to UCF. A student readmitted following disqualification who fails to achieve a minimum 2.0 GPA is *excluded* from the University. Excluded students **are not** eligible for readmission to UCF.

Academic Amnesty

Effective Fall 2004, the Academic Amnesty Program provides undergraduate students who are not eligible for readmission for academic reasons the opportunity to readmit to UCF after five or more years of separation. Upon successful completion of the Amnesty Program, UCF nullifies up to two consecutive terms of UCF coursework from the UCF cumulative GPA. All coursework remains part of the student's permanent record and is recorded with nullified terms and courses identified by the "T" Course Type.

State of Oregon Real Estate Agency

Payment Receipt

Transaction Date: 07/31/2023

Receipt #: 251009

Receipt Identification: Miller, John Royston

Cashier: Application

Money Tendered

Туре	Amount	Reference	Payer Name	Payment Comment
Credit Card	\$300.00	ORREAB0002444	52 John Miller	
Total :	\$300.00			
		Distribution		

Distribution

_	Licence	Llas Amesumt	For Door	Pusiness Name	Paid Paid	DV
	License	Use Amount	Fee Desc	Business Name	From To	ы

PB.201254114APP 300.00Application FeeJohn Royston Miller

Application

This receipt is not a license or an authorization to do business.

Close

Custom Print





PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER

Rev. 3/2022

INSTRUCTIONS

To petition the Real Estate Board for approval of qualifications to become an applicant for certification as a continuing education provider, the petitioner must complete this form and submit it by e-mail to nenah.y.darville@rea.oregon.gov a least 21 days before the next scheduled Board meeting at which the applicant wishes the Board to act.

IMPORTANT:

- If the petitioner is an entity, the information provided must pertain to that entity. If the petitioner is an individual, the information provided must pertain to that individual.
- All information and documents submitted as part of this petition become part of the Board Packet, and therefore, public record.
- Petitioners will need to appear before the Board. This may be done in person or by phone. Once the
 Agency receives this completed petition, a letter will be sent to the petitioner with the date of the Board
 meeting the petitioner will need to attend.
- Please do not submit any class or course information as the Oregon Real Estate Agency Board is not able to review or consider this information.

If the Board approves this petition, the Agency will email a letter to the petitioner, confirming the Board's approval. The petitioner may then apply for certification as a continuing education provider under OAR 863-020-0030.

	PETIT	IONER			
Name John J. Temple			Phone Number <u>541-588-2151</u>		
Physical Address 15179 Wagon	Wheel	Address Cont.			
City Sisters	State OR.	Zip Code 97759	County Deschutes		
E-mail johntemplejt@gmail	.com				
Mailing Address (if different)		Address Cont.			
City	State	Zip Code	County		
AU	THORIZED CO	ONTACT PERSON			
Prefix First Name John		Last Name	Temple		
Phone Number 541-588-2151	E-mail	johntemplej	t@gmail.com		
Indicate who will appear before the board on behalf of the Petitioner: johntemplejt@gmail.com					
AGENCY USE ONLY					
Approved by Board YES NO	122				
Review Date					

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

QUALIFICATION INFORMATION

Provide below sufficient information about the petitioner to allow the Board to determine whether the petitioner qualifies for certification. If the petitioner is an entity, the information provided must pertain to that entity. If the petitioner is an individual, the information provided must pertain to that individual.

Information MUST include one or both of the following:

- Petitioner's demonstrated expertise and experience in providing educational courses to real estate licensees.
- Petitioner's demonstrated experience and expertise in two or more course topics eligible for continuing education credit under OAR 863-020-0035.

You may attach up to three (3) additional pages if necessary.			
Reference: Commercial Real Estate, Real Estate property evaluation, appraisal, Real Estate Finance, Real Estate Economics.			
John has 50 years experience in finance, economics, commercial real estate property evaluation and appraisal.			
BS, Finance, University of Oregon			
General Securities, Series 7, from 1983 to 2014			
General Securities Principal, Series 24, from 1990 to 2014			
Securities Financial & Operations Principal, Series 28, from 1990 to 2014			
Municipal Securities Principal, Series 53, from 1991 to 2014			
Options Principal, 1991 to 2014			
Real Estate License 1976 to 1983 and 2023 to present			
Life & Health Insurance 1980 to 1990			
John was a co-founder of the National Tenant-in-Common Association (TICA) 2002 to 2008			
John was the founder and owner of two different securities broker/dealers			
John has had supervisory oversite and responsibility for training brokers for nearly 40 years.			

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

AUTHORIZATION AND ATTESTATION

- I hereby certify that I am authorized to submit this form on behalf of the petitioner and that the information is true and accurate, to the best of my knowledge.
- · I certify that petitioner, or authorized individual on petitioner's behalf, has read, understands and
- is ready to comply with the statutory and administrative rule provisions applicable to certified continuing education providers.
- I attest that petitioner knows and understands the responsibilities of a certified continuing education provider under OAR 863-020-0050.
- I attest that petitioner knows and understands the requirements of an instructor under ORS 696.186 and the information required on a continuing education instructor qualification form under OAR 863-020-0060.

LUNDERSTAND:				
	Initials	Date Completed	Agency Use Only	
I will complete the Continuing Education Provider Application and will pay the \$300 fee upon Board approval.	JT	04.23.2025	ND.	
I understand the requirements of an education provider as outlined in Oregon Administrative Rules (OAR) Chapter 863, Division 20.	JT	04.23.2025	ND	
Petitioner has demonstrated their experience and expertise in two or more course topics eligible for continuing education credit as listed in OAR 863-020-0035.	JT	04.23.2025	ND	
Petitioner has demonstrated their experience in providing educational courses to real estate licensees.	JT	04.23.2025	ND	

John J. Temple	04.23.2	025
Printed Name of Authorized Individual		
John Womale		
Signature of Authorized Individual		

E OF ORICO

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER

AGENDA ITEM NO. IV.B.

Rev. 3/2022

INSTRUCTIONS

To petition the Real Estate Board for approval of qualifications to become an applicant for certification as a continuing education provider, the petitioner must complete this form and submit it by e-mail to nenah.y.darville@rea.oregon.gov a least 21 days before the next scheduled Board meeting at which the applicant wishes the Board to act.

IMPORTANT:

- If the petitioner is an entity, the information provided must pertain to that entity. If the petitioner is an individual, the information provided must pertain to that individual.
- All information and documents submitted as part of this petition become part of the Board Packet, and therefore, public record.
- Petitioners will need to appear before the Board. This may be done in person or by phone. Once the
 Agency receives this completed petition, a letter will be sent to the petitioner with the date of the Board
 meeting the petitioner will need to attend.
- Please do not submit any class or course information as the Oregon Real Estate Agency Board is not able to review or consider this information.

If the Board approves this petition, the Agency will email a letter to the petitioner, confirming the Board's approval. The petitioner may then apply for certification as a continuing education provider under OAR 863-020-0030.

	PETI	TIONER	
Name LiveAble Homes			Phone Number (503) 267-370
Physical Address 3553 SW Carso	n Drive	Address Cont.	
City Portland	State OR	Zip Code 97219	County Multnomah
E-mail jackie@liveablehomes	.org		
Mailing Address (if different)		Address Cont.	
City	State	Zip Code	County
AUI	THORIZED C	ONTACT PERSON	
Prefix First Name Jackie		Last Name	Haddon
Phone Number (503) 267-370	E-mail	jackie@livea	blehomes.org
Indicate who will appear before the board on behalf of the Petitioner:	Jackie l	Haddon/Beth I	Kellan
AGENCY USE ONLY			
Approved by Board YES NO			
Review Date			

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

QUALIFICATION INFORMATION

Provide below sufficient information about the petitioner to allow the Board to determine whether the petitioner qualifies for certification. If the petitioner is an entity, the information provided must pertain to that entity. If the petitioner is an individual, the information provided must pertain to that individual.

Information **MUST** include one or both of the following:

- Petitioner's demonstrated expertise and experience in providing educational courses to real estate licensees.
- Petitioner's demonstrated experience and expertise in two or more course topics eligible for continuing education credit under OAR 863-020-0035.

You may attach up to three (3) additional pages if necessary.

LiveAble Homes LLC is an an Accessibility Consultation Organization that specializes in
providing accessibility education, training, consultation and home certification to Realtors
remodelers, builders, designers, architects and homeowners.
LiveAble Homes is committed to expanding the understanding of the realities of the accessible
housing/aging-in-place market to further the creation of additional accessible housing inventory.
The LiveAble Homes Certification is currently an Accessibility Feature in the RMLS
LiveAble Homes was co-founded and is co-owned by 2 Realtors with active licenses in WA and OR.
The founders/owners have over 2 years combined experience in Real Estate , aging
services, residential construction, aging in place, affordable housing, professional development and marketing.
They are actively involved in advocating for accessible housing production on a local, regional and
state level.
LiveAble Homes has offered CEs through Stewart Title, Ticor Title, Fidelity National and Earth Advantage.
These trainings have covered:
Understanding the Accessible Features in the RMLS
Accessibility and ADUs
Navigating the Housing Needs of Older Adults
Economics of Aging in Place

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

AUTHORIZATION AND ATTESTATION

- I hereby certify that I am authorized to submit this form on behalf of the petitioner and that the information is true and accurate, to the best of my knowledge.
- I certify that petitioner, or authorized individual on petitioner's behalf, has read, understands and
- is ready to comply with the statutory and administrative rule provisions applicable to certified continuing education providers.
- I attest that petitioner knows and understands the responsibilities of a certified continuing education provider under OAR 863-020-0050.
- I attest that petitioner knows and understands the requirements of an instructor under ORS 696.186 and the information required on a continuing education instructor qualification form under OAR863-020-0060.

I UNDERSTAND:				
	Initials	Date Completed	Agency Use Only	
I will complete the Continuing Education Provider Application and will pay the \$300 fee upon Board approval.		05/09/2025	ND	
I understand the requirements of an education provider as outlined in Oregon Administrative Rules (OAR) Chapter 863, Division 20.	JH	05/09/2025	ND	
Petitioner has demonstrated their experience and expertise in two or more course topics eligible for continuing education credit as listed in OAR 863-020-0035.	JH	05/09/2025	ND	
Petitioner has demonstrated their experience in providing educational courses to real estate licensees.	JH	05/09/2025	ND	

Jackie Haddon	Date:	05/12/2025
Printed Name of Authorized Individual		

Jackie Haddon Digitally signed by Jackie Haddon Date: 2025.05.12 16:20:01 -07'00'

Signature of Authorized Individual

Reset Print Form

VII.

ADMINISTRATIVE ACTIONS Reported 03/27/2025 through 05/18/2025

REVOCATIONS

Coleman, Sage Wood, Broker B.201218750, Final Order by Default dated May 1, 2025, issuing a revocation.

Smith, DeLana Lynn, Property Manager PM.201232346, Final Order by Default dated May 1, 2025, issuing a revocation and civil penalty.

SUSPENSIONS

None.

REPRIMANDS

Kelley, Dennis, Broker B.900100132, Stipulated Order dated April 29, 2025, issuing a reprimand.

Davis, Scott Christopher, Property Manager PM.200009093, Stipulated Order dated May 2, 2025, issuing a reprimand.

Moore, Brayden Michael, Property Manager PM.201205545, Stipulated Order dated May 6, 2025, issuing a reprimand.

CIVIL PENALTIES

Expired — Late Renewal civil penalties are computed using each 30-day period as a single offense. The civil penalty for the first 30-day period can range from \$100-\$500, with each subsequent 30-day period ranging from \$500-\$1,000. ORS 696.990

REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of	}
SAGE WOOD COLEMAN	{ } FINAL ORDER BY DEFAULT }
	{

PROCEDURAL HISTORY AND PROCEDURAL LAW

1.

- 1.1 On March 27, 2025, the Real Estate Commissioner issued, by certified mail, a *Notice of Intent to Revoke* the real estate broker license of Sage Coleman (Coleman). The Oregon Real Estate Agency (Agency) sent the Notice of Intent to Coleman's last two known addresses of record with the Agency (66818 Franson Rd., North Bend, OR 97459 and PO Box 116, North Bend, OR 97459). The *Notice of Intent* was also mailed to Coleman by regular first-class mail to both of the above addresses in a handwritten envelope. And *The Notice of Intent* was emailed to Coleman at his email address of record.
 - 1.2 The email was not returned as undeliverable.
- 1.3 On April 21, 2025, the certified mailings sent to 66818 Franson Rd., North Bend, OR 97459 and PO Box 116, North Bend, OR 97459, were returned to the Agency as Return to Sender, Unclaimed, Unable to Forward. The first-class mailings to both addresses have not been returned to the Agency. Over twenty days (20 days) have elapsed since the mailing of the notice issued in this matter and no written request for hearing has been received by the Agency.

2.

