

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of)
FREDDIE JAEI FIGUEROA) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Freddie Jael Figueroa (Figueroa) do hereby agree and stipulate to the following:

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Figueroa was licensed as a broker with Keller Williams Premier Portland (KWPP). On July 12, 2023, Figueroa became licensed as a principal broker with KWPP.

1.2 On January 25, 2023, the Agency received a complaint from William and Ronda Peoples (Peoples) against Figueroa. The Agency opened an investigation.

1.3 On May 4, 2022, the Peoples entered into a listing agreement with Figueroa and KWPP to market and sell their property in Cornelius, OR (Property).

1.4 In Section 2 of the listing agreement, the exclusive right to sell was granted as follows, "The undersigned SELLER hereby grants to BROKER's FIRM the exclusive right to sell the property located at the address set for above."

1.5 On December 5, 2022, Figueroa disassociated his license with KWPP and moved it to Premiere Property Group LLC (PPG).

1.6 A search on Redfin's website showed the listing for the Peoples' Property was removed from RMLS on December 9, 2022.

1 1.7 In response to the complaint, Figueroa provided to the Agency a “Mutual
2 Agreement for Transfer of Files” (Transfer Agreement) that had been signed on December 5,
3 2022. The Transfer Agreement was signed by Figueroa, his Principal Broker at KWPP Kelly
4 Deos (Deos), along with Figueroa’s new Principal Broker at PPG, Sheryll Fong (Fong).

5 1.8 The Transfer Agreement included 12 files that KWPP agreed to transfer to PPG.
6 The Peoples’ Cornelius Property was one of the files.

7 1.9 In their complaint, the Peoples’ claimed they were not consulted and did not
8 approve this change.

9 **(1) Conclusion of Law:** By signing the “Mutual Agreement for Transfer of File” prior
10 to having a conversation and approval from the sellers, not contacting the Peoples until
11 December 10, 2022, and then providing incorrect information regarding the termination of the
12 listing in his text message, Figueroa violated ORS 696.301(3) as it incorporates ORS
13 696.805(3)(a) (2021 Edition).
14 1.10 Figueroa provided the Agency a copy of the “Addendum to
15 Listing Contract” (Addendum). The Addendum shows an effective date of December 8, 2022.

16 1.11 In Section A of the Addendum, it states “Seller authorizes Agent to change the
17 status of their current listing with Keller Williams Realty Portland Premiere to canceled in the
18 applicable MLS.” The Addendum further states “All parties agree that the listing is herein
19 canceled completely. Freddie Figueroa will furnish William and Ronda Peoples with the listing
20 photos of the home immediately at no charge, and all parties will have no further obligations.”

21 1.12 The Addendum was signed by Figueroa, Deos, and Fong. The Peoples did not
22 sign the Addendum.

23 1.13 On December 10, 2022, Figueroa sent a text message to Ronda Peoples (R.
24 Peoples) informing her that he had switched companies and that their property had come off
25 the market. In the text, Figueroa asked if she wanted the Property re-listed. The text also
26 included the statement “this is also an opportunity to just cancel the listing/terminate our
27 agreement since it automatically terminates when I join a new brokerage.”

28 1.14 In an interview with Agency Investigator Cidia Nañez (Nañez), R. Peoples said
29 she did not receive that text message.
30

1 1.15 R. Peoples sent a text message to Figueroa on December 12, 2022, asking him
2 if their Property was off the market. In response, Figueroa said that KWPP removed the listing,
3 and asked if she would like to remain with Figueroa or terminate their relationship with KWPP.

4 **(2) Conclusion of Law:** By not obtaining the Peoples' signature to the 'Addendum to
5 Listing Contract' that would have authorized the cancelation of their Property listing, Figueroa
6 violated ORS 696.301(3) as it incorporates ORS 696.805(3)(a)(c) (2021 Edition).

7 **(3) Conclusion of Law:** By sharing the sellers' information with PPG without their consent,
8 Figueroa violated ORS 696.301(3) as it incorporates ORS 696.805(3)(f) (2021 Edition).

9 1.16 All of the above demonstrates incompetence in performing acts for which the real
10 estate licensee is required to hold a license and conduct that is below the standard of care for
11 the practice of professional real estate activity in Oregon.

12 **(4) Conclusion of Law:** Based on the foregoing, licensee is subject to discipline under
13 ORS 696.301(12) and ORS 696.301(15) (2021 Edition)

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15
16 2.

17 2.1 The foregoing violations are grounds for discipline pursuant to ORS 696.301.

18 2.2 The Agency reserves the right to investigate and pursue additional complaints
19 that may be received in the future regarding this licensee.

20 2.3 In establishing the violations alleged above, the Agency may rely on one or more
21 of the definitions contained in ORS 696.010.

22
23 3.

24 **STIPULATION AND WAIVER**

25 I, Freddie Jael Figueroa, have read and reviewed this Stipulated Final Order and its
26 Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings
27 of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full
28 and complete agreement and stipulation between the Agency and me. I further understand
29 that if I do not agree with this stipulation, I have the right to request a Hearing on this matter
30 and to be represented by legal counsel at such a Hearing. I also understand that any Hearing

1 would be conducted in accordance with the procedures set forth in ORS Chapter 183 and in
2 accordance with the Rules of Practice and Procedure adopted by the Attorney General of the
3 State of Oregon. By signing this Stipulated Final Order, I freely and voluntarily waive my rights
4 to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this
5 matter.

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

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

15 ORDER

16 IT IS HEREBY ORDERED that Freddie Figueroa's principal broker license be, and
17 hereby is reprimanded.

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20 IT IS SO STIPULATED:

IT IS SO ORDERED:

21
22 DocuSigned by:
23 *Fred Figueroa*
1F732546DE50475...

24 FREDDIE FIGUEROA

25
26 Date 7/4/2024 | 5:47 AM PDT

DocuSigned by:
Steve Strode
E2C2D0097AD8471...

STEVEN STRODE

Real Estate Commissioner

27
28 Date 7/5/2024 | 11:08 AM PDT

29
30 Date of Service: 7/5/2024

