

Hearing No. 182427

In the Matter of
Moses Flores
Temple, Texas

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Before the Texas Real
Estate Commission
("Commission")

Texas Real Estate Sales Agent
License No. 673897

Sitting In Austin,
Travis County, Texas

Agreed Order

On February 6, 2019, Moses Flores ("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 and assessment of an administrative penalty.

Findings of Fact

1. Respondent is a licensed Texas real estate sales agent, was a Texas real estate sales agent at all times relevant to this matter, and performed an act in Texas constituting an act of a broker or sales agent as defined under Section 1101.002(1), Texas Occupations Code.
2. Respondent is currently sponsored by Bert Hunter.
3. When leaving his former broker, Lloyd Thomas, Respondent downloaded files that Respondent states were related to his Respondent's father's properties and files from Respondent's personal electronic folder at the brokerage. Some of the files were deleted. Respondent understands that this was wrong and that he shouldn't have done so because these files were the broker's files.

Conclusions of Law

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

4. Section 1101.652(b)(2), Texas Occupations Code, by engaging in conduct that is dishonest or in bad faith or that demonstrates untrustworthiness while acting as a broker or sales agent.

Order

IT IS ORDERED that Respondent's Texas real estate sales agent license is suspended for a period of one year, effective 5:00 p.m., February 19, 2019.

IT IS FURTHER ORDERED that beginning at 5:00 p.m., February 19, 2019, the suspension is fully probated for one year ending February 19, 2020, 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 Respondent.
3. Not later than the 10th working day after the date of this Order or the date of any new sponsorship or change in sponsorship, Respondent must submit to the Commission's Standards & Enforcement Services Division a signed verification from Respondent's sponsoring broker that the sponsoring broker has received a copy of this Order and is aware of Respondent's probationary sales agent license and the terms of this Order. A violation of this term automatically suspends Respondent's real estate sales agent license until the signed verification is received.

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, other than those that specifically provide for automatic suspension, or automatic revocation of probation, is, after notice and hearing, grounds to revoke probation and impose the above suspension of Respondent's Texas real estate sales agent license in addition to any additional disciplinary action which may be warranted for a subsequent violation of the Texas Occupations Code.

DATED: 2/27/2019



Douglas E. Oldmixon
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 Texas Real Estate 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.

In the Matter of
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DATED: **2-28-2019**



Moses Flores
Respondent

DATED: **2-27-2019**

W. Kenneth
Herring

Digitally signed by W. Kenneth Herring
DN: cn=W. Kenneth Herring, o=TREC,
ou=SES, email=kherring@trec.texas.gov,
c=US
Date: 2019.02.27 10:21:47 -06'00'

Ken Herring
Staff Attorney