Based upon the foregoing, and upon the Agency's investigation reports, documents and files that, pursuant to Section 9 of the *Notice of Intent*, automatically become part of the

evidentiary record of this disciplinary action upon default (for the purpose of proving a prima facie case (ORS 183.417(4)), the Real Estate Commissioner finds:

- 2.1 A notice of intent is properly served when deposited in the United States mail, registered or certified mail, and addressed to the real estate licensee at the licensee's last known address of record with OREA. (ORS 183.415(2); OAR 137-003-0505; OAR 863-001-0006. If correctly addressed, such a notice is effective even though it is not received by the person to be notified. *Stroh v. SAIF*, 261 OR 117, 492 P2d 472 (1972) (footnote 3 in this case misquotes the cited treatise and contradicts the text of the opinion; treatise and cited case law support the proposition stated in the text.) Also, notice is effective even though the addressee fails or refuses to respond to a postal service "mail arrival notice" that indicates that certified or registered mail is being held at the post office. *See State v. DeMello*, 300 Or App 590, 716 P2d 732 (1986) (discussing use of certified mail to effectuate notice of driver's license suspension under ORS 482.570). *See also El Rio Nilo*, *LLC v. OLCC*, 240 Or App 362, 246 P3d 508 (2011) (Notice by certified mail effective even though addressee did not pick up in time to file request for hearing timely).(Oregon Attorney General's Administrative Law Manual and Uniform Model Rules Of Procedure Under the Administrative Procedures 2019 Edition at pages 97-98.
- 2.2 Coleman's last known addresses of record with the Agency were 66818 Franson Rd., North Bend, OR 97459 and PO Box 116, North Bend, OR 97459.
- 2.3 A certified mailing of the *Notice of Intent* was mailed to Coleman at his last known addresses of record on March 27, 2025. The certified mailings were returned to the Agency as Return to Sender, Unclaimed, Unable to Forward.
- 2.4 The notice was also mailed regular first-class mail in a handwritten envelope to both of the above possible addresses for Coleman. The mailings in the handwritten envelope have not been returned to OREA. The OAH Rules contain a rebuttable presumption that documents sent by regular mail are received by the addressee. ORS 137-003-0520(10). If the regularly mailed notice is actually received, it is effective on the date received, rather than the date of mailing.
- 2.5 Over twenty (20) days have elapsed since the mailing of the notice and no written request for a hearing has been received.

- 2.6 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.
- 2.7 As noted in section 9 of the *Notice of Intent to Revoke*, and section 2 above, the Agency's entire investigation file was designated as the record for purposes of presenting a prima facie case upon default, including submissions from Coleman and all information in the administrative file relating to the mailing of notices and any responses received.

FINDINGS OF FACT

3.

- 3.1 Coleman was licensed as a broker since June 2017. Coleman's license was previously associated with Pacific Properties. On July 6, 2022, Coleman's license was associated with eXp Realty, LLC. As of October 1, 2024, Coleman's license status is expired.
- 3.2 On May 24, 2024, the Agency received a complaint from Catherine O'Callaghan against Coleman. The Agency opened an investigation.
- 3.3 O'Callaghan alleged in her complaint that she gave notice to vacate a property she had rented at 1301 Anderson Ave., 2, Coos Bay, Oregon (Anderson Property) on February 12, 2024. O'Callaghan wrote that on March 14, 2024, she completed a walk-through of the property with Coleman, and was told by Coleman that he will request her security deposit be returned.
- 3.4 O'Callaghan further wrote in her complaint that she was not returned her security deposit, and she did not receive a response when she followed up with Coleman.

- 3.5 On May 24, 2024, Agency staff sent an email to Coleman's email address of record requesting a response to the complaint received. Agency staff followed up with Coleman via email and phone call on May 31, 2024. No response was received from Coleman.
- 3.6 Agency Investigator Frank Leonard Jr. (Leonard) left Coleman a voicemail on June 17, 2024, and sent a follow up email on June 24, 2024, requesting Coleman respond to the complaint and to schedule an interview. No response was received from Coleman.
- 3.7 On September 11, 2024, Agency Investigator Amanda Moser (Moser) sent Coleman an email requesting he schedule an interview. Moser followed up with Coleman via text message on September 17, 2024, and via email on September 20, 2024. No response was received from Coleman.
- 3.8 Moser interviewed O'Callaghan via phone on October 2, 2024. O'Callaghan explained that she had lived at the Anderson Property for 11 years, and Coleman was the third landlord during that time. O'Callaghan stated she paid rent to the owner of the property via Wells Fargo Bank.
- 3.9 O'Callaghan explained she did the final walk through of the property before moving out with Coleman and that Coleman told her he would request the security deposit be returned to her from the owner. O'Callaghan stated she sent two emails to Coleman after the walk through to follow up on the security deposit, but did not receive a response.
- 3.10 On October 15, 2024, Moser sent a records request to Coleman, requesting he provide professional real estate records, including the property management agreement for the Anderson Property, as well as the tenant ledger and final accounting for O'Callaghan. No response was received from Coleman.
- (1) Violation: By failing to provide professional real estate records, as requested by the Agency, Coleman violated ORS 696.301(3) as it incorporates ORS 696.280(3)(4) (c)(d) 2023 Edition, which states: (3) records maintained under this section must at all times be open for inspection by the Real Estate Commissioner or the commissioner's authorized representatives; (4) except as provided in subsection (2) of this section, records under this section must be maintained by the real estate licensee for a period of not less than six years after the following date: (c) for management of rental real estate, the date on which the record expired, was

superseded or terminated, or otherwise ceased to be in effect; and (d) for all other records, the date the record was created or received, whichever is later.

In addition, Coleman violated ORS 696.301(3) and its implementing rule OAR 863-025-0035(2)(a)(c) 1/1/2024 Edition, which states: (2) a property manager must produce records required under section (1) of this rule for inspection by the Agency as follows: (a) when the Agency makes a request for production of property management records, the property manager must provide such records within no less than five banking days; and (c) failure to produce such records within the timelines state in subsection (a) or (b) of this section is a violation of ORS 696.301.

- 3.11 Moser sent an email to eXp Realty's (eXp) managing principal broker Brian Benjamin (Benjamin) and inquired if Coleman was performing property management for eXp.
- 3.12 Benjamin responded to the inquiry and wrote "Property Management is listed as Unauthorized Activities in the eXp Realty Policy and Procedures. [Coleman] has not been and is not currently authorized to practice property management while licensed at eXp Realty." Benjamin further wrote, "I have not been made aware of any property management activity by [Coleman]."
- **(2) Violation:** By engaging in property management activity without approval from a supervising principal broker or obtaining a property manager license, Coleman violated ORS 696.301(3) as it incorporates ORS 696.022(2)(a) 2023 Edition, which states: (2)(a) a real estate broker may engage in professional real estate activity only if the broker is associated with and supervised by a principal real estate broker. Except as provided in paragraph (c) of this subsection, a real estate broker may not employ, engage or supervise the professional real estate activity of another real estate licensee.
- 3.13 All of the above demonstrate Coleman exhibited incompetence or untrustworthiness in performing acts for which the real estate licensee is required to hold a license.
- 3.14 All of the above demonstrate Coleman engaged in conduct that is below the standard of care for the practice of professional real estate activity in Oregon.
- (3) Violation: Based on the foregoing, Licensee is subject to discipline under ORS 696.301(12)(15) 2023 Edition, which states a licensee's real estate license may be discipline

who has (12) demonstrated incompetence or untrustworthiness in performing any act for which the real estate licensee is required to hold a license; and (15) engaged in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by the community of individuals engaged in the practice of professional real estate activity in Oregon.

STATEMENT OF LAW APPLICABLE TO FINDINGS OF FACT

4.

- 4.1 ORS 696.301(3) states a real estate licensee's real estate license may be disciplined if they have: ORS 696.301(3) which states a real estate licensee's real estate license may be disciplined if they have: (3) disregarded or violated any provision of ORS 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the Real Estate Agency
- 4.2 ORS 696.301(12) states a licensee's real estate license can be disciplined if they have demonstrated incompetence or untrustworthiness in performing any act for which the licensee is required to hold a license.
- 4.3 ORS 696.301(15) states a licensee's real estate license can be disciplined if they have engaged in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon.
- 4.4 ORS 696.396(2)(c)(B) states the Real Estate Commissioner may revoke a real estate license if material facts establish a violation of a ground of discipline that (B) exhibits incompetence in the performance of professional real estate activity.
- 4.5 OAR 863-027-0020(1) defines the goal of progressive discipline and OAR 863-027-0020(2) sets out all factors the Real Estate Commissioner will consider when determining the level of discipline for licensees.
- 4.6 In establishing the violations alleged above, the Agency may rely on one or more definitions contained in ORS 696.010.
- 4.7 In accordance with 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.

ULTIMATE FINDINGS OF FACT

5.

- 5.1 Coleman failed to provide professional real estate records, as requested by the Agency.
- 5.2 Coleman engaged in property management activity without approval from a supervising principal broker or obtaining a property manager license.
- 5.3 Coleman demonstrated incompetence or untrustworthiness in performing any act for which the real estate licensee is required to have.
- 5.4 In summary, the facts above establish grounds to revoke Coleman's broker license.

CONCLUSIONS OF LAW

6.

- 6.1 Pursuant to ORS 183.417(4) and OAR 137-003-0670 Coleman is in default.
- 6.2 The material facts establish a violation of a ground for discipline, by preponderance of the evidence, under ORS 696.301 as set forth in the *Notice of Intent to Revoke*.ORS 696.396(1),(2)(c)(B).
 - 6.3 Based on these violations, the Agency may revoke Coleman's broker license.
- 6.4 Specifically, Coleman is subject to discipline pursuant to ORS 696.301(3), (12) and (15) for (3) disregarding or violating any provision of ORS 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the Real Estate Agency; (12) demonstrating incompetence or untrustworthiness in performing any act for which the licensee is required to hold a license; and (15) engaging in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by

the community of individuals engaged in the practice of professional real estate activity in Oregon.

- 6.5 A revocation of Coleman's broker license is appropriate for violations of ORS 696.301(3), (12) and (15).
- 6.6 A revocation of Coleman's broker license is appropriate under ORS 696.396(2)(c)(B). According to ORS 696.396(2)(c)(B) the Agency may revoke a real estate license if the material facts establish a violation of a ground of discipline under ORS 696.301 that (B) exhibits incompetence in the performance of professional real estate activity.
- 6.7 Based on the evidence in the record, the preponderance of the evidence supports the revocation of Coleman's broker license.
 - 6.8 The Agency may therefore, revoke Coleman's broker license.
- 6.9 Pursuant to ORS 696.775 the expiration of Coleman's license does not prohibit the Commissioner from proceeding with this, or further action.
 - 6.10 The specific violations are repeated here below:
- (1) Violation: By failing to provide professional real estate records, as requested by the Agency, Coleman violated ORS 696.301(3) as it incorporates ORS 696.280(3)(4) (c)(d) 2023 Edition, which states: (3) records maintained under this section must at all times be open for inspection by the Real Estate Commissioner or the commissioner's authorized representatives; (4) except as provided in subsection (2) of this section, records under this section must be maintained by the real estate licensee for a period of not less than six years after the following date: (c) for management of rental real estate, the date on which the record expired, was superseded or terminated, or otherwise ceased to be in effect; and (d) for all other records, the date the record was created or received, whichever is later.

In addition, Coleman violated ORS 696.301(3) and its implementing rule OAR 863-025-0035(2)(a)(c) 1/1/2024 Edition, which states: (2) a property manager must produce records required under section (1) of this rule for inspection by the Agency as follows: (a) when the Agency makes a request for production of property management records, the property manager must provide such records within no less than five banking days; and (c) failure to produce such records within the timelines state in subsection (a) or (b) of this section is a violation of ORS 696.301.

- **(2) Violation:** By engaging in property management activity without approval from a supervising principal broker or obtaining a property manager license, Coleman violated ORS 696.301(3) as it incorporates ORS 696.022(2)(a) 2023 Edition, which states: (2)(a) a real estate broker may engage in professional real estate activity only if the broker is associated with and supervised by a principal real estate broker. Except as provided in paragraph (c) of this subsection, a real estate broker may not employ, engage or supervise the professional real estate activity of another real estate licensee.
- 6.11 Each of the above demonstrates incompetence or untrustworthiness in violation of ORS 696.301(12)(15) (2023 Edition). Revocation of Coleman's broker license is appropriate under ORS 696.396(2)(c)(B).

ORDER

IT IS HEREBY ORDERED that Sage Coleman's broker license is revoked.

Dated this 1st day of May ,

OREGON REAL ESTATE AGENCY





Steven Strode
Real Estate Commissioner

NOTICE OF RIGHT TO APPEAL: 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 to the Oregon Court of Appeals, pursuant to the provisions of ORS 183.482.

REAL ESTATE AGENCY BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of	}
DELANA LYNN SMITH	{ } FINAL ORDER BY DEFAULT }
	}

PROCEDURAL HISTORY AND PROCEDURAL LAW

1.

- 1.1 On March 27, 2025, the Real Estate Commissioner issued, by certified mail, a *Notice of Intent to Revoke and to Assess a Civil Penalty* the property manager license of DeLana Smith (Smith). The Oregon Real Estate Agency (Agency) sent the Notice of Intent to Smith's last two known addresses of record with the Agency (283 S Estella St., Glide, OR 97443 and PO Box 553, Glide, OR 97443). The *Notice of Intent* was also mailed to Smith by regular first-class mail to the above addresses in a handwritten envelope. And *The Notice of Intent to Revoke and to Assess a Civil Penalty* was emailed to Smith at her email address of record.
 - 1.2 The email was not returned as undeliverable.
- 1.3 On April 24, 2025, the Agency received a signed certified return receipt from the mailing to PO Box 553, Glide, OR 97443. The certified mailing to 283 S Estella St., Glide, OR 97443 has not been returned to the Agency. The first-class mailing sent to 283 S Estella St., Glide, OR 97443 was returned to the Agency as Return to Sender, No Mail Receptacle, Unable to Forward. The first-class mailing sent to PO Box 553, Glide, OR 97443 has not been returned to the Agency. Over twenty days (20 days) have elapsed since the mailing of the notice issued in this matter and no written request for hearing has been received by the Agency.

