

**BEFORE THE REAL ESTATE COMMISSION
OF THE STATE OF NEW MEXICO**

IN THE MATTER OF:

DONALD E. BROWN
Broker License No. 18369 AND 12163

NMREC CASE NO. 19-04-12-032
19-05-01-037
19-09-03-065
19-06-04-041
19-09-09-071

Respondent.

DEFAULT ORDER

THIS MATTER, came before the Real Estate Commission (the "Commission"), during its regular meeting scheduled for Monday, September 21, 2020, for a decision in the above referenced case. With a quorum present and majority vote of the Commission in the affirmative, the Commission finds the following:

1. A Notice of Contemplated Action ("NCA") was issued by the Commission on June 30, 2020.
2. The NCA was sent to Respondent via United States Postal Service certified mail return receipt (No. 7019 2280 0001 3954 6122) to the Respondent's address on file with the Commission on June 20, 2020.
3. On July 9, 2020, Respondent sent a response to the NCA stating that he had "read the Notice of Contemplated Action and understand the actions that can happen to me. I choose to not have a hearing in this matter."
4. The NCA was issued to the Respondent in compliance with the Uniform Licensing Act,

NMSA 1978, Sections 61-1-1 *et seq.*

5. The NCA informed the Respondent of his right to a hearing and that the Respondent must respond to the Commission in writing requesting a hearing within twenty (20) days after service of the NCA. NMSA 1978, Section 61-1-4(D).
6. The NCA informed the Respondent that failure to respond to the NCA will result in the Commission taking the contemplated action. NMSA 1978, Section 61-1-4(E).
7. Respondent did not mail a request for hearing within the time and manner required by NMSA 1978, Sections 61-1-4(D) and (E).
8. The Commission is “expressly vested with the power and authority to make and enforce rules to carry out the provisions of [Chapter 61, Article 29 NMSA 1978]. NMSA 1978, Section 61-29-4. The Commission can “impose a civil penalty on any person who is found, through a court or administrative proceeding, to have acted in violation of Chapter 61, Article 29 NMSA 1978. More specifically, the Commission is empowered to “suspend, revoke, limit or condition a license” if a licensee in performing any actions specified by Chapter 61, Article 29 NMSA 1978 commits any violations as enumerated in NMSA 1978, Sections 61-29-12.
9. Such action may include the imposition of fines, costs, education requirements or any other penalty authorized by NMSA 1978, Section 61-1-3.
10. The Commission’s Decision and Order are final and not subject to judicial review. NMSA 1978. Section 61-1-4(E).

IT IS ORDERED THAT Respondent’s licenses are revoked and Respondent may not apply for and shall not receive a broker’s license until the NCA has been answered and resolved.

President Gretchen Koether is designated by the Commission to sign this Order on behalf of the Real Estate Commission

IT IS SO ORDERED.

REAL ESTATE COMMISSION
OF NEW MEXICO

Date: 10-7-2020

Gretchen Koether
President Gretchen Koether

6099 456E T000 0822 6T02

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To <u>Donald Brown</u>	
Street and Apt. No., or PO Box No. <u>218 Tamarack</u>	
City, State, ZIP+4® <u>Sacramento NM 87501</u>	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

PS Form 3811, July 2015 PSN 7530-02-000-9053

Article Number (Transfer from service label)
7019 2280 0001 3954 6603

9590 9402 3493 7275 4520 41

Article Addressed to:
Donald Brown
218 Tamarack
Sacramento, NM 87501

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X

B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Restricted Delivery	

Domestic Return Receipt