

FILED

Texas Real Estate Commission

Date: 2/23/17

HEARING NO. 160687

IN THE MATTER OF
HANK SHANK
ENTERPRISES, INC
PINEHURST, TEXAS

§
§
§
§
§
§
§

BEFORE THE TEXAS REAL
ESTATE COMMISSION

("COMMISSION")

UNLICENSED

SITTING IN AUSTIN
TRAVIS COUNTY, TEXAS

AGREED ORDER

On February 7, 2016, "Hank Shank Enterprises, Inc." ("Respondent") was notified of allegations against it. In order to conclude this matter, Respondent admits to the truth of the following Findings of Fact and Conclusions of Law and agrees to the entry of this Order and assessment of an administrative penalty.

FINDINGS OF FACT

1. At all times relevant to this matter, Respondent did not hold a Texas real estate broker license.
2. "Hank Shank Enterprises, Inc." was formed by filing articles of incorporation with the Texas Secretary of State on November 18, 2004. On July 30, 2012, Kenna M. Stephenson (a real estate sales agent license holder) became the current registered agent for the entity.
3. On or about July 17, 2012 through May 10, 2016 and other unknown dates "Hank Shank Enterprises, Inc." held itself as engaging in real estate brokerage activity in Texas by conducting property management activities.
4. On May 10, 2016, "Hank Shank Enterprises, Inc." was notified to Cease and Desist all activities considered the business of real estate brokerage as defined in Section 1101.002(1), Texas Occupations Code.
5. Respondent states that it has ceased conducting property management activities and will not engage in brokerage activities unless and until it holds a broker entity license.
6. Respondent through its registered agent, regrets the unlicensed activity and understands that the legal entity must obtain a separate real estate broker entity license before the legal entity can engage in real estate brokerage activity. Respondent further understands that any unlicensed activity and disciplinary action must be disclosed in any future application for a real estate license.

CONCLUSIONS OF LAW

The acts and omissions on the part of Respondent set out in the Findings of Fact violates Section 1101.351(a) or 1101.351(a-1), Texas Occupations Code, by acting in the capacity of, engaging in the business of, or advertising or holding itself out as engaging in or conducting the business of a real estate sales agent or broker without first obtaining a real estate license, and is cause for the assessment of an administrative penalty against Respondent pursuant to Section 1101.701, Texas Occupations Code.

ORDER

IT IS ORDERED that Respondent pay an administrative penalty of \$1,000.00 by cashier's check or money order payable to the Texas Real Estate Commission. The remitter on the cashier's check or money order must be Respondent or Respondent's attorney.

IT IS FURTHER ORDERED that Respondent cease and desist from engaging in all activities for which a person must first hold a real estate broker or sales agent license until the appropriate license is obtained.

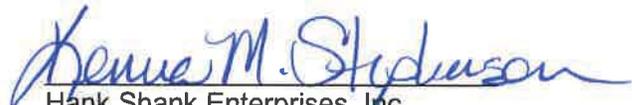
DATED: 23 Feb 17



Douglas E. Oldmixon
Executive Director
Texas Real Estate Commission

The undersigned Respondent states and affirms that Respondent enters into this agreed order of its own free will; that Respondent admits to the above Findings of Fact and Conclusions of Law; that Respondent has been afforded all administrative remedies due it under the law by the Commission; that Respondent, having been advised of its right to a hearing and to be represented by an attorney, waives these rights; and that Respondent waives all right to judicial review of this Order.

DATED: 2-15-2017



Hank Shank Enterprises, Inc.
By: Kenna M. Stephenson,
Registered Agent

DATED: 2-23-2017



J. Antonio Renteria
Staff Attorney
Texas Real Estate Commission