Based upon the foregoing, and upon the Agency's investigation reports, documents and files that, pursuant to Section 9 of the *Notice of Intent to Revoke and to Assess a Civil Penalty,* automatically become part of the evidentiary record of this disciplinary action upon default (for the purpose of proving a prima facie case (ORS 183.417(4)), the Real Estate Commissioner finds:

- 2.1 A notice of intent is properly served when deposited in the United States mail, registered or certified mail, and addressed to the real estate licensee at the licensee's last known address of record with OREA. (ORS 183.415(2); OAR 137-003-0505; OAR 863-001-0006. If correctly addressed, such a notice is effective even though it is not received by the person to be notified. Stroh v. SAIF, 261 OR 117, 492 P2d 472 (1972) (footnote 3 in this case misquotes the cited treatise and contradicts the text of the opinion; treatise and cited case law support the proposition stated in the text.) Also, notice is effective even though the addressee fails or refuses to respond to a postal service "mail arrival notice" that indicates that certified or registered mail is being held at the post office. See State v. DeMello, 300 Or App 590, 716 P2d 732 (1986) (discussing use of certified mail to effectuate notice of driver's license suspension under ORS 482.570). See also El Rio Nilo, LLC v. OLCC, 240 Or App 362, 246 P3d 508 (2011) (Notice by certified mail effective even though addressee did not pick up in time to file request for hearing timely). (Oregon Attorney General's Administrative Law Manual and Uniform Model Rules Of Procedure Under the Administrative Procedures 2019 Edition at pages 97-98.
- 2.2 Smith's last known address of record with the Agency was 283 S Estella St., Glide, OR 97443 and PO Box 553, Glide, OR 97443.
- 2.3 A certified mailing of the *Notice of Intent* was mailed to Smith at her last known addresses of record on March 27, 2025. On April 24, 2025, the Agency received a signed certified return receipt from the mailing to PO Box 553, Glide, OR 97443. The certified mailing to 283 S Estella St., Glide, OR 97443 has not been returned to the Agency.
- 2.4 The notice was also mailed regular first-class mail in a handwritten envelope to both of the above possible addresses for Smith. The first-class mailing sent to 283 S Estella St., Glide, OR 97443 was returned to the Agency as Return to Sender, No Mail Receptacle,

Unable to Forward. The first-class mailing sent to PO Box 553, Glide, OR 97443 has not been returned to the Agency. The OAH Rules contain a rebuttable presumption that documents sent by regular mail are received by the addressee. ORS 137-003-0520(10). If the regularly mailed notice is actually received, it is effective on the date received, rather than the date of mailing.

- 2.5 Over twenty (20) days have elapsed since the mailing of the notice and no written request for a hearing has been received.
- 2.6 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.
- 2.7 As noted in section 9 of the *Notice of Intent to Revoke and to Assess a Civil Penalty*, and section 2 above, the Agency's entire investigation file was designated as the record for purposes of presenting a prima facie case upon default, including submissions from Smith and all information in the administrative file relating to the mailing of notices and any responses received.

FINDINGS OF FACT

3.

- 3.1 At all times mentioned herein, Smith was licensed as a property manager with DCPM LLC (DCPM).
- 3.2 On April 10, 2024, the Agency received a complaint from Kevin Gibby (Gibby) against Smith. The Agency opened an investigation.
- 3.3 Gibby alleged in his complaint that Smith failed to make rental payments over the course of several months, totaling around \$16,000.00. Gibby wrote that Smith had made some

payments towards the total, and the current amount owed is \$8,440.00. Gibby included in his complaint that he had been told by Smith that she had used the funds for personal projects.

- 3.4 On April 11, 2024, Gibby emailed the Agency writing that he had been paid in full.
- 3.5 In her written response to the complaint, Smith wrote that as of April 11, 2024, Gibby had been paid, and the account was settled. Smith provided two deposit receipts in the amount of \$2,800 and \$5,640.
- 3.6 Investigator Dylan Ray (Ray) interviewed Gibby by phone on May 9, 2024. Gibby explained that Smith managed five properties for him. Gibby told Ray that rental income for the months of November 2023, December 2023, January 2024, and February 2024 were not paid out. Gibby further explained that he only received owner statements on and off and did not receive anything in November 2023.
- 3.7 Email communication from Gibby to Smith in October 2023, show Gibby writing that he had not seen a statement in a while, and he is not sure who is paying rent. A follow up email sent from Gibby to Smith in December 2023, shows Gibby writing that he has not received October and November statements.
- 3.8 In an email from March 2024, Smith wrote to Gibby, "...so sorry and embarrassed that things got so far away from me..." Smith also included that she had made repairs to another property without balancing the account. Smith further wrote that she had contracts for three of the properties, but did not have contracts for two properties.
- (1) Violation: By failing to maintain tenant agreements for two properties, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0045(1)(a)(b)(c) (d)(e)(3) 1/1/2024 Edition, which states: (1) the property manager must file and maintain legible copies of all tenant rental or lease agreements for the period required under OAR 863-025-0035. Each tenant rental or lease agreement prepared by a property manager for residential real estate must contain, in addition to and not in lieu of any applicable requirements of the Residential Landlord and Tenant Act, the following: (a) the registered business name and business address of the property manager and the name and address of the tenant. If a real estate license executes the rental or lease agreement on behalf of the licensee's principal broker, the name of the real estate licensee acting for the principal broker in executing the agreement; (b)

the mailing address or unit number of property being rented or leased, the amount and payment conditions of the rental or lease, and the rental or lease term; (c) the amount of and the reason for all funds paid by the tenant to the property manager including, but not limited to, funds for rent, conditionally refundable security deposits including whether held by the property manager or the property owner, and any fees or other charges; (d) signatures of the property manager, or person authorized under OAR 863-025-0015, and the tenant; (e) the date of the agreement; and (3) the property manager must file and maintain legible copies of all tenant's rental or lease agreements for the time period required under OAR 863-025-0035. A property manager must review each tenant rental or lease agreement generated by the property manager; however, a property manager may authorize in writing another individual who is licensed to or employed by the property manager to review and approve and accept tenant rental and lease agreements on behalf of the property manager. In each case of such authorization, the property manager remains responsible for each tenant rental and lease agreement approved or accepted by such real estate licensee or employee. The property manager much product the written authorization at the request of the Commissioner or the Commissioner's authorized representative.

- 3.9 On May 9, 2024, Ray requested records from Smith, including the owner ledgers for Gibby for the months of November 2023, December 2023, January 2024, and February 2024, along with final accounting.
- 3.10 Smith provided the final accounting, along with pdfs titled "Separate Property Managed Ledger Nov '23 through Feb '24" for two properties, 946 NE Johnson, Myrtle Creek (Myrtle property) and 41-61 SW Civil Bend, Winston (Winston property).
- 3.11 A review of the ledger for the Myrtle property shows rental payments for the months of November 2023 through February 2024. The first disbursement to Gibby is shown on February 12, 2024, in the amount of \$1,050, followed by another disbursement to Gibby on March 14, 2024, in the amount of \$3,000. A third disbursement to Gibby is shown on April 11, 2024, in the amount of \$150.00.
- 3.12 The Myrtle property ledger shows no rental income after February 2024, and property management fees were not shown as disbursed to Smith.

- 3.13 A review of the Winston property ledger shows rental income from November 2023 through February 2024. Disbursements to Gibby begin on February 12, 2024, in the amount of \$3,135.00, followed by two disbursements in March, in the amounts of \$1,750, and \$4,185.00. A final disbursement to Gibby on April 11, 2024, is shown in the amount of \$5,840.
 - 3.14 Neither ledger shows property management fees as being disbursed to Smith.
- **Violation:** By failing to maintain complete owners' ledgers, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0055(3)(a)(D) 1/1/2023, 1/1/2024 Editions, which states: (3) all owner ledgers must contain at least the following information: (a) the owner's name and identifying code; and (D) the date the funds were deposited.
- **(3) Violation:** By failing to disburse property management fees, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(6) 1/1/2023 Edition, which states: (6) a property manager must disburse earned management fees from the clients' trust account at least once each month unless a different schedule of disbursement is specified in the property management agreement and may only disburse such fees if sufficient funds are available.
- 3.15 A review of the final accounting provided by Smith shows three separate line items labeled deposit refund, totaling \$2,800.00, with a matching payment to the owner.
- 3.16 On May 20, 2024, Ray requested additional records from Smith, including bank statements for account ending in -1554 for November 2023 through February 2024, a complete reconciliation for April 2024, and a copy of the property management agreement (PMA).
- 3.17 Smith submitted the requested bank statements, as well as an additional response to the original complaint. Smith wrote that she took a job out of state that requires a lot of travel, and she expected it to have more flexibility to do both jobs. Smith wrote that it was more difficult than she expected, and she hired someone to help. Smith included that she "trusted that things were being care of [sic]" and she "thought Mr. Gibby had been paid and should have followed through."
- 3.18 On May 27, 2024, Smith informed Ray that she did not have a PMA with Gibby, because he was an existing client with DCPM when she took over. Ray followed up with Smith if there was a PMA either between her or the prior owner of DCPM. Smith confirmed there was no PMA.

- 3.19 In an interview with Ray on July 10, 2024, Smith explained that she did have a PMA with Gibby from the prior owner, but it was destroyed in an August 2020 house fire. Smith also confirmed that she does not have a PMA for another one of her clients.
- 3.20 A review of the November 2023 bank statement for CTA #1554, shows a fee charged in the amount of \$42,48, titled "Maintenance Fee Analysis Activity for 10/23"
- 3.21 A review of the December 2023 bank statement shows the same Maintenance Fee Analysis charged in the amount of \$49.90.
- 3.22 review of the January 2024 bank statement shows the same Maintenance Fee Analysis charged in the amount of \$43.90.
- 3.23 A review of the February 2024 bank statement shows a Maintenance Fee Analysis charged in the amount of \$46.46.
- 3.24 During the interview with Ray, Smith explained that the monthly fee was a charge her bank started, as they no longer offered an account with zero fees for property management.
- 3.25 Smith told Ray that she does not charge the owners but reduces her management fees by the difference.
- **(4) Violation:** By performing property management without a property management agreement for multiple properties, Smith violated ORS 696.301(3) as it incorporates ORS 696.890(3) 2019, 2021, and 2023 Editions, which states: (3) a real estate property manager may engage in the management of rental real estate for an owner of rental real estate only pursuant to a property management agreement.

In addition, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0020(1) 1/1/2024 Edition, which states: (1) a property manager must not engage in the management of rental real estate without a written, unexpired property management agreement between the owner and the property manager.

In addition, Smith violated ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(c)(e)(f) 2023 Edition, which states: (4) a real estate property manager owes the property owner the following affirmative duties; (a) to deal honestly and in good faith; (c) to exercise reasonable care and diligence; (e) to act in a fiduciary manner in all matters relating

to trust funds; (f) to be loyal to the owner by not taking action that is adverse or detrimental to the owner's interest.

- 3.26 A review of the April 2024 single reconciliation document shows the following totals:
 - Part I total is \$-99.23
 - Part II total is \$-17.83
 - Part III total is \$0.00
 - Part IV shows a difference of \$81.40, with a note stating that assessed bank fees caused the difference, and a deposit had been made to pay the fees.
- **(5) Violation:** By commingling funds in a clients' trust account, Smith violated ORS 696.301(3) as it incorporates ORS 696.241(5)(a)(b) 2023 Edition, which states: (5) a principal real estate broker or licensed real estate property manager may not commingle any other funds with the trust funds held in a clients' trust account, except for (a) earned interest on a clients' trust account as provided in subsections (7) and (8) of this section; and (b) earned compensation as provided in subsection (9) of this section.
- 3.27 A review of the April 2024 bank statement shows a beginning balance of \$-1,348.83, and an ending balance of \$-1,399.23. An overdraft fee was charged in the amount of \$35.00.
- 3.28 A review of the check register for April 2024, shows a beginning 'balance forward' in the amount of \$-1,348.83, which becomes positive on April 3, 2024, after rental deposits were made.
- 3.29 On April 29, 2024, a check to Lau Estella in the amount of \$1,332.00 was issued, leaving a negative ledger balance of \$-17.83.
- (6) Violation: By disbursing funds from a clients' trust account when the account carried a negative balance and allowing the account to sustain a negative balance for more than one day, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0040(7) 1/1/2024 Edition, which states: (7) a record of receipts and disbursements or check register for a clients' trust account may show a negative balance during the course of a day only if the record of receipts and disbursements or check register shows a positive balance at the close of the day.

