

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of
ALFREDO L. URENA)
STIPULATED FINAL ORDER

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

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

1.

1.1 At all times mentioned herein, Urena was licensed as a real estate broker with John L. Scott-Slm.

1.2 On January 25, 2023, the Agency received a complaint from Hilda Porras (Porras) against Urena. The Agency opened an investigation.

1.3 Porras stated in the complaint that Urena wrote a sales agreement for Porras to purchase a property in Salem, OR (Property).

1.4 On October 2, 2021, Porras signed a sales agreement to purchase the Property for \$415,000.00 with \$1,000.00 earnest money and \$99,000.00 down payment. Urena is listed as the broker representing both the buyer and the seller. According to Urena, there were problems with the first transaction, and too many changes. He told the Agency he did not terminate the transaction, but that the contract expired.

1.5 On January 12, 2022, Porras signed a new sales agreement to purchase the Property for \$365,000.00 with \$1,000.00 earnest money and \$49,000.00 down payment. Urena is listed as the broker representing both buyer and seller.

1 1.6 Line 40 on the sales agreement states that \$1,000.00 earnest money is herein
2 received for.

3 1.7 Lines 307-310 on the sales agreement state that the \$1,000.00 earnest money
4 will be deposited into escrow within three days.

5 1.8 Line 318 on the sales agreement states the deposit shall be placed with Escrow
6 or Buyer's Agent's Firm's Client Trust account no later than 5:00 pm on the last day of the
7 Deposit Deadline.

8 1.9 In an interview with Agency Investigator Dylan Ray (Ray), Urena confirmed that
9 he accepted an envelope that contained the \$1,000.00 earnest money and \$49,000.00 down
10 payment in cash and delivered it directly to the sellers.

11 1.10 In an interview with Ray, Urena stated that he did not count the money, but that it
12 was counted by Porras at the table near him, and he was told the envelope contained
13 \$50,000.00.

14 1.11 Following the settlement conference with the Agency, the Agency received an
15 email on August 14, 2023, containing a signed statement dated August 10, 2023. In the
16 statement, the sellers stated that "...on October 26, 2021, received from Alfredo Urena an
17 envelope containing \$50,000. sent by Porras." Urena provided the \$50,000.00 to the sellers
18 seven days after it was given to him from Porras.

19 1.12 In an email from Urena, he stated that he did not produce a receipt or any
20 documentation to acknowledge the deposit to the sellers.

21 **(1) Conclusion of Law:** By failing to deposit the \$1,000.00 earnest money directly with
22 escrow, and instead delivering it directly to the sellers, Urena violated ORS 696.301(3) as it
23 incorporates ORS 815(2)(a)(b), and ORS 696.815(5)(b) (2021 Edition).

24 **(2) Conclusion of Law:** By not providing a receipt or written documentation acknowledging
25 the \$49,000.00 down payment between buyer and seller, Urena violated ORS 696.301(3) and
26 its implementing rule OAR 863-015-0250(1)(d) (1/1/2023 Edition).

27 1.13 In the Disclosed Limited Agency Agreement for Buyers, and the Disclosed
28 Limited Agency Agreement for Sellers, provided to the Agency and exhibited in the Agency's
29 investigative report, both forms were incomplete.


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ORDER

IT IS HEREBY ORDERED that Alfredo Urena's broker license be, and hereby is reprimanded.

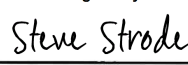
IT IS SO STIPULATED:

IT IS SO ORDERED:



ALFREDO L. URENA

Date 06-11-2024

DocuSigned by:

E2C2D0097AD8471...

STEVEN STRODE

Real Estate Commissioner

Date 6/17/2024 | 4:42 PM PDT



Date of Service: 6/17/2024