

BEFORE THE REAL ESTATE COMMISSION  
STATE OF COLORADO

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**STIPULATION AND FINAL AGENCY ORDER**

**IN THE MATTER OF THE REAL ESTATE BROKER'S LICENSE OF ALEX MILLER III, EA1147015**

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IT IS HEREBY STIPULATED by and between the Colorado Real Estate Commission ("Commission") and Alex Miller III ("Respondent"), as follows:

1. At all times relevant hereto, Respondent was licensed by the Commission as a Colorado real estate broker.
2. The Commission possesses jurisdiction over Respondent and the subject matter of this action.
3. The Commission commenced an investigation of Respondent's activities in connection with a guilty plea he entered in Douglas County District Court, case number 2000-CR-240.
4. The Commission notified Respondent of the investigation and Respondent was given the opportunity to give written data, views and arguments concerning the investigation.
5. At a regularly scheduled public meeting, the Commission considered the investigative report and accompanying information and information supplied by Respondent. The Commission opted to refer the matter to hearing.
6. Respondent admits the following facts: Respondent pled guilty to two counts of "Theft \$500 to \$15,000," a class 4 felony, and one count of "Theft \$100 to \$500," a class 2 misdemeanor, in Douglas County District Court, case number 2000-CR-240. Respondent failed to notify the Commission in writing of the guilty pleas.
7. Respondent accepts the following disciplinary action and imposition of discipline against Respondent's real estate broker's license pursuant to C.R.S. §§ 12-61-113 and 114, and 24-4-104 and 105:
  - a. The real estate license of Respondent shall be suspended for a period of 90 days. Such suspension shall commence upon the signing of this Final Agency Order. Upon the effective date of the suspension, Respondent shall refrain from engaging in any act requiring a real estate license as set forth in C.R.S. §§ 12-61-101 and 102.
  - b. Respondent shall pay a fine to the Commission in the amount of \$5,000.00. Respondent shall submit a payment plan to the Commission no later than 30 days after the signing of the Final Agency Order.

c. Respondent shall enroll in and successfully complete real estate education courses of not less than fifty (50) hours on or before December 31, 2009. At least ten (10) hours shall be focused on trust accounts. Within that same time period, Respondent shall submit written proof to the Commission of completion of the required courses. Such courses shall be completed in addition to any continuing education courses required by C.R.S. § 12-61-110.5 and the rules and regulations of the Commission.

d. Respondent's license will be restricted for five (5) years. During this time he will not be in control of a trust account or be the managing broker of a real estate company.

e. During Respondent's restricted license period, he will not be supervised by any relative, including his spouse.

f. Violation of any of the terms of this Stipulation shall constitute a violation of C.R.S. §12-61-113(1)(k), and subject Respondent, at the option of the Commission, to further disciplinary action.

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

9. The Commission expressly reserves:

a. The right to proceed with a subsequent formal disciplinary action in the event that Respondent fails to comply with the terms of this Stipulation; and

b. The right to publish this Stipulation 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 as a public record in the custody of the Commission.

10. Respondent understands and knowingly and voluntarily enters into this Stipulation 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 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 Respondent at the formal hearing.

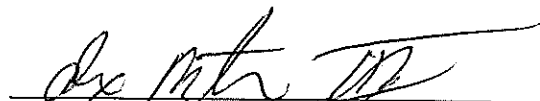
c. The right to subpoena witnesses, present evidence and to testify on Respondent's own behalf at the formal hearing.

- d. The right to be represented by counsel of Respondent's own choosing and at Respondent's own behalf at the formal hearing.
- e. The right to engage in any pre-hearing discovery of the Commission's evidence.
- f. The right to appeal the Final Agency Order provided for by this Stipulation.


11. On the date 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



Alex Miller III  
License No. EA1147015  
1288 South Peak View Drive  
Castle Rock, Colorado 80109



Erin Toll, Director  
1560 Broadway, Suite 925  
Denver, CO 80202  
(303) 894-2166

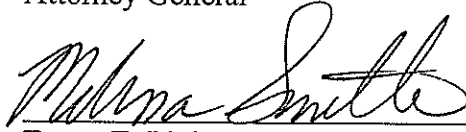
Alex Miller III  
P.O. Box 514  
Sedalia, Colorado 80135

Executed by the Commission this 17<sup>th</sup> day of December 2008.

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APPROVED AS TO FORM

JOHN W. SUTHERS  
Attorney General

A handwritten signature in cursive script, appearing to read "Tanya T. Light", written over a horizontal line.

Tanya T. Light  
Assistant Attorney General  
Business and Licensing Section  
Attorney for the Commission

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