- 3.30 In the interview with Ray, Smith explained that the negative balance on the April 2024 bank statement was due to Smith writing a check to an owner before rental income had cleared. Ray asked about the negative beginning balance that was carried over from March. Smith explained that she must have done the same thing then.
- (7) Violation: By disbursing funds before verifying a payment was deposited by a tenant, resulting in a negative balance on the account, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(7) 1/1/2024 Edition, which states: (7) a property manager may not disburse funds from a clients' trust account or security deposits account based upon a wire or electronic funds transfer deposited into the account, until the deposit has been verified by the property manager. The property manager must arrange with the account depository and other entities for written verification of when funds are received or disbursed by wire or electronic transfer.
- 3.31 Smith explained to Ray that she hired a new employee to help her out around May 2023, and let the employee go in December 2023. Ray asked Smith if she was relying on that employee to reconcile monthly, and Smith responded, "yes and no."
- 3.32 Smith explained that the employee kept track of rent payments and that she wrote checks to Gibby that were supposed to be deposited by the employee.
- 3.33 Smith told Ray that she had not been reconciling her account, but that she is now reconciling.
- 3.34 Smith explained that because reconciling was not happening, the funds that were for Gibby got "mixed up and used towards the renovation." of another property she managed.
- **(8) Violation:** By failing to reconcile clients' trust accounts, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(2) 1/1/2023 Edition, which states: (2) a property manager must reconcile each clients' trust account within 30 calendar days of the date of the bank statement pursuant to the requirements contained in this section.

In addition, Smith violated ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(c)(e)(f) 2023 Edition, which states: (4) a real estate property manager owes the property owner the following affirmative duties; (a) to deal honestly and in good faith; (c) to exercise reasonable care and diligence; (e) to act in a fiduciary manner in all matters relating

to trust funds; (f) to be loyal to the owner by not taking action that is adverse or detrimental to the owner's interest.

- 3.35 On July 24, 2024, Ray sent a records request to Smith, requesting the name of the employee she hired, the delegation of authority, proof of the repairs to other owners using the funds due to Gibby, and documentation showing that the security deposits funds came out of the security deposit account. Ray gave Smith a deadline to provide the records of July 31, 2024.
- 3.36 Ray followed up on the records request with Smith via email on July 31, 2024, and a phone call on August 1, 2024.
- 3.37 Smith sent Ray an email response on August 1, 2024, asking what records were requested. In response, Ray forwarded Smith the original email request that same day.
 - 3.38 No further response or communication from Smith was received.
- (9) **Violation:** By failing to provide property management records upon request by the Agency, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0035(2)(a)(b)(c) 1/1/2024 Edition. Smith is subject to civil penalty under ORS 696.990(60(a)(b) 2023 Edition. OAR 863-025-0035(2)(a)(b)(c) states: (2) a property manager must produce records required under section (1) of this rule for inspection by the Agency as follows (a) when the Agency makes a request for production of property management records, the property manager must provide such records within no less than five banking days; and (b) if the Agency has reasonable grounds to believe that funds of an owner or tenant may be missing or misappropriated or that the property manager is engaging in fraudulent activity, any records demanded or requested by the Agency must be produced immediately; and (c) failure to produce such records within the timelines stated in subsection (a) or (b) of this section is a violation of ORS 696.301.ORS 696.990(6)(a)(b) states: (6)(a) except as provided in paragraph (b) of this subsection, a real estate licensee who is a real estate property manager or principal real estate broker and who is engaging in or who has engaged in the management of rental real estate may be required to forfeit and pay to the General Fund of the State Treasury a civil penalty of up to \$1,000 per day of violation, or a lesser penalty in an amount determined by the commissioner, if the licensee fails to comply with rules that require the licensee to produce for inspection records related to the management of rental real estate that are maintained by the

licensee as provided by ORS 696.280; (b) a civil penalty imposed under this subsection may not exceed \$10,000.

In addition, Smith violated ORS 696.301(3) as it incorporates ORS 696.280(3) 2023 Edition, which states: (3) records maintained under this section must at all times be open for inspection by the Real Estate Commissioner or the commissioner's authorized representative.

- 3.39 All of the above demonstrates the licensee engaged in conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by the community of individuals engaged in the practice of professional real estate activity in Oregon.
- (10) Violation: Based on the foregoing, Licensee is subject to discipline under ORS 696.301(12)(15) 2023 Edition, which states a licensee's real estate license may be disciplined who has: (12) demonstrated incompetence or untrustworthiness in performing any act for which the real estate licensee is required to hold a license; and (15) engaged in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by the community of individuals engaged in the practice of professional real estate activity in Oregon.
- (11) Violation: Based on the foregoing, Licensee is subject to discipline under ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(b)(c)(d)(e)(f)(g) 2023 Edition. ORS 696.890(4)(a)(b)(c)(d)(e)(f)(g) states: (4) a real estate property manager owes the property owner the following affirmative duties: (a) to deal honestly and in good faith; (b) to disclose material facts known by the property manager and not apparent or readily ascertainable to the owner; (c) to exercise reasonable care and diligence; (d) to account in a timely manner for all funds received from or on behalf of the owner; (e) to act in a fiduciary manner in all matters relating to trust funds; (f) to be loyal to the owner by not taking action that is adverse or detrimental to the owner's interest; and (g) to disclose in a timely manner to the owner any existing or contemplated conflict of interest.

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STATEMENT OF LAW APPLICABLE TO FINDINGS OF FACT

4.

- 4.1 ORS 696.301(3) states a real estate licensee's real estate license may be disciplined if they have: ORS 696.301(3) which states a real estate licensee's real estate license may be disciplined if they have: (3) disregarded or violated any provision of ORS 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the Real Estate Agency
- 4.2 ORS 696.301(12) states a licensee's real estate license can be disciplined if they have demonstrated incompetence or untrustworthiness in performing any act for which the licensee is required to hold a license.
- 4.3 ORS 696.301(15) states a licensee's real estate license can be disciplined if they have engaged in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon.
- 4.4 ORS 696.396(2)(c)(B) states that the Real Estate Commissioner may revoke a real estate license if material facts establish a violation of a ground of discipline under ORS 696.301 that: (B) exhibits incompetence in the performance of professional real estate activity.
- 4.5 OAR 863-027-0020(1) defines the goal of progressive discipline and OAR 863-027-0020(2) sets out all factors the Real Estate Commissioner will consider when determining the level of discipline for licensees.
- 4.6 ORS 696.990(6)(a) states a real state licensee who is a real estate property manager or principal real estate broker and who is engaging in or who has engaged in the management of rental real estate may be required to forfeit and pay to the General Fund of the State Treasury a civil penalty of up to \$1,000.00 per day of violation, or a lesser penalty in an amount determined by the commissioner if the licensee fails to comply with rules that require the licensee to produce for inspection records related to the management of rental real estate that are maintained by the licensee as provided by ORS 696.280. ORS 696.990(6)(b) states a civil penalty imposed under this subsection may not exceed \$10,000.00.
- 4.7 In establishing the violations alleged above, the Agency may rely on one or more definitions contained in ORS 696.010.

4.8 In accordance with 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.

ULTIMATE FINDINGS OF FACT

5.

- 5.1 Smith failed to maintain tenant agreements for two properties.
- 5.2 Smith failed to maintain complete owners' ledgers.
- 5.3 Smith failed to disburse property management fees.
- 5.4 Smith performed property management without a property management agreement for multiple properties.
 - 5.5 Smith commingled funds in a clients' trust account.
 - 5.6 Smith disbursed funds from a CTA when the account carried a negative balance.
 - 5.7 Smith failed to reconcile clients' trust account.
- 5.8 Smith demonstrated incompetence or untrustworthiness in performing any act for which the real estate licensee is required to have.
 - 5.9 Smith failed in duties to the owner.
- 5.10 Smith's failure to timely produce, or complete failure to produce, the records constitutes grounds to impose a civil penalty as per ORS 696.990(6)(a) and (b).
- 5.11 In summary, the facts above establish grounds to revoke Smith's property manager license and assess a \$10,000.00 civil penalty.

CONCLUSIONS OF LAW

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6.1 Pursuant to ORS 183.417(4) and OAR 137-003-0670 Smith is in default.

- 6.2 The material facts establish a violation of a ground for discipline, by preponderance of the evidence, under ORS 696.301 as set forth in the *Notice of Intent to Revoke And to Assess a Civil Penalty* ORS 696.396(1),(2)(c)(B).
- 6.3 Based on these violations, the Agency may revoke Smith's property manager license.
- 6.4 Specifically, Smith is subject to discipline pursuant to ORS 696.301(3), (12) and (15) for (3) disregarding or violating any provision of ORS 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the Real Estate Agency; (12) demonstrating incompetence or untrustworthiness in performing any act for which the licensee is required to hold a license; and (15) engaging in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by the community of individuals engaged in the practice of professional real estate activity in Oregon.
- 6.5 A revocation of Smith's property manager license is appropriate for violations of ORS 696.301(3), (12) and (15).
- 6.6 A revocation of Smith's property manager license is appropriate under ORS 696.396(2)(c)(B). According to ORS 696.396(2)(c)(B) the Agency may suspend a real estate license if the material facts establish a violation of a ground of discipline under ORS 696.301 that (B) exhibits incompetence in the performance of professional real estate activity.
- 6.7 Based on the evidence in the record, the preponderance of the evidence supports the revocation of Smith's property manager license.
 - 6.8 The Agency may therefore, revoke Smith's property manager license.
- 6.9 Pursuant to ORS 696.775 the expiration of Smith's license does not prohibit the Commissioner from proceeding with this, or further action.
 - 6.10 The specific violations are repeated here below:
- (1) Violation: By failing to maintain tenant agreements for two properties, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0045(1)(a)(b)(c) (d)(e)(3) 1/1/2024 Edition, which states: (1) the property manager must file and maintain legible copies of all tenant rental or lease agreements for the period required under OAR 863-025-0035. Each tenant rental or lease agreement prepared by a property manager for residential real estate must contain, in

addition to and not in lieu of any applicable requirements of the Residential Landlord and Tenant Act, the following: (a) the registered business name and business address of the property manager and the name and address of the tenant. If a real estate license executes the rental or lease agreement on behalf of the licensee's principal broker, the name of the real estate licensee acting for the principal broker in executing the agreement; (b) the mailing address or unit number of property being rented or leased, the amount and payment conditions of the rental or lease, and the rental or lease term; (c) the amount of and the reason for all funds paid by the tenant to the property manager including, but not limited to, funds for rent, conditionally refundable security deposits including whether held by the property manager or the property owner, and any fees or other charges; (d) signatures of the property manager, or person authorized under OAR 863-025-0015, and the tenant; (e) the date of the agreement; and (3) the property manager must file and maintain legible copies of all tenant's rental or lease agreements for the time period required under OAR 863-025-0035. A property manager must review each tenant rental or lease agreement generated by the property manager; however, a property manager may authorize in writing another individual who is licensed to or employed by the property manager to review and approve and accept tenant rental and lease agreements on behalf of the property manager. In each case of such authorization, the property manager remains responsible for each tenant rental and lease agreement approved or accepted by such real estate licensee or employee. The property manager much product the written authorization at the request of the Commissioner or the Commissioner's authorized representative.

- **(2) Violation:** By failing to maintain complete owners' ledgers, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0055(3)(a)(D) 1/1/2023, 1/1/2024 Editions, which states: (3) all owner ledgers must contain at least the following information: (a) the owner's name and identifying code; and (D) the date the funds were deposited.
- (3) Violation: By failing to disburse property management fees, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(6) 1/1/2023 Edition, which states: (6) a property manager must disburse earned management fees from the clients' trust account at least once each month unless a different schedule of disbursement is specified in the property management agreement and may only disburse such fees if sufficient funds are available.

(4) Violation: By performing property management without a property management agreement for multiple properties, Smith violated ORS 696.301(3) as it incorporates ORS 696.890(3) 2019, 2021, and 2023 Editions, which states: (3) a real estate property management agreement of rental real estate for an owner of rental real estate only pursuant to a property management agreement.

In addition, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0020(1) 1/1/2024 Edition, which states: (1) a property manager must not engage in the management of rental real estate without a written, unexpired property management agreement between the owner and the property manager.

In addition, Smith violated ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(c)(e)(f) 2023 Edition, which states: (4) a real estate property manager owes the property owner the following affirmative duties; (a) to deal honestly and in good faith; (c) to exercise reasonable care and diligence; (e) to act in a fiduciary manner in all matters relating to trust funds; (f) to be loyal to the owner by not taking action that is adverse or detrimental to the owner's interest.

- **(5) Violation:** By commingling funds in a clients' trust account, Smith violated ORS 696.301(3) as it incorporates ORS 696.241(5)(a)(b) 2023 Edition, which states: (5) a principal real estate broker or licensed real estate property manager may not commingle any other funds with the trust funds held in a clients' trust account, except for (a) earned interest on a clients' trust account as provided in subsections (7) and (8) of this section; and (b) earned compensation as provided in subsection (9) of this section.
- (6) Violation: By disbursing funds from a clients' trust account when the account carried a negative balance and allowing the account to sustain a negative balance for more than one day, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0040(7) 1/1/2024 Edition, which states: (7) a record of receipts and disbursements or check register for a clients' trust account may show a negative balance during the course of a day only if the record of receipts and disbursements or check register shows a positive balance at the close of the day.
- (7) Violation: By disbursing funds before verifying a payment was deposited by a tenant, resulting in a negative balance on the account, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(7) 1/1/2024 Edition, which states: (7) a property

manager may not disburse funds from a clients' trust account or security deposits account based upon a wire or electronic funds transfer deposited into the account, until the deposit has been verified by the property manager. The property manager must arrange with the account depository and other entities for written verification of when funds are received or disbursed by wire or electronic transfer.

