

the meeting except for