

**STATE OF WASHINGTON
DEPARTMENT OF LICENSING
BUSINESS AND PROFESSIONS DIVISION**

In the Matter of the License to Practice as
a Managing Real Estate Broker/Real
Estate Broker/Real Estate Firm of:

Michael Hellickson, License # 17267,

Tara Hellickson, License # 2063, and

Hellickson.com, Inc., License # 7905

Respondents.

No. 2010-06-0027-00REA

**STATEMENT OF CHARGES ON
SUMMARY ACTION**

Jurisdiction of the Department of Licensing in this proceeding is based on Chapter 18.235 Revised Code of Washington (RCW) Uniform Regulation of Business Professions; Chapter 18.85 RCW; Chapter 308-124 Washington Administrative Code (WAC); Chapter 34.05 RCW the Administrative Procedure Act. Rules applicable to this proceeding are in Chapter 10-08 WAC the Model Rules of Procedure; and Chapter 308-08 Department of Licensing Practice and Procedure.

1. LICENSE HISTORY

1.1 Michael Hellickson, Respondent, holds a license to practice as a Managing Real Estate Broker, License #17267.

1.2 Tara Hellickson, Respondent, holds a license to practice as a Real Estate Broker, License #2063.

1.3 Hellickson.com, Inc., Respondent, holds a license to practice as a Real Estate Firm, License #7905.

2. STATEMENT OF CHARGES

2.1 Between approximately 2009 and the present, Michael Hellickson, Tara Hellickson, and Hellickson.com, Inc. (the Hellicksons) engaged in various patterns and practices of dishonest conduct in the course of their business, described in the following paragraphs.

2.2 The Hellicksons engaged in a pattern and practice of misrepresenting and advertising that they would purchase a home listed with them if it did not sell within thirty to ninety days, as demonstrated by the evidence gathered in case # 2009-04-005-00REA (Streight), case # 2010-01-0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith). This conduct violates RCW 18.85.230(1), (2), (3), (23), 18.235.130(1), (3), (4) and (11).

2.3 The Hellicksons engaged in a pattern and practice of encouraging the homeowners to stop making payments on their home loans as demonstrated by the evidence gathered in case # 2009-04-005-00REA (Streight), case # 2010-01-0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith). This conduct violates RCW 18.85.230(1) and (23), RCW 18.86.030(1)(a) and (b), RCW 18.235.130(4).

2.4 The Hellicksons engaged in a pattern and practice of listing homes at artificially reduced prices, which were not designed to accurately reflect what the owner of the home was willing to accept, in order to generate multiple low-ball offers. This practice resulted in dishonest advertising regarding the price of the homes the Hellicksons listed for sale. The Hellicksons engaged in a pattern and practice of automatically reducing the list price of the homes they listed. The list prices regularly fell below what the lender was willing to accept to release the lien on the home. This pattern and practice is demonstrated by the evidence gathered in case #2009-04-005-00REA (Streight), case # 2009-07-0027-00REA (Andersen), case # 2009-09-0073-00REA (Berg), case # 2010-01-0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith), case # 2010-01-0027-00REA (Wells), and case # 2010-01-0032-00REA (Ruvo and Atchley). This conduct violates RCW 18.85.230(1), (2), (3), (23), 18.86.030(1)(a), (b) and (d), 18.235.130(1), (3), (4) and (11).

2.5 The Hellicksons engaged in a pattern and practice of listing homes at prices that were not authorized by the homeowners, as demonstrated by the evidence gathered in case #2009-04-005-00REA (Streight), case # 2009-07-0027-00REA (Andersen), case # 2010-01-

0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith), and case # 2010-01-0032-00REA (Ruvo and Atchley). This conduct violates RCW 18.85.230(1), (2), (3), (23), 18.86.030(1)(a), (b), and (d), 18.235.130(1), (3), (4) and (11).

2.6 The Hellicksons engaged in a pattern and practice of misrepresenting the contents of the listing agreement to the homeowners whose homes they listed for sale, sometimes by misrepresenting the expiration date of the listing, sometimes by having the homeowner fill out a blank addendum and later filling in false authorizations for automatic price reductions on the home, or other addenda that were not explained, or explained in a misleading way to the homeowners. This pattern and practice is demonstrated by the evidence gathered in case #2009-04-005-00REA (Streight), case # 2009-07-0027-00REA (Andersen), case # 2010-01-0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith). This conduct violates RCW 18.85.230(1), (2), (3), (23), 18.86.030(1)(a), (b) and (d), 18.235.130(1), (4) and (11).