(8) Violation: By failing to reconcile clients' trust accounts, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(2) 1/1/2023 Edition, which states: (2) a property manager must reconcile each clients' trust account within 30 calendar days of the date of the bank statement pursuant to the requirements contained in this section.

In addition, Smith violated ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(c)(e)(f) 2023 Edition, which states: (4) a real estate property manager owes the property owner the following affirmative duties; (a) to deal honestly and in good faith; (c) to exercise reasonable care and diligence; (e) to act in a fiduciary manner in all matters relating to trust funds; (f) to be loyal to the owner by not taking action that is adverse or detrimental to the owner's interest.

(9) Violation: By failing to provide property management records upon request by the Agency, Smith violated ORS 696.301(3) and its implementing rule OAR 863-025-0035(2)(a)(b)(c) 1/1/2024 Edition. Smith is subject to civil penalty under ORS 696.990(6)(a)(b) 2023 Edition. OAR 863-025-0035(2)(a)(b)(c) states: (2) a property manager must produce records required under section (1) of this rule for inspection by the Agency as follows (a) when the Agency makes a request for production of property management records, the property manager must provide such records within no less than five banking days; and (b) if the Agency has reasonable grounds to believe that funds of an owner or tenant may be missing or misappropriated or that the property manager is engaging in fraudulent activity, any records demanded or requested by the Agency must be produced immediately; and (c) failure to produce such records within the timelines stated in subsection (a) or (b) of this section is a violation of ORS 696.301. ORS 696.990(6)(a)(b) states: (6)(a) except as provided in paragraph (b) of this subsection, a real estate licensee who is a real estate property manager or principal real estate broker and who is engaging in or who has engaged in the management of rental real estate may be required to forfeit and pay to the General Fund of the State Treasury a civil

penalty of up to \$1,000 per day of violation, or a lesser penalty in an amount determined by the commissioner, if the licensee fails to comply with rules that require the licensee to produce for inspection records related to the management of rental real estate that are maintained by the licensee as provided by ORS 696.280; (b) a civil penalty imposed under this subsection may not exceed \$10,000.

In addition, Smith violated ORS 696.301(3) as it incorporates ORS 696.280(3) 2023 Edition, which states: (3) records maintained under this section must at all times be open for inspection by the Real Estate Commissioner or the commissioner's authorized representative. (10) Violation: Based on the foregoing, Licensee is subject to discipline under ORS 696.301(12)(15) 2023 Edition, which states a licensee's real estate license may be disciplined who has: (12) demonstrated incompetence or untrustworthiness in performing any act for which the real estate licensee is required to hold a license; and (15) engaged in any conduct that is below the standard of care for the practice of professional real estate activity in Oregon as established by the community of individuals engaged in the practice of professional real estate activity in Oregon.

- (11) Violation: Based on the foregoing, Licensee is subject to discipline under ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(b)(c)(d)(e)(f)(g) 2023 Edition. ORS 696.890(4)(a)(b)(c)(d)(e)(f)(g) states: (4) a real estate property manager owes the property owner the following affirmative duties: (a) to deal honestly and in good faith; (b) to disclose material facts known by the property manager and not apparent or readily ascertainable to the owner; (c) to exercise reasonable care and diligence; (d) to account in a timely manner for all funds received from or on behalf of the owner; (e) to act in a fiduciary manner in all matters relating to trust funds; (f) to be loyal to the owner by not taking action that is adverse or detrimental to the owner's interest; and (g) to disclose in a timely manner to the owner any existing or contemplated conflict of interest.
- 6.11 Revocation of Smith's property manager license is license is appropriate under ORS 696.396(2)(c)(B).

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ORDER

IT IS HEREBY ORDERED that Smith's property manager license is revoked.

IT IS FURTHER ORDERED that, pursuant to ORS 696.990(6)(a)(b) and based upon the violation set forth above, Smith pay a civil penalty of \$10,000.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to OREA.

Dated this 19	t da	y of	Ma	y , ;	2025

OREGON REAL ESTATE AGENCY





Steven Strode
Real Estate Commissioner

NOTICE OF RIGHT TO APPEAL: 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 to the Oregon Court of Appeals, pursuant to the provisions of ORS 183.482.

1 of 4 - Stipulated Final Order- Dennis Kelley

REAL ESTATE AGENCY 1 BEFORE THE REAL ESTATE COMMISSIONER 2 3 4 In the Matter of the Real Estate License of 5 STIPULATED FINAL ORDER **DENNIS KELLEY** 6 7 8 9 10 The Oregon Real Estate Agency (Agency) and Dennis Kelley (Kelley) do hereby agree 11 and stipulate to the following: 12 FINDINGS OF FACT 13 **AND** 14 CONCLUSIONS OF LAW 15 1. 16 1.1 At all times mentioned herein, Kelley was licensed as a real estate broker 17 associated with JMA Properties, LLC. 18 1.2 On September 24, 2024, the Agency received a complaint from licensee Jessica 19 Omelian (Omelian) reporting that Kelley had accessed a property located at 4048 SE Long St. 20 Portland, OR 97202 (the Property) listed by Omelian on two occasions without receiving 21 permission from Omelian or the owner. 22 1.3 Included in the complaint materials were copies of notifications from a SentriLock 23 device installed on the property showing Kelley accessed the property on September 20, 2024, 24 and the following day September 21, 2024. 25 1.4 Omelian's complaint materials report that the owners were very distressed Kelley 26 had accessed the property without permission. 27 1.5 In response to the complaint, Kelley wrote that he spoke with Omelian soon after 28 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 29 30 was upset Kelley had accessed the property.

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- 1.6 On October 8, 2024, Agency Investigator Dylan Ray (Ray) requested from Kelley copies of his text message communications with Omelian. On October 14, 2024, Ray requested from Omelian a copy of the MLS listing for the property and any additional materials she had to share on the events.
- 1.7 A review of the MLS listing for the property showed the property described as private and states all showings for the property should be scheduled through Aligned Showings.
- 1.8 In an interview with Ray on October 16, 2024, Kelley explained that he was unfamiliar with using Aligned Showings prior to the first instance of accessing the property and had since taken classes to learn how to use it.
- 1.9 Kelley further explained that he had not reviewed the MLS listing for the property before the first access, and that he had been outside the property with a buyer he had a long working relationship with that wanted to view the property. Kelley said he used a personalized RMLS code to open the SentriLock device.
- 1.10 In the interview, Kelley stated to Ray he had not considered calling Omelian to first access the property. When asked, Kelley said he was aware of the procedure to request access before he accessed the property a second time without following those procedures. Kelley stated to Ray that he has never accessed a property without permission before and that he takes these events seriously and would learn from the experience.
- 1.11 All of the above demonstrates incompetence or untrustworthiness in performing acts for which the real estate licensee is required to hold a license and conduct that is below the standard of care for the practice of professional real estate activity in Oregon.
- (1) Conclusion of Law: By entering a listed property twice without requesting or receiving permission from the property owner or listing agency, Kelley is subject to discipline under ORS 696.301(12)(15) 2023 Edition.

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- 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 **DENNIS KELLEY** STEVEN STRODE Real Estate Commissioner Date $\frac{4/24}{2025}$ | 11:17 AM PDT Date 4/29/2025 | 11:40 AM PDT Date of Service: 4/29/2025

REAL ESTATE AGENCY 1 BEFORE THE REAL ESTATE COMMISSIONER 2 3 4 In the Matter of the Real Estate License of 5 STIPULATED FINAL ORDER SCOTT CHRISTOPHER DAVIS 6 7 8 9 10 The Oregon Real Estate Agency (Agency) and Scott Davis (Davis) do hereby agree and 11 stipulate to the following: 12 FINDINGS OF FACT 13 **AND** 14 CONCLUSIONS OF LAW 15 1. 16 1.1 At all times mentioned herein, Davis was licensed as a property manager acting 17 in the capacity of a sole practitioner and doing business under the registered business name of 18 Property Management Group of Oregon, LLC (PMG). 19 1.2 On June 22, 2023, PMG was notified that clients' trust account ending in 0046 20 (CTA-SD #0046), which holds security deposits, had been selected for reconciliation review. 21 Documents for April 2023 were provided to the Agency. An investigation was opened due to 22 the outstanding issues found in the review. 23 1.3 A review of the April 2023 Trust Account Reconciliation form for CTA-SD #0046 24 showed the following totals: 25 Part I - \$215,658.56 26 Part II - \$215,972.63 27 Part III - \$215,972.63 28 Part IV – The difference reported was \$314.07 29 1.4 The Trust Account Reconciliation form for the April 2023 reconciliation, was 30 signed and dated July 5, 2023.

1 of 9 – Stipulated Final Order-Scott Christopher Davis

- 1.5 A review of the check register provided by Davis showed an end balance of \$214,472.63, a difference of \$1,186.00, as was reported on Part II of the reconciliation form.
- 1.6 Agency Compliance Specialist Jenifer Wetherbee (Wetherbee) requested Davis provide the total of all tenant deposits being held as of April 30, 2023. Wetherbee also noted that CTA-SD #0046 was an interest-bearing account.
- 1.7 Davis explained, "My internal report in my Rentec software shows that I still have some old deposits that I had not closed out so it shows I have too much money in that system." Davis further explained, "On the interest bearing:.I am not seeing where it shows on either of my agreements that is says what I am doing with it as I just donate to causes, but I am not specific with that. It looks like I am in violation there. My plan, once this is done is to close savings account and open a regular Client Trust Deposits Account that is not interest bearing so I am no longer in violation."
- 1.8 Clients' Trust Account ending in 0739 (CTA-SD #0739) was opened as a non-interest-bearing account.
- 1.9 A review of the security deposit list provided by Davis showed the date range for the report was 01/01/2011-04/30/2023, not the date of the bank statement, as required. The net total amount was listed as \$214,128.35.
- (1) Conclusion of Law: By failing to obtain written approval from owners for CTA -SD #0046 to be an interest-bearing account, Davis, violated ORS 696.301(3) as it incorporates ORS 696.241(7) 2017, 2019, and 2023 Editions. In addition, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0020(3)(B) 1/1/2018 through 1/1/2024 Editions.
- 1.10 Agency Investigator Cidia Nañez (Nañez) requested Davis provide the Rentec Reconciliation Report for March 2024, for CTA-SD #0739, along with the March 2024 bank statement, and the 'Tenant Deposit All Properties' report from March 31, 2024.
- 1.11 A review of the Rentec Reconciliation Report showed it did not meet the requirements of a single dated and signed reconciliation document.
- 1.12 In response to Nañez's request for the 'Tenant Deposit All Properties' report, Davis wrote, "I can send it over it is not balancing. That is what we have been chunking away it. It shows that we have not correctly been allocating funds to the right accounts in Rentec."

- 1.13 A review of the March 2024 bank statement of CTA-SD #0739 showed an ending balance of \$374,630.62. The check register for CTA-SD #0739 showed an ending balance of \$373,137.40.
- 1.14 Nañez emailed Davis to inform him that PMG's March 2024 ending bank balance, when compared to the security deposit list, was significantly different, showing a shortage of -\$58,755.36.
- 1.15 In response, Davis wrote, "I think knowing that I have not 'done anything' with other people's money (I bought a small PM that did spend tenants deposit funds so I get why this is all needed.) did not make it the priority that I should have to get things all the accounts lined up."
- 1.16 In response to a request from Nañez, Davis provided the three-part reconciliation for CTA-SD #0739, along with a security deposit list, and bank statements, for the months of March, April, and May 2024.
- 1.17 A review of the Trust Account Reconciliation form for March 2024, showed a difference in Part IV of \$60,651.48. Schedule C on the Trust Account Reconciliation form for March 2024, identified outstanding checks written for the month of May 2024.
- 1.18 A review of the Trust Account Reconciliation form for April 2024, showed a difference in Part IV of \$75,415.60.
- 1.19 A review of the Trust Account Reconciliation form for May 2024, showed a difference in Part IV of \$78,965.60.
- 1.20 The explanation for the difference and details of corrective action taken on all three documents showed, "Funds not transferred from CTA."
- 1.21 The Trust Account Reconciliation forms for March, April, and May 2024, were signed and dated as completed on July 24, 2024. Davis did not submit a record of receipts and disbursements.
- 1.22 On September 6, 2024, Davis provided the June 2024 reconciliation records for CTA-SD #0739, along with the following explanation, "We did the comparison of what we were off it was consistent with what we were off the last few months. I transferred \$73,233.78..."
- 1.23 The transfer receipt provided by Davis showed \$73,233.78 had been transferred from CTA ending in 3132 (CTA #3132) to CTA-SD #0739 on September 6, 2024.

