

DIVISION OF REAL ESTATE  
JONATHAN C. STEWART, DIRECTOR  
DEPARTMENT OF COMMERCE  
P.O. BOX 146711  
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BEFORE THE DIVISION OF REAL ESTATE OF  
THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

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In the Matter of the Application of  
**JONATHAN JOHNSON** to Act as a Sales  
Agent

ORDER ON APPLICATION

Case No. RE-13-64789

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On March 15, 2013, Jonathan Johnson (Applicant) submitted to the Utah Real Estate Commission (Commission) and the Utah Division of Real Estate (Division) an application for a license to practice as a sales agent. The application was reviewed in an informal proceeding to determine whether Applicant meets the licensing requirements of Utah Code § 61-2f-203(1) (2012). The presiding officer, on behalf of the Division and pursuant to a grant of authority from the Commission, now makes the following analysis and order.

**REASONS FOR DECISION**

In his application, Applicant disclosed that he entered into a stipulation and order in 2007 and 2008, both regarding his Utah state-licensed appraiser license. Applicant also disclosed that his Georgia state-licensed appraiser license was revoked because he allowed it to lapse after an investigation had been initiated.

The 2007 stipulation and order on his Utah appraiser license required Applicant to pay a \$2,500 civil penalty and attend continuing education. The 2008 stipulation and order on his Utah appraiser license required Applicant to pay a \$7,500 civil penalty. Applicant stated that the

Georgia investigation related a requested appraisal file that was over five years old for which he was not required to maintain records.

Utah Code § 61-2f-203(1) (2012) requires that the Division and Commission determine whether an applicant demonstrates honesty, integrity, truthfulness, reputation, and competency. Utah Administrative Code § R162-2f-201(2) allows the Division and the Commission to consider sanctions placed on a professional license and investigations conducted by regulatory agencies relative to a professional license.

Applicant's Georgia license revocation is a blemish on his reputation. The two separate fines imposed on Applicant's Utah state-licensed appraiser license demonstrate a lack of competence. Therefore, Applicant does not meet the requirements of Utah Code § 61-2f-203(1) (2012) for unrestricted licensure.

The presiding officer wishes to put Applicant on notice that if he is to remain in the real estate industry he must conduct himself in a professional manner. Additionally, Applicant is currently seeking a real estate professional license; thus, it is imperative that he read and understand the laws and rules regulating the profession. Therefore, the presiding officer finds that issuing a probationary license is justified.

### **ORDER**

Based on the above analysis, Jonathan Johnson's application for licensure as a sales agent is granted with restriction. The license is placed on probation for the initial licensing period. During the probationary period, Mr. Johnson shall comply with all laws and with the rules regulating his profession, and shall conduct himself in a way that demonstrates his qualification and fitness for continuing licensure as a real estate professional.

This order shall be effective on the signature date below.

DATED this 24 day of April, 2013.

UTAH DIVISION OF REAL ESTATE



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Ben Jensen, Presiding Officer  
Utah Division of Real Estate

Notice of Right to Administrative Review

Review of this order may be sought by filing a written request for administrative review with the Director of the Division of Real Estate within thirty (30) days after the issuance of this order. Any such request must comply with the requirements of Utah Code Ann. § 63G-4-301 and R151-4-902 of the departmental rules.

CERTIFICATE OF MAILING

I hereby certify that on the 24 day of April, 2013, a true and correct copy of the foregoing document was sent first class mail, postage prepaid, to the following:

Jonathan Johnson  
2667 Singletree Lane  
South Jordan, UT 84095

Renda Christensen