

BEFORE THE REAL ESTATE COMMISSION

STATE OF COLORADO

Case No. RG RE DLZBZ

Complaint No. 8050386

Case No. 8050386

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY ACTION AGAINST THE REAL ESTATE BROKER'S LICENSE OF DONNA J. DEUBEL, LICENSE NO. FA 334045,

Respondent.

IT IS HEREBY STIPULATED by and between the Colorado Real Estate Commission (the "Commission") and the Respondent, Donna J. Deubel (the "Respondent"), as follows:

1. At all times relevant hereto, the Respondent was a licensed real estate broker in the State of Colorado.
2. The Commission has jurisdiction over the Respondent and the subject matter of this action.
3. The Commission commenced an investigation of the Respondent's activities based a complaint filed with the Commission by Mark Eibner.
4. The Commission notified the Respondent of the investigation and the Respondent was given the opportunity to give written data, views and arguments concerning the investigation.
5. At its regularly scheduled public meetings on February 6, 2006, March 7, 2006, and February 5, 2008, the Commission considered the investigative report and found probable cause to refer the Respondent to hearing for violation of the real estate licensing law. The Commission authorized the preparation of this settlement agreement including the disciplinary terms which are contained in paragraph 8 below.
6. The Respondent was provided with a copy of the investigative report and was given an opportunity to meet with the Commission's staff regarding this matter.

7. The Respondent admits the following facts: While acting as a transaction broker under a listing agreement and as a principle and buyer, the Respondent failed to provide copies of transaction documents to the Seller, prepared unclear and inconsistent contract versions and terms, acted as a transaction broker while inactive, and executed an assignment of a pending commission without the authority to do so and by misrepresenting her authority to do so. The Respondent further admits that these facts constitute a violation of § 12-61-113(1)(n) and (t), C.R.S.

8. The Respondent accepts the following discipline:

The real estate broker's license of the Respondent shall be suspended for a period of two (2) years. Such suspension shall commence the date upon which this Stipulation and Final Agency Order is executed by an authorized Commission representative. During the period of suspension, the Respondent shall not engage in any act for which a real estate license is required as set forth in Subsection § 12-61-102, C.R.S. Any license(s) and/or pocket card(s) of the Respondent and of any individual(s) licensed to the Respondent shall be returned to the Commission no later than the effective date of the suspension.

9. It is the intent and purpose of this Stipulation to provide for the settlement of the particular issues, allegations and/or charges raised by the investigation of the Respondent's activities by the Commission as set forth in paragraphs 3 and 4 above.

10. The Commission expressly reserves:

a. the right to proceed with a subsequent disciplinary action in the event that the Respondent fails to comply with the terms of the Stipulation and Final Agency Order;

b. the right to proceed against the Respondent's license under Subsection § 12-61-307, C.R.S. if there is a payment from the Real Estate Recovery Fund based upon any conduct of the Respondent; and

c. the right to publish this Stipulation and Final Agency Order or a summary of the disciplinary terms provided for herein in the "Real Estate News", a Commission publication, and to continue thereafter to treat this Stipulation and Final Agency Order as a public record in the custody of the Commission.

11. The Respondent understands and knowingly and voluntarily enters into this Stipulation and Final Agency Order. The Respondent further understands and knowingly and voluntarily waives the following rights:

a. the right to a formal disciplinary hearing on the merits of the matters forming the basis of this Stipulation and Final Agency Order and the right to require the Commission to meet its burden of proof in the formal hearing;

b. the right to confront and cross-examine all witnesses against the Respondent at the formal hearing;

c. the right to subpoena witnesses, present evidence and to testify on the Respondent's own behalf at the formal hearing;

d. the right to be represented by counsel of the Respondent's own choosing and at the Respondent's expense at any stage of this proceeding;


e. the right to engage in pre-hearing discovery of the Commission's evidence; and


f. the right to appeal the Final Agency Order provided for by this Stipulation.

12. On the date upon which this Stipulation is executed by an authorized representative of the Commission, it shall become the Final Agency Order of the Commission.

RESPONDENT -LICENSEE

COLORADO REAL ESTATE COMMISSION

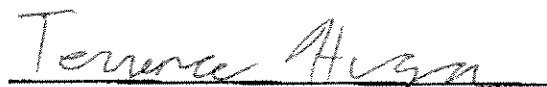

Donna J. Deubel
License No. FA 334045


ERIN TOLL, Director
1560 Broadway, Suite 925
Denver, CO 80202

Effective Date:
This 20th day of May, 2008.

Approved as to form:

JOHN W. SUTHERS
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