- 1.24 On October 23, 2024, Davis provided September 2024 reconciliation records for CTA-SD #0739. Part I of the Trust Account Reconciliation form showed the bank balance as of August 21, 2024, instead of September 30, 2024. In addition, page 2 was not provided.
 - 1.25 Davis did not provide a September 2024 security deposit list.
- **Conclusion of Law**: By failing to provide reconciliation records for the months of April and March 2023, as well as March, April, May, and September 2024 that met Oregon Administrative Rule requirements, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(3)(a)(B)(b)(d)(A)(B)(4) 1/1/2023 and 1/1/2024 Editions.
- 1.26 In response to Nañez's asking how Davis knew money that was transferred to CTA-SD #0739 didn't belong to owners without first reconciling CTA #3132, Davis wrote, "We have had an overage in that account for a long time so until we this all fixed it won't show exactly but it would be the funds that belonged in the Dep account and not be CTA funds."
- (3) Conclusion of Law: By failing to deposit tenant security deposit funds in CTA-SD #0739 within five banking days of their receipt, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0025(7) 1/1/2024 Edition.
- 1.27 On October 21, 2024, Davis provided the September 2024 reconciliation records for CTA #3132.
- 1.28 A review of the September 2024 bank statement for CTA #3132 showed a transfer of \$73,233.78 to CTA-SD #0739, however the check register provided did not have an entry showing the transfer.
- 1.29 The bank statement also showed a transfer of \$1,000.00, that was not reflected in the check register.
- **Conclusion of Law**: By failing to account for disbursement of funds on his record of receipts and disbursements in the amount of \$1,000.00 and \$73,233.78 from CTA #3132 for the month of September 2024, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0040(2)(b)(A)(B)(C)(D) 1/1/2024 Edition.
- 1.30 The bank statement showed CTA #3132 went negative on September 25, 2024, and incurred a \$30.00 overdraft fee. The bank statement reflected a positive balance the next day.

- 1.31 A deposit in the amount of \$10,000.00 was recorded on September 26, 2024, as a disbursement from CTA-SD #0739.
- 1.32 The September 2024 record of receipts and disbursements for CTA #3132 does not include the \$10,000.00 transfer entry.
- **Conclusion of Law:** By failing to ensure CTA #3132 maintained a sufficient balance to allow disbursement of funds, resulting in a negative balance, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(3) 1/1/2024 Edition.
- **Conclusion of Law**: By failing to account for a receipt of funds dated September 26, 2024, in the amount of \$10,000.00 on his record of receipts and disbursements for CTA #3132, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0040(2)(a)(A)(B)(C)(D) 1/1/2024 Edition.
- 1.33 Davis provided reconciliation records for CTA #3132 for the months of April, May, and June 2024. The ending bank statement balances for each month were significantly lower than the ending balances for the check registers for those same months.
- 1.34 In the interview with Nañez, Davis explained that he takes property management fees out of CTA #3132 but doesn't take them out of Rentec. Davis said he started the company by himself in 2008, and he has kept track of the property management fees on a spreadsheet since the beginning.
- 1.35 Davis provided 'Rent Schedule Spreadsheets' that included Davis's property management fee calculations from September 2023 through September 2024.
- 1.36 Davis confirmed to Nañez that ACH transfers to PMG's operating account in 5137 were his property management payments.
- 1.37 A comparison of Davis's property management fees from his Rent Schedule spreadsheets, with his payments through ACH transfers to PMG #5137 for the months of April, May, and June 2024, showed that Davis was paid more than the property management fee calculations he had recorded in his spreadsheets.
- 1.38 Davis provided the check registers for CTA #3132 for the months of September 2022, September 2023, and September 2024. A review of the check registers for both September 2022 and September 2023 included management fee entries.

- 1.39 Nañez asked Davis to provide an explanation to support his claim that CTA #3132 reconciliations were off, because property management fees had never been accounted for. In response, Davis wrote "They are showing taken from the owners so their ledgers are correct, but the Banking area of Rentec has never been 'told' that PMG was paid. So the accounting for owners and the properties is fine, but Rentec 'believes' the money is still there."
- (7) Conclusion of Law: By failing to identify all property management fees on the record of receipts and disbursements, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0040(2)(b)(A)(B)(C)(D) 1/1/2019 through 1/1/2024 Editions.
- **(8) Conclusion of Law**: By failing to meet the requirements of 'complete and adequate' records for posting changes to his records of receipts and disbursements, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0035(3)(b) 1/1/2024 Edition. In addition, Davis violated ORS 696.301(3) as it incorporates ORS 696.280 2023 Edition.
- **(9) Conclusion of Law**: Davis failed to maintain transparency and clearly identify in his records of property management the management fees he collected from owners and disbursed from CTA #3132 to the operating account of PMG ending in #5137. This is Grounds for Discipline under ORS 696.301(3) it incorporates ORS 696.301(12)(14) 2023 Edition.
- 1.40 A review of the September 2022 check register for CTA #3132 'Account Ledger A All Properties' showed that there were over 50 'Reconciliation Adjustment' entries between September 25, 2022, through September 28, 2022.
- 1.41 Included in the check register was a reconciliation adjustment of 'David Jackson.' The entries attached to David Jackson were for 'Madrone Villas HOA.' Neither David Jackson nor Madrone Villas HOA are included in any of the owner Account Balance reports dated September 30, 2022, provided by Davis.
- (10) Conclusion of Law: By failing to identify all property owner's ledger balances that he used to reconcile ledger and record of receipts and disbursement balances in the record of receipts and disbursements, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0065(8) 1/1/2022 Edition.
- 1.42 Upon request, Davis provided Nañez the ledgers for property owner Nathan Miller (Miller).

- 1.43 A review of the ledger reports for Miller showed entries in both ledgers were identical, except for the beginning balances. The 'Owner' ledger had a negative beginning balance of -\$6,743.67, while the 'Property' ledger had a beginning balance of \$670.10.
- 1.44 A review of the Miller ledger showed the account first went negative in August 2019. The last time the account showed a positive balance was on May 10, 2023.
- 1.45 Disbursements for management fees for PMG beginning May 27, 2014, through October 2024, caused the ledger to show an insufficient balance on many occasions.
- (11) Conclusion of Law: By failing to maintain sufficient funds in owner ledgers for distributions made against that ledger, including property management fees, Davis violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(3)(6) 1/1/2018 through 1/1/2024 Editions.
- 1.46 All of the above demonstrates incompetence or untrustworthiness in performing acts for which the real estate licensee is required to hold a license.
- (12) Conclusion of Law: Based on the foregoing, Licensee is subject to discipline under ORS 696.301(12) 2017, 2019, 2021, and 2023 Editions.

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

2.

- 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, Scott Davis, 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.

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ORDER IT IS HEREBY ORDERED that Scott Davis's property manager license be, and hereby is reprimanded. IT IS FURTHER ORDERED that due to the violations addressed above, Scott Davis will be subject to a future client's trust account reconciliation within 3 months of the issuance of this order. IT IS SO STIPULATED: IT IS SO ORDERED: Signed by: Scott Davis Steve Strode SCOTT CHRISTOPHER DAVIS STEVEN STRODE Real Estate Commissioner Date 5/2/2025 | 10:07 AM PDT Date 5/2/2025 | 9:18 AM PDT Date of Service: 5/2/2025

REAL ESTATE AGENCY 1 BEFORE THE REAL ESTATE COMMISSIONER 2 3 4 In the Matter of the Real Estate License of 5 STIPULATED FINAL ORDER BRAYDEN MICHAEL MOORE 6 7 8 9 10 The Oregon Real Estate Agency (Agency) and Brayden Moore (Moore) do hereby 11 agree and stipulate to the following: 12 FINDINGS OF FACT 13 **AND** 14 CONCLUSIONS OF LAW 15 1. 16 1.1 At all times mentioned herein, Moore was licensed as a property manager acting 17 in the capacity of a sole practitioner and doing business under the registered business name of Chateau Management. 18 19 1.2 Moore signed a Stipulated Order for Reprimand with Education in June 2016, 20 resulting from an Agency compliance review. 21 1.3 On September 27, 2023, Chateau Management was notified that clients' trust 22 account ending in 0018 (CTA-SD #0018), which holds security deposits, had been selected for 23 reconciliation review. Documents for July 2023 were provided to the Agency. An investigation 24 was opened due to the outstanding issues found in the review. 25 1.4 A review of the July 2023 Trust Account Reconciliation form for CTA-SD #0018 26 showed Parts I, II, and III were balanced, each with a total of \$484,681.50. In Part IV of the 27 form, Moore wrote "Asking Management to review all outstanding items. Upon review it was 28 found that transfers were to wrong accounts. All corrections have been made in October 2023 29 when error was found." The form was signed and dated by Moore on October 11, 2023. 30

1 of 6 - Stipulated Final Order - Brayden Michael Moore

- 1.5 A review of the corresponding July 2023 bank statement showed a month-end balance of \$489,706.92. Moore reported the reconciled balance as \$484,681.50.
- 1.6 A review of the July 2023 reconciliation records provided to the Agency showed a difference of \$5,833.50 between the reconciled balance included on the Trust Account Reconciliation form and the tenant security deposit ledgers, as well as a \$10,565.51 difference between the tenant security deposit ledgers and the reconciled bank balance.
- (1) Conclusion of Law: By failing to reconcile CTA-SD #0018 within 30 days of the July 2023 bank statement, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(3) 1/1/2023 Edition.
- **Conclusion of Law:** Moore's records for CTA-SD #0018 were not maintained in a way that readily enabled tracking and reconciling, in violation of ORS 696.301(3) and its implementing rule OAR 863-025-0035(3)(b) 1/1/2024 Edition.
- 1.7 During the Agency's compliance review process, Moore told Agency Compliance Specialist Roger McComas (McComas) that he had failed to reconcile accounts monthly. Moore hired bookkeeper Kelly Mueller (Mueller) to help resolve discrepancies.
- 1.8 On October 31, 2023, Moore provided McComas with revised July 2023 reconciliation records for CTA-SD #0018. A review of the documents provided showed there were owners with negative ledgers totaling -\$73,374.71.
- 1.9 On November 28, 2023, Moore provided reconciliation records for CTA-SD #0018 for the month of November 2023. Part III of the Trust Account Reconciliation form included a difference of \$29,374.42 from Parts I, II.
- 1.10 The Trust Account Reconciliation form showed it was completed on January 1,2024, and was not signed.
- (3) Conclusion of Law: By failing to reconcile CTA-SD #0018 within 30-days of the November 2023 bank statement, as well as failing to sign the Trust Account Reconciliation form, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(3)(d) (A)(B) 1/1/2024 Edition.
- 1.11 Agency Investigator Lindsey Nunes (Nunes) requested the January 2024 reconciliation records for clients' trust account ending in 0000 (CTA #0000).

- 1.12 A review of the records submitted showed that the Trust Account Reconciliation form was not signed or dated.
- 1.13 A review of the January 2024 bank statement showed an ending balance of \$120,877.72, which did not support the reconciled balance of \$148,986.19 included in Part I of the Trust Account Reconciliation form.
- 1.14 A review of the Trust Account Activity report shows an ending balance of \$153,897.79, which did not support the reconciliated balance of \$148,986.19 included in Part III of the Trust Account reconciliation form.
- 1.15 A review of the 'Check Register Detail' showed an ending balance of \$148,986.19. The corresponding Check Register Detail report only showed activity posted to CTA #0000, and did not show outstanding receipts and disbursements.
- **(4) Conclusion of Law:** By failing to reconcile CTA #0000 for the month of January 2024, and sign and date the single reconciliation document attesting to the completion, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(2)(a)(b)(d)(A)(B)(4) 1/1/2024 Edition.
- 1.16 The Trust Account Activity report showed negative owner ledgers totaling -\$73,094.14.
- 1.17 16 of the negative owner ledgers are for Moore Assets, LLC, in the amount of -\$46,223.09.
- **(5) Conclusion of Law:** By disbursing funds from CTA #0000 resulting in a negative account balance, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0027(3) 1/1/2024 Edition.
- 1.18 Nunes requested and received the January 2024 three-part reconciliation for CTA-SD #0018.
- 1.19 A review of the January 2024 Trust Account Reconciliation form for CTA-SD #0018 showed Parts I and II were balanced, each with a total of \$444,830.27. Part III had a balance of \$465,635.24. The note in Part IV of the form states "Brayden I would suggest typing in something here on the difference."
 - 1.20 The Trust Account Reconciliation form was not signed or dated.

- **Conclusion of Law:** By failing to reconcile CTA-SD #0018 within 30 days of the January 2024 bank statement, and sign and date the single reconciliation document attesting to the completion, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(3)(a)(b)(d)(A)(B)(4) 1/1/2024 Edition.
- 1.21 In an interview with Nunes, Moore explained that in 2015, he was managing between 20 and 40 doors. Currently, Moore manages about 400 doors.
- 1.22 Nunes asked Moore if he started maintaining his owner and tenant ledgers after the reprimand he received from the Agency. In response, Moore started he hasn't maintained the ledgers since 2018.
- (7) Conclusion of Law: By failing to maintain owners' ledgers for each property managed, and failing to fully account for all funds received and disbursed from 2018 through 2024, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0055(1)(3)(b)(A)(B)(C)(D) (c)(A)(B)(C)(D)(E)(d) 1/1/2018-1/1/2024 Editions.
- (8) Conclusion of Law: By failing to maintain tenant ledgers from 2018 through 2024, Moore violated ORS 696.301(3) and its implementing rule OAR 863-025-0050(1)(2)(4)(d)(A) (B)(C)(D)(e)(A)(B)(C)(D)(E)(f) 1/1/2018-1/1/2024 Editions.
- 1.23 In an email from Moore on August 22, 2024, Moore wrote "The negative accounts for Moore Assets LLC have been made whole using positive balances from other properties owned by Moore Assets LLC. And by withholding funds from rent dispersals in order to eliminate all negative balances.
- 1.24 Moore provided Nunes with the notification to Moore Assets LLC, informing them of the transfer of funds to make all ledgers whole and a report of all current ledgers.
- 1.25 On January 17, 2025, as part of a settlement agreement with the Agency, Moore provided documentation that he performed a one-time deposit of licensee funds into CTA #0000 and CTA-SD #0018 to make accounts whole for the identified shortages.
- 1.26 All of the above demonstrates incompetence or untrustworthiness in performing acts for which the real estate licensee is required to hold a license and conduct that is below the standard of care for the practice of professional real estate activity in Oregon.
- **(9) Conclusion of Law**: Based on the foregoing, Licensee Moore is subject to discipline under ORS 696.301(12) and (15) 2017, 2019 and 2021, and 2023 Editions.

