

Hearing No. 181747

**In the Matter of  
Exp Realty, LLC  
Austin, Texas**

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**Before the Texas Real  
Estate Commission  
("Commission")**

**Texas Real Estate Broker  
License No. 603392**

**Sitting In Austin,  
Travis County, Texas**

**Agreed Order**

On January 15, 2019, Exp Realty, LLC ("Respondent") was notified of allegations against Respondent. 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.

**Findings of Fact**

1. Respondent is a licensed Texas real estate broker, was a Texas real estate broker at all times relevant to this matter, and performed an act in Texas constituting an act of a broker as defined under Section 1101.002(1), Texas Occupations Code.
2. Respondent was the sponsoring broker for Craig Berleme ("Berleme"), a licensed real estate sales agent, at all times relevant to this matter, and performed an act in Texas constituting an act of a broker as defined under Tex. Occ. Code §1101.002(1). Ronald O. Dunagan was the designated broker of Respondent at all times relevant to this matter. Sheila Dunagan is Respondent's current designated broker.
3. On or about August 24, 2017, Berleme negotiated a listing agreement with Sheryl Montoya ("the seller") for real property located at 9519 Old Quarry, San Antonio, Texas ("the property") on behalf of his broker.
4. At the time he listed the property, Berleme failed to provide the seller with a broker price opinion or a comparative market analysis as required by 22 Tex. Admin. Code §535.16(c).
5. On or about August 24, 2017, Berleme negotiated a contract for the property between the seller and Francisco A. Cortez ("the buyer"), with his broker acting as intermediary between the parties. Berleme failed to obtain written consent to intermediary from the buyer as required by Section 1101.559(a), Texas Occupations Code, although Berleme obtained a signed Intermediary Relationship Notice.
6. Respondent states that Respondent has and will continue to make training and supervision of sales agents of paramount importance. Before entry of this Agreed Order, Respondent states that it took proactive and appropriate steps to further train and supervise its sales agents to further ensure that the sales agents comply with the Commission's requirements, and that it will continue to do so.

7. Respondent had not been the subject of formal or informal disciplinary action by the Commission at the time of the events that occurred in the present complaint file.

### Conclusions of Law

The acts and omissions on the part of Respondent set out in the Findings of Fact constitute the following violation and are cause for the suspension, revocation, or reprimand of Respondent's Texas real estate broker license pursuant to the specific rule cited below and 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:

1. 22 Tex. Admin. Code §535.2(a) by negligently supervising a sales agent's acts or omissions set forth above while acting as a broker.

### Order

IT IS ORDERED that Respondent is formally reprimanded for Respondent's actions in the matter.

IT IS FURTHER ORDERED that Respondent must pay an administrative penalty of \$500 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.

Douglas E. Oldmixon

Digitally signed by Douglas E. Oldmixon  
DN: cn=Douglas E. Oldmixon, o=TREC/TALCB, ou=AMS,  
email=douglas.oldmixon@trec.texas.gov, c=US  
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Douglas E. Oldmixon                      Date  
Executive Director  
Texas Real Estate Commission

The undersigned Respondent states and affirms that Respondent enters into this agreed order of Respondent's 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 Respondent under the law by the Commission; that Respondent, having been advised of Respondent's 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: 5/1/2019 \_\_\_\_\_

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Exp Realty, LLC,  
By: Sheila Dunagan,  
Respondent's Designated Broker

DATED: 5/3/2019 \_\_\_\_\_

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DATED: 5/9/19

Jacob Scheick  
Attorney for Respondent

*Beverly S. Rabenberg*

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Beverly S. Rabenberg  
Staff Attorney  
Texas Real Estate Commission