

HEARING NO. 161010

IN THE MATTER OF	§	BEFORE THE TEXAS REAL
HOME NETWORK RENTALS AND	§	ESTATE COMMISSION
PROPERTY MANAGEMENT, LLC	§	("COMMISSION")
KILLEEN, TEXAS	§	
	§	
TEXAS REAL ESTATE BROKER	§	SITTING IN AUSTIN
LICENSE NO. 607045	§	TRAVIS COUNTY, TEXAS

**AGREED ORDER**

On January 13, 2017, Home Network Rentals and Property Management, LLC ("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. Respondent was a Texas real estate broker until its license expired on August 31, 2013. Respondent's broker license was expired at all times relevant to this matter, and Respondent performed an act in Texas constituting an act of a broker or sales agent as defined under TEX. OCC. CODE §1101.002(1).
2. Respondent was first licensed as a real estate broker on August 5, 2010.
3. On or about July 27, 2011, Respondent executed a Residential Leasing and Property Management Agreement concerning 704 West Dean Avenue and 1307 Jackson Street, both in Killeen, Texas ("the Properties"). The Properties are single-family residential real property units.
4. Respondent continued to collect and maintain rent from the Properties after its broker license expired in 2013.
5. On or about November 14, 2016, by and through Texas real estate broker Stephen A. Owofade ("Owofade"), Respondent's manager, Respondent submitted an application for a real estate broker license by a business entity to the Commission.
6. Respondent answered "Yes" to question number 10 on the application: "Has the business entity ever acted, or attempted to act, as a real estate broker or sales agent or appraiser in this state or in any other state at a time when not properly licensed? (Include all periods in which you acted either before obtaining a license or after a license may have expired.) If the answer is YES, you must complete the applicable sections of the Background History Form..."
7. On December 14, 2016, the Commission approved Respondent's application for a real estate broker license.
8. Respondent's designated broker was unaware that Respondent needed a Texas real estate broker license to conduct the property management activities that were performed. Owofade, as designated broker, regrets allowing Respondent's broker

license to expire and understands a Texas real estate license is required to control rent from single-family residential real property units in Texas.

### CONCLUSIONS OF LAW

The acts and omissions on the part of Respondent set out in the Findings of Fact constitute the following violations that are cause for the suspension, revocation, or reprimand of Respondent's Texas real estate broker license pursuant to the specific statutes cited below and/or, Section 1101.656, Texas Occupations Code, and are further cause for the assessment of an administrative penalty against Respondent pursuant to Section 1101.701, Texas Occupations Code:

9. Section 1101.351(a-1), Texas Occupations Code, by engaging in real estate brokerage services without first holding a real estate broker license; and

### ORDER

IT IS ORDERED that Respondent's Texas real estate broker license is suspended for a period of two years, effective 5:00 p.m., January 31, 2017.

IT IS FURTHER ORDERED that beginning at 5:00 p.m., January 31, 2017, the suspension is fully probated for two years ending January 31, 2019, subject to the following terms.

1. Respondent must comply with Chapter 1101 of the Texas Occupations Code and with the Rules of the Commission.
2. Respondent must fully cooperate with the Commission's Standards & Enforcement Services Division in completing its investigation of any complaints filed against it.

IT IS FURTHER ORDERED that Respondent must pay an administrative penalty of \$1,000 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 a violation of the above terms is, after notice and hearing, grounds to revoke probation and impose the above suspension of Respondent's Texas real estate broker license in addition to any additional disciplinary action which may be warranted for a subsequent violation of the Texas Occupations Code.

DATED: 31 JAN 17

  
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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 Texas

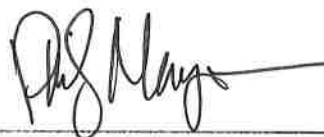
Real Estate Commission; that Respondent, having been advised of its right to a hearing and to be represented by an attorney, waives these rights; and that Respondent waives all right to judicial review of this Order.

DATED: 1/25/2017



Home Network Rentals and Property  
Management, LLC, Respondent  
By: Stephen. A. Owofade  
Respondent's Designated Broker

DATED: 31 JAN 2017



Pim S. Mayo  
Staff Attorney