(10) Conclusion of Law: Based on the foregoing, Moore is subject to discipline under ORS 696.301(3) as it incorporates ORS 696.890(4)(a)(c)(d)(e) 2017, 2019, 2021, and 2023 Editions.

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, Brayden Moore, 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 1 Journal. 2 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 waive the right to challenge the validity of service. 5 6 7 ORDER 8 IT IS HEREBY ORDERED that Brayden Moore's property manager license be, and hereby is reprimanded. 9 10 IT IS FURTHER ORDERED that due to the violations addressed above, Brayden Moore will be subject to a future clients' trust account reconciliation review within 6 months of the 11 issuance of this order. 12 13 14 15 IT IS SO STIPULATED: IT IS SO ORDERED: 16 17 Brayden M. Moore 18 2B4BF4A13CCA4D3 19 BRAYDEN MICHAEL MOORE STEVEN STRODE 20 Real Estate Commissioner 21 Date 5/6/2025 | 7:43 AM PDT Date 5/6/2025 | 8:22 AM PDT 22 23 Date of Service: 5/6/2025 24 25 26 27 28 29 30

6 of 6 - Stipulated Final Order - Brayden Michael Moore

AGENDA ITEM NO. VIII.B.2.

REAL ESTATE BOARD COMMUNICATIONS/DEI REPORT June 2, 2025

Communications, Policy, and DEI Director: Mesheal Tracy

Section Overview

This section is responsible for developing and implementing agency-wide Diversity, Equity, Inclusion, and Belonging (DEIB) initiatives, managing external communications, and leading change management processes. It encompasses media relations, community engagement, policy development, and strategic planning to foster an inclusive culture and effectively communicate the agency's mission and programs to diverse stakeholders. Our work directly supports Objective 2 of the Agency's strategic plan: Reduce Barriers to Licensure & Increase Public Engagement through DEI Initiatives.

DEI Initiatives

Implementation of our 2025-2027 AA/DEI Plan has begun. Our targeted outreach to statewide affinity groups was temporarily paused due to staffing constraints. We have resumed important connection-building efforts to gather insights from diverse professional communities.

Additionally, Mesheal Tracy attended the NW Equity Summit held by Partners in Diversity. Key insights from the summit included the importance of personal stories, how DEI work affects everyone, and establishing meaningful partnerships that will inform our future outreach efforts.

Communication Strategy

We are continuing the implementation of our communication plan about the new residential property wholesaling requirements. Articles in the December and March editions of the Oregon Real Estate News-Journal were aimed at current real estate licensees. Direct outreach to identified wholesaling businesses and engagement with escrow companies took place in May.

In response to the Governor's recent letter of expectation regarding agency rulemaking transparency, the Agency developed a new webpage dedicated to our rulemaking process. This resource aims to improve customer service by providing visibility into our rulemaking activities. Website visitors will find detailed fiscal impact statements for proposed rules, rule summaries, documentation of rulemaking meetings, and public comments submitted during the process.

Policy Development

Our customer service policy was finalized, submitted to the Department of Administrative Services, and published on our website. The policy formalizes existing practices that already meet or exceed statewide standards, requiring few operational changes. The policy was presented at division meetings to ensure consistent messaging to all staff.

REAL ESTATE BOARD REGULATION DIVISION REPORT June 2nd, 2025

Regulation Division Manager: Elli Kataura

Compliance Specialist 3 (Senior Case Analyst): Meghan Lewis

Financial Investigators (Investigator-Auditors): Aaron Grimes, Lindsey Nunes, Cidia Nañez, Frank Leonard,

Dylan Ray, Megan Donovan

Administrative Specialist 2 (Case Resolution Coordinator): Amanda Moser

Division Overview

The Agency receives complaints and determines if an investigation is appropriate. Open cases are assigned to investigators to gather facts (from interviews and documents), prepare a detailed written report, and submit for Administrative Review. The Senior Case Analysts conducting the Administrative Review work evaluate whether the evidence supports a violation of Agency statutes or administrative rules. When a case finds sufficient cause to sanction a license, the case is elevated to the Commissioner for review. When the Commissioner supports a sanction, the Senior Case Analysts offer a settlement conference to resolve cases without a contested case hearing. If the respondent requests a hearing, the Investigator works with the Assistant Attorney General in preparing for and presenting the case at hearing.

Personnel

We have no changes to report.

Workload and Activity Indicators

Average # in this status at the time	<u>2021</u>	<u>2022</u>	2023	<u>2024</u>	<u>Current 5/14/25</u>
Complaint	20	17	26	13	27
Investigation	41	22	36	48	33
(# of Investigators)	7	7	6*	6	6
Admin Review	11	5	2	8	5
Settlement Process	6	6	2	5	4

^{*} We had an investigator that was on extended leave for the majority of 2022-2023.

REAL ESTATE BOARD COMPLIANCE DIVISION REPORT June 2, 2025

<u>Compliance Division Manager:</u> Liz Hayes <u>Compliance Specialist 2:</u> Jen Wetherbee

Compliance Specialist 1: Rick Marsland, Helen Wilson, Katie Nash

Senior Auditor (Escrow): Roger McComas

Division Overview

The Compliance Division ensures that licensees meet their fiduciary and administrative responsibilities by reviewing financial and administrative records. This division aims to conduct clients' trust account and compliance reviews and develop other compliance-related programs. This work includes providing technical assistance and sharing knowledge on the interpretation and application of laws and rules administered by the Agency (excluding legal advice) to licensees, the public, and other governmental agencies.

Presentation

The Agency is now hosting the Property Management and Reconciliation Requirements course. Four class sessions are scheduled over the next 14 months and registration is now open online. The course is free of charge and licensees will earn 2.5 hours of continuing education credit upon completion. The first class is scheduled for August 20, 2025.

Training

Jen Wetherbee and Roger McComas will be attending the Open-Source Intelligence in Financial Investigations Class presented by the Association of Certified Financial Crime Specialists on June 18th.

Updates

(# of Staff)

Escrow companies who have submitted their 2024 annual reports and year-end financial statements have been made eligible to renew their license. Renewals must be completed by June 30th.

The Compliance Division is now processing Reprimands based on violations discovered in the clients' trust account reviews. The goal of this revised process is to expedite compliance and bring the licensee back into a clients' trust account review timely.

Reminder: The Agency will be creating the new 2026-2027 LARRC outline this summer.

Workload and Activity Indicators

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As of 05/21/2025	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
ELOA	3	2	2	4	44	79	81	13	55	101	141	56
No Violation	351	356	192	172	375	216	87	10	98	94	89	27
Investigation	14	5	3	8	10	29	7	2	13	20	23	2
Compliance Sanction												2
Resolved									72	182	216	78
Reviews Closed	368	363	197	184	429	324	175	25	238	397	469	165

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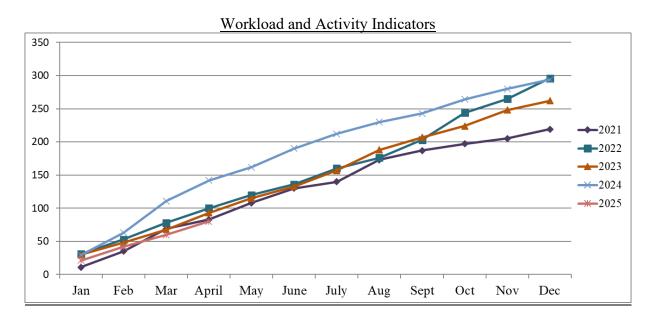
As of 05/21/2025	Jan	Feb	Mar	Apr	May
ELOA	10	10	4	18	14
No Violation	10	3	5	5	4
Investigation				2	
Compliance Sanction				1	1
Resolved	13	17	14	24	10
Total Closed	33	30	23	50	29

Report to the Real Estate Board Land Development Division June 2nd, 2025

Division Manager: Michael Hanifin

Division Overview:

The Land Development Division reviews and approves filings related to condominiums, timeshares, subdivisions, manufactured home subdivisions, and membership campgrounds. The section reviews and approves the foundational documents creating these types of properties, as well as later amendments to those documents, to verify compliance with statutory requirements. We also issue the Disclosure Statement (sometimes referred to as a Public Report) required for sales of these interests to Oregonians. The Disclosure Statement summarizes key information about the condominium for the consumer, somewhat like the owner's manual for a car.



The division has had 80 filings through end of April 2025. This filing volume is lower than what we've seen over the last couple of years through the equivalent (January – April) timeframe. Last year was relatively busy and this lower filing volume may reflect a recoupment period. The average number of filings thus far this year is 20, which is on par with the statistical average of 2010 through 2024.

Rulemaking:

None at this time.

Legislative Activity:

The legislative session is currently under way. We are tracking several bills that will impact the agency, discussed below.

HB 2373

Status: This bill is enrolled.

Summary: The Act creates a licensure type for timeshare sales agents and prohibits selling or offering for sale a timeshare without such a license. The agency is responsible for regulation of the new license type. Becomes operative January 1, 2026. Declares an emergency, effective July 1, 2025.

Timeshare licensees will need to be associated with a principal broker and can't engage in any other real estate activity. There are 14 hours of education required as well as a test and background, so structurally similar to other licenses.

HB 3137

Status: In the Senate Committee on Housing and Development awaiting transfer to the Senate floor (a required step for 2nd chamber approval). NOTE: the -3 amendment that was adopted by the Senate committee harmonizes this bill with 2373, above.

Summary: Modifies laws related to regulation of real estate professionals. Defines "managing principal broker" and prescribes responsibilities.

SB 476

Status: Passed out of committee directly to Ways and Means (has not been heard in 2nd chamber).

Summary: Requires professional licensing boards to provide culturally responsive training to specified staff members and publish guidance on pathways to professional authorization for internationally educated individuals.

HB 5036

Status: In Joint Ways and Means (having passed through committee in both chambers).

Dead Bills:

HB 2438 - The Act says that real estate agents may access the MLS and do not have to be a part of a group that represents real estate agents. Prohibits a person from denying a real estate licensee access to the multiple listing service because the licensee is not a member of a professional real estate association or organization. Punishes violation of the Act as an unlawful practice under the Unlawful Trade Practices Act.

SB 13 - A board that issues job licenses must let a person who wants one to show job experience instead of schooling if the license needs a high school diploma. Requires a professional licensing board to consider experience in lieu of a high school diploma or an equivalent for licensure, certification or other authorization to provide certain occupational or professional services. Takes effect on the 91st

REAL ESTATE BOARD LICENSING DIVISION REPORT June 2, 2025

<u>Licensing Manager</u>: Nenah Darville

Compliance Specialist: Tami Schemmel, Kaely Salem

Administrative Specialist: Elizabeth Hardwick, Cory King, Reagan Van Dorp, Sunny Deanda.

Division Overview

The Licensing Division acts as the first point of contact for the public and licensees. This division manages reception, licensing related services, general public inquiry and complaint intake and processing

Personnel

Licensing completed an internal recruitment for permanent Administrative Specialist 2 position and Reagan Van Dorp accepted the position on April 14.

