

HEARING NO. 160886

IN THE MATTER OF	§	BEFORE THE TEXAS REAL
MICHAEL BRENT ALFARUE	§	ESTATE COMMISSION
MCKINNEY, TEXAS	§	("COMMISSION")
	§	
APPLICATION FOR REAL ESTATE	§	SITTING IN AUSTIN
SALES AGENT LICENSE	§	TRAVIS COUNTY, TEXAS

**AGREED ORDER**

On September 28, 2015, Michael Brent Alfarue ("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 admits 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. On or about August 29, 2014, in Case No. 005-84414-2014, in the County Court at Law No. 5, Collin County, Texas, Applicant pled guilty to the Misdemeanor offense of Assault Causes Bodily Injury. Adjudication was deferred and Applicant was placed on community supervision for a period of 12 months. Applicant successfully completed community supervision on August 27, 2015. Applicant was 21 years of age at the time of the offense. The assault offense occurred on April 28, 2014, while Applicant was in Collin County jail for failure to appear in another matter.
2. Applicant takes responsibility for his criminal conduct.
3. The circumstances surrounding the assault offense are unlikely to occur again.
4. Applicant enjoys an excellent reputation with the professional real estate community for honesty, trustworthiness, and integrity as evidenced by his letters of recommendation by authors that have personal knowledge of his past criminal history.
5. Applicant has a broker who will sponsor him when he receives his inactive real estate sales agent license.

**CONCLUSIONS OF LAW**

6. 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).
7. Applicant has provided the Commission with documentation that establishes the factors enumerated in Section 53.023, Texas Occupations Code, and establishes that he presently possesses the requisite honesty, trustworthiness, and integrity to

qualify for a real estate sales agent license.

8. The Commission is satisfied that, subject to this Order, Applicant will conduct he business with honesty, trustworthiness, and integrity as required by Section 1101.354 of the Texas Occupations Code.
9. 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 one year, 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 Standards & Enforcement Services Division in its investigation of any complaints filed against him.
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, Applicant must submit to the Commission's Standards & Enforcement Services 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.

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.

DATED 6 Feb 17

  
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Douglas E. Oldmixon  
Executive Director  
Texas Real Estate Commission

The undersigned Applicant states and affirms that Applicant enters into this agreed order of his own free will; that Applicant admits to the above Findings of Fact and Conclusions of Law; that Applicant has been afforded all administrative remedies due him under the law by the Texas Real Estate Commission; that Applicant, having been advised of his 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.

In the Matter of  
Michael Brent Alfarue  
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DATED 2/6/2017

  
Michael Brent Alfarue  
Applicant

DATED 2/6/2017

  
Sandra M. Zimmerman  
Staff Attorney  
Texas Real Estate Commission