2.7 The Hellicksons engaged in a pattern and practice of failing to provide copies of executed listing agreements to homeowners at the time of execution, as demonstrated by the evidence gathered in case #2009-04-005-00REA (Streight), case # 2009-07-0027-00REA (Andersen), case # 2010-01-0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith). This conduct violates RCW 18.85.230(18), (23), 18.235.130 (4).

2.8 The Hellicksons engaged in a pattern and practice of negligent, dilatory communications with homeowners, potential buyers, and lenders, resulting in harm and prejudice to all three, as demonstrated by the evidence gathered in case #2009-04-005-00REA (Streight), case # 2009-07-0027-00REA (Andersen), case # 2010-01-0025-00REA (Richard Smith), case # 2010-04-0009-00REA (Tyson), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith), case # 2010-01-0027-00REA (Wells). This conduct violates RCW 18.85.230(23), and 18.235.130(4).

2.9 The Hellicksons engaged in a pattern and practice of drafting addenda to purchase and sale agreements as part of a counter-offer, stating "All Parties are aware that the sellers have requested that the buyer's pre-qualify through one of the following lenders," after which statement the Hellicksons listed two to three individuals at specified mortgage lending institutions. The homeowners did not request the buyers pre-qualify through any specific lender. This pattern and practice is demonstrated by the evidence gathered in case #2009-04-005-00REA (Streight), case # 2009-09-0073-00REA (Berg), case # 2010-01-0025-00REA (Richard Smith), case # 2010-01-0024-00REA (Cody), case # 2010-05-0029-00REA (Heather and Steven Smith), case #2009-08-0035-00REA (Dauron). This conduct violates RCW 18.85.230(1), (2), (3), and (23), 18.86.030(1)(a), (b) and (d), 18.235.130(1) and (4).

2.10 The Hellicksons engaged in a pattern and practice of telling owners they must vacate their homes before they were legally required to vacate, as demonstrated by the evidence gathered in case #2010-02-0041-00REA (Randall), case #2010-05-0029-00REA (Heather and Steven Smith), and case #2009-06-0016-00REA (Salo). This conduct violates RCW 18.85.230(3), (23), and 18.235.130 (4).


2.11 The Hellicksons have engaged and continue to engage in false advertising. Specifically, the Hellicksons advertise on their website that they are the "#1 Agent In Washington, Oregon and Hawaii" and that they are "top Washington, Oregon and Hawaii real estate agents," and they make other representations on their website that they are authorized to conduct real estate business in Oregon and Hawaii when they are not licensed real estate professionals in Oregon or Hawaii. The Hellicksons falsely advertise that they will sell a home in 30 days or they will buy it themselves. The Hellicksons falsely advertised that "Michael and his team of experts can now provide everything from zero down loans to super jumbo loans at the most competitive rates in the industry" when Michael Hellickson was not licensed as a loan originator or mortgage broker. False advertising violates RCW 18.85.230(2), (23), 18.85.361 (2), (3), (23), 18.235.130(3), (4), (11).

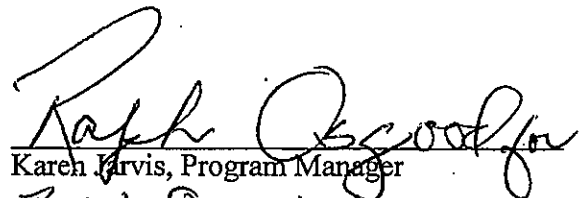
2.12 Based on the preceding paragraphs the Department of Licensing may take immediate action on this matter pursuant to RCW 18.235.030(7), RCW 34.05.422(4) and RCW 34.05.479 to avoid or prevent immediate danger to the public health safety or welfare.

3. REQUEST FOR SANCTIONS

Based upon the conduct of the respondent the Real Estate Disciplinary Program requests that the real estate licenses of Michael Hellickson, Tara Hellickson, and Hellickson.com, Inc. be suspended or revoked and/or other disciplinary measures be taken pursuant to RCW 18.235.110.

DATED this 2nd day of September, 2010.


Jody Lee Campbell, WSBA #32233
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ASSISTANT DIRECTOR

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