

Hearing No. 220015

**In the Matter of
Donnell Alexander Mann**

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

**Application for Real Estate
Sales Agent License**

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

Agreed Order

On July 29, 2021, Donnell Alexander Mann ("Applicant") filed an application for a real estate sales agent license with the Texas Real Estate Commission ("the Commission"). In order to conclude the review of this matter, Applicant neither admits nor denies to the truth of the following Findings of Fact and Conclusions of Law and agrees to the entry of this order issuing a probationary real estate sales agent license.

Findings of Fact

1. Between the dates of 1993 and 2009, Applicant committed the following misdemeanor and felony offenses: attempted murder, unlawful carrying weapon, driving while intoxicated, evading arrest, driving while intoxicated second offense, criminal mischief, possession of a controlled substance, and driving while intoxicated third offense.
2. On or about November 29, 2012, in Cause Number 12-07-11,718, in the 24th District Court, DeWitt County, Texas, Applicant pleaded guilty to the second degree felony of driving while intoxicated third or more offense. Applicant was sentenced to eighteen months in jail, ordered to pay court costs and Applicant's driver's license was suspended for two years. Applicant was released to parole on July 17, 2017, the term of which expires October 22, 2030. The offense occurred on or about June 19, 2011.
3. Applicant has cooperated with the Commission in disclosing all offenses, providing documents regarding the above offenses and explanations regarding the circumstances of the offenses. Many of the offenses above occurred when applicant was between the ages of 17 and 21.
4. Applicant accepts personal responsibility for his past criminal conduct and currently enjoys a good reputation with his community for honesty, trustworthiness, and integrity as evidenced by his letters of recommendation by authors that have personal knowledge of his criminal past criminal history, including a licensed broker willing to sponsor him.
5. Applicant has acknowledged his substance abuse problem to the Commission and states that he has maintained his sobriety for the past ten years.
6. Applicant has maintained steady employment for the past four years and has been promoted recently to an account manager position at his current employer.

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7. Applicant has not been adjudicated guilty or pleaded guilty to any other misdemeanor or felony offenses.

Conclusions of Law

8. The conduct of Applicant is directly related to the duties and responsibilities of the occupation of a licensed real estate sales agent, in that its commission tends to indicate an inability to represent the interests of others with honesty, trustworthiness, and integrity, as found by the Real Estate Commission in 22 Tex. Admin. Code §541.1(a).
9. The Commission is satisfied that, subject to this Order, Applicant will conduct Applicant's business with honesty, trustworthiness, and integrity as required by Section 1101.354 of the Texas Occupations Code.
10. The issuance of a probationary sales agent license is appropriate.

Order

IT IS ORDERED that Applicant's application for a real estate sales agent license is approved and the application be returned to processing for the issuance of a probationary sales agent license, subject to the terms set forth below.

IT IS FURTHER ORDERED that the license issued remain on probationary status for ten years, or until the completion of Applicant's parole in Cause Number 12-07-11,718, whichever occurs first, subject to the following terms.

1. Applicant must comply with Chapter 1101 of the Texas Occupations Code and with the Rules of the Commission.
2. Applicant must fully cooperate with the Commission's Enforcement Division in its investigation of any complaints filed against Applicant.
3. Not later than the 14th day after Applicant becomes sponsored by a broker or changes sponsoring brokers, Applicant must submit to the Commission's Enforcement Division a signed verification from Applicant's sponsoring broker that the sponsoring broker has received a copy of this Order and is aware of Applicant's probationary sales agent license and the terms of this Order. A violation of this term automatically suspends Applicant's real estate sales agent license until the signed verification is received.
4. Applicant must comply with all terms and conditions of the probation ordered by the court in case number 12-07-11,718. A violation of the terms and conditions of probation automatically revokes the probationary real sales agent license. This license revocation is effective the date of the violation of probation.
5. Not later than the 14th day after the date of a violation or change in the terms or conditions of the probation ordered by the court in case Number 12-07-11,718, Applicant must submit to the Commission's Enforcement Division a copy of the

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violation or change. A violation of this term automatically revokes probation and Applicant's real estate sales agent license will be revoked, starting on the effective date of the revocation of probation.

- 6. Applicant may not be convicted of or enter a plea of guilty or nolo contendere to, any additional criminal offense (other than a Class C misdemeanor). A violation of this term automatically revokes probation and Applicant's real estate sales agent license is revoked, starting on the effective date of the conviction or plea.
- 7. Applicant may not apply for a real estate broker license from the Commission during the term of this probationary order.


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 the probationary Texas real estate sales agent license issued to Applicant.

 12/2/2021

Chelsea Buchholtz Date
Executive Director, Texas Real Estate Commission
or
Tony Slagle
Deputy Executive Director, Texas Real Estate Commission

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

Dated 12/2/2021 _____



Donnell Alexander Mann
Applicant

Dated 12/2/2021 _____

John J. Knopic ??

John J. Knopic
Staff Attorney
Texas Real Estate Commission