Licensing Update

The most recent data available for division performance is as follows:

Average Call Hold Time for the month of April - 29 Seconds

New complaints filed in the month of April – 46 cases

Average Days Processing complaints for month of April – 12 days

Customer Service Overall Rating - 96% (November 1, 2024– April 30, 2025)

RBN Renewal

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Eligible to Renew	397	339	332	320								
Failed to Renew	14	16	15	11								
% Renewed	96%	95%	95%	97%								

Licensing Statistics

Total Licensee Counts by Month:

Individuals (Persons)	<u>Mar-25</u>	<u>Apr-25</u>
_		
Broker – Total	16,867	16,838
Active	15,023	15,076
Inactive	1,844	1,762
Principal Broker - Total	6,065	6,059
Active	5,634	5,642
Inactive	431	417
ALL BROKERS Total	22,932	22,897
Active	20,657	20,718
Inactive	2,275	2,179
Property Manager - Total	1,033	1,042
Active	917	926
Inactive	116	116
MCC Salesperson	13	14
MCC Broker	0	0
TOTAL INDIVIDUALS	23,978	23,953
Active	21,587	21,658
Inactive	2,391	2,295
Facilities (Companies)		
REMO	4	4
Registered Business Name (RBN)	3,698	3,714
Registered Branch Office (RBO)	729	728
Escrow Organization	88	88
Escrow Branch	187	190
Unit Owners Association	800	801
Pre-License Education		
Provider (PEP)	25	25
CEP	277	279
MCC Operator	25	25
TOTAL FACILITIES	6,521	6,554
	,	
TOTAL INDIVIDUALS & FACILITIES	29,811	29,807

New Licenses by Month:

new Licenses by Month:		
Individuals (Persons)	Mar-25	Apr-25
Broker	132	126
Principal Broker	15	16
TOTAL BROKERS	147	142
Property Manager	15	17
MCC Salesperson	0	1
MCC Broker	0	0
TOTAL INDIVIDUALS	162	160
Facilities (Companies)		
Continuing Education		
Provider (CEP)	1	2
REMO	0	0
Registered Business Name	36	42
Registered Branch Office	7	8
Escrow Organization	0	0
Escrow Branch	0	0
Unit Owners Association	7	12
Pre-License Ed Provider	0	0
MCC Operator	0	0
TOTAL FACILITIES	60	76
TOTAL INDIVIDUALS		
& FACILITIES	213	224

Exam Statistics April 2025

Total ALL LICENSING EXAMS

Broker	389
Property Manager	35
Principal Broker	29
Reactivation	6

Pass Rates

First Time Pass Rate	<u> 2021</u>	<u> 2022</u>	<u>2023</u>	<u> 2024</u>	<u> 2025</u>
<u>Percentage</u>					
Broker State	47	44	42	44	45
Broker National	67	66	64	62	61
Principal Broker State	57	54	47	51	43
Principal Broker National	55	65	54	71	80
Property Manager	66	65	63	60	54

Oregon Real Estate Agency Education & Licensing Division Licensee Application & Renewal 2025 Data

	New Applications												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
<u>Brokers</u>	245	195	221	199									<u>860</u>
Principal Brokers	25	25	26	10									<u>86</u>
Property Managers	27	30	35	24									<u>116</u>
<u>Total</u>	297	250	282	233									1062

	Renewal Activity													
Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
On Time	Active	463	505	558	502									2028
	Inactive	30	30	29	23									112
Late	Active	73	50	44	57									224
	Inactive	6	11	21	7									45
Lapse		140	150	168	122									580
Total		712	746	820	711									2989

Principal Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
On Time	Active	194	174	199	229									796
	Inactive	13	8	9	9									39
Late	Active	13	9	8	9									39
	Inactive	2	2	2	3									9
Lapse		24	23	32	29									108
<u>Total</u>		246	216	250	279									991

Oregon Real Estate Agency Education & Licensing Division Licensee Application & Renewal 2025 Data

Property Managers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
On Time	Active	44	34	39	30									147
	Inactive	1	1	1	2									5
Late	Active	5	1	3	0									9
	Inactive	0	0	2	0									2
Lapse		4	6	10	5	·				·				25
<u>Total</u>		54	42	55	37									188

			<u>Gran</u>	d Total (B	rokers, Prir	cipal Brok	ers, Propert	y Manager	s)					_
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
Total Eligible to Renew		1012	1004	1125	1027									4168
On Time	Active	701	713	796	761									2971
	Inactive	44	39	39	34									156
Late	Active	91	60	55	66									272
	Inactive	8	13	25	10									56
Total Renewed		844	825	915	871									3455
Lapse		168	179	210	156									713
<u>% On Time</u>		73.6%	74.9%	74.2%	77.4%	%	%	%	%	%	%	%	%	75.0%
<u>% Late</u>		9.8%	7.3%	7.1%	7.4%	%	%	%	%	%	%	%	%	7.9%
% Failed to Renew (Lapsed)		16.6%	17.8%	18.7%	15.2%	%	%	%	%	%	%	%	%	17.1%
<u>Total</u>		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Oregon Real Estate Agency Education & Licensing Division Licensee Application & Renewal 2024 Data

				New .	Application	n <u>s</u>							
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
Brokers	219	204	217	176	197	181	159	171	173	156	171	164	2188
Principal Brokers	29	24	23	19	21	18	21	24	17	23	12	16	247
Property Managers	28	23	24	23	28	27	18	25	29	28	17	21	<u>291</u>
<u>Total</u>	276	251	264	218	246	226	198	220	219	207	200	201	2726

					Rene	wal Activit	t <u>v</u>							
Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
On Time	Active	519	498	533	555	584	550	534	528	554	568	445	505	6373
	Inactive	43	37	23	32	43	31	38	36	44	39	26	41	433
Late	Active	48	34	41	50	57	54	55	55	56	61	57	61	629
	Inactive	27	11	6	12	4	12	11	14	15	19	5	15	151
Lapse		144	126	140	141	135	135	141	149	139	113	127	145	1635
<u>Total</u>		781	706	743	790	823	782	779	782	808	800	660	767	9221

Principal Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
On Time	Active	213	235	230	223	230	242	203	214	247	221	197	202	2657
	Inactive	13	14	10	9	19	15	12	10	7	7	11	12	139
Late	Active	8	9	5	12	10	6	7	6	13	10	7	8	101
	Inactive	3	4	1	2	1	3	2	4	1	3	2	6	32
Lapse		32	26	29	14	28	23	28	23	16	23	28	27	297
<u>Total</u>		269	288	275	260	288	289	252	257	284	264	245	255	3226

Oregon Real Estate Agency Education & Licensing Division Licensee Application & Renewal 2024 Data

Property Managers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<u>Total</u>
On Time	Active	31	28	26	22	40	28	32	31	37	27	22	28	352
	Inactive	1	2	2	0	4	1	2	1	1	1	3	3	21
Late	Active	3	2	4	2	1	1	1	1	0	0	1	1	17
	Inactive	0	1	1	1	0	1	1	0	0	1	0	0	6
Lapse		11	10	5	10	5	13	11	10	8	11	7	6	107
<u>Total</u>		46	43	38	35	50	44	47	43	46	40	33	38	503

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Tota
Total Eligible to Renew		1096	1037	1056	1085	1161	1115	1078	1082	1138	1104	938	1060	1295
On Time	Active	763	761	789	800	854	820	769	773	838	816	664	735	9382
	Inactive	57	53	35	41	66	47	52	47	52	47	40	56	593
Late	Active	59	45	50	64	68	61	63	62	69	71	65	70	747
	Inactive	30	16	8	15	5	16	14	18	16	23	7	21	189
Total Renewed		909	875	882	920	993	944	898	900	975	957	776	882	1091
Lapse		187	162	174	165	168	171	180	182	163	147	162	178	2039

% On Time	74.8%	78.5%	78.0%	77.5%	79.2%	77.8%	76.2%	75.8%	78.2%	78.2%	75.1%	74.6%	77.0%
<u>% Late</u>	8.1%	5.9%	5.5%	7.3%	6.3%	6.9%	7.1%	7.4%	7.5%	8.5%	7.7%	8.6%	7.2%
% Failed to Renew (Lapsed)	17.1%	15.6%	16.5%	15.2%	14.5%	15.3%	16.7%	16.8%	14.3%	13.3%	17.3%	16.8%	15.7%
<u>Total</u>	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Oregon Real Estate Ag	ency Educa	tion & Lice	nsing Divisi	on Phone C	<u>ounts</u>								
(Minutes: seconds)	Jan – 25	Feb – 25	Mar – 25	Apr – 25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov25	Dec-25	2025 Average
Call Count	1471	1181	1348	1273									1318
Average Wait Time	:52	:45	:58	:29									:46
Maximum Wait Time	0:13:31	0:11:02	0:13:38	0:24:10									0:15:35

Oregon Real Estate Ag	ency Educa	tion & Lice	nsing Divisi	on Phone C	<u>ounts</u>								
(Minutes: seconds)	Jan – 24	Feb – 24	Mar – 24	Apr – 24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov24	Dec-24	2024 Average
Call Count	1588	1447	1509	1471	1415	1138	1252	1205	1232	1279	897	1213	1304
Average Wait Time	:30	:42	:45	:32	:25	:29	:27	:40	:33	:55	:55	:55	:39
Maximum Wait Time	0:09:48	0:12:50	0:11:01	0:10:00	0:13:36	0:13:28	0:20:09	0:13:37	0:10:11	0:17:29	0:16:03	0:18:31	0:13:54

Oregon Real Estate Ag	ency Educa	tion & Lice	nsing Divisi	on Phone C	<u>ounts</u>								
(Minutes: seconds)	Jan – 23	Feb – 23	Mar – 23	Apr – 23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov23	Dec-23	2023 Average
Call Count	1642	1368	1603	1428	1438	1286	1283	1468	1382	1445	1222	1265	1403
Average Wait Time	:33	:32	:35	:28	:28	:35	:38	:29	:32	:29	:40	:30	:32
Maximum Wait Time	0:11:07	0:11:14	0:10:58	0:09:13	0:10:11	0:16:20	0:09:26	0:11:08	0:11:55	0:11:53	0:10:46	0:10:44	0:11:15

Oregon Real Estate Ag	ency Educa	tion & Lice	nsing Divisi	on Phone C	<u>Counts</u>								
(Minutes: seconds)	Jan – 22	Feb – 22	Mar – 22	Apr – 22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov22	Dec-22	2022 Average
Call Count	1730	1520	1776	1510	1437	1444	1303	1510	1555	1444	1469	1295	1499
Average Wait Time	:33	:23	:45	:33	:35	:36	:42	:58	:50	:36	:29	:43	:39
Maximum Wait Time	0:20:37	0:12:03	0:26:17	0:13:25	0:10:53	0:11:15	0:11:13	0:31:05	0:32:16	0:13:58	0:10:52	0:11:53	0:17:09

AGENDA ITEM NO. VIII.B.7.

REAL ESTATE BOARD ADMINISTRATIVE SERVICES DIVISION REPORT June 2, 2025

Business & Human Resources Services Manager: Reba Dunnington

Systems Administrator: Tiffani Miller

IT Helpdesk: Denise Lewis
Program Analyst: Rus Putintsev
Accountant: Caty Karayel

Section Overview

The Administrative Services Division serves as the foundation of the Agency's operations by providing comprehensive support in accounting, purchasing and contracting, inventory control, facilities, payroll, human resources, special projects, information technology (IT), and performance management.

eLicense Replacement Project

Division staff provide support to the eLicense replacement project through project coordination, configuration feedback and user acceptance testing.

Accounting Update

Currently, the division is performing a review of internal accounting policies and ensuring compliance with the Oregon Accounting Manual. This project is ongoing and anticipated to complete by the end of fiscal year 2026 (June 30, 2026). We just finished reviewing the SPOTS card policy and we are getting ready to review with our card holders shortly.

As of March 2025, projected revenue for the 2023-2025 biennium is \$10.6 million. Projected expenses are \$10.7 million. The anticipated ending cash balance is \$6.06 million with two million of funds dedicated to finance the eLicense replacement system in the 2025-2027 biennium.

2023-2025 Budget - Biennium to Date Through June 30th 2025

Budget Codes (ORBITS)		23-2025 LAB	Expected Total Expenditures for Biennium (current)	Expected Remaining Limitation at end of Biennium
	Total Personal Services	9,391,241	8,839,506	551,735
4100 & 4125	In-State Travel & Out-of-StateTravel	107,334	56,224	51,110
4150	Employee Training	40,206	60,190	(19,984)
4175	Office Expenses	58,989	23,774	35,215
4200	Telecom/Tech Services & Support	70,231	72,149	(1,918)
4225	State Government Services	646,658	483,349	163,309
4250	Data Processing	118,785	70,149	48,636
4275	Publicity & Publications	39,905	310	39,595
4300 & 4315	Professional Services & IT Professional Services	378,671	431,802	(53,131)
4325	Attorney General Legal Fees	365,688	145,489	220,199
4375	Employee Recruitment	8,420	0	8,420
4400	Dues & Subscriptions	10,406	15,258	(4,852)
4425	Facilities Rent & Taxes	276,712	266,141	10,571
4475	Facilities Maintenance	4,911	14,556	(9,645)
4575	Agency Program Related S&S (pass th	rough funds remove	ed)	0
4650	Other Services & Supplies	4,269	179,312	(175,043)
4700	Expendable Property \$250-\$5000	31,678	6,147	25,531
4715	IT Expendable Property	155,803	69,268	86,535
	Total Services & Supplies	2,318,666	1,894,118	424,548
5550	Data Processing Software			0
	Total Capital Outlay			0
	Totals	11,709,907	10,733,624	976,283

Total Number of Exams: Brokers, Principal Brokers, Property Manager Exams by Month													
By Month													
	January	February	March	April	May	June	July	August	September	October	November	December	Total
2015	332	342	424	379	386	442	382	372	367	383	327	345	4,481
2016	426	476	552	559	483	638	464	402	501	421	372	439	5,733
2017	480	518	577	555	534	531	481	471	446	423	374	484	5,874
2018	533	465	575	574	562	580	531	524	458	471	361	388	6,022
2019	497	451	567	554	544	582	454	437	409	441	334	368	5,638
2020	505	433	333	45	335	522	622	617	645	691	577	647	5,972
2021	733	708	822	747	662	680	632	608	593	552	494	570	7,801
2022	658	634	745	733	617	538	521	514	503	464	412	449	6,788
2023	450	474	508	520	456	528	509	505	403	462	358	374	5,547
2024	382	457	520	456	427	448	419	413	329	307	300	321	4,779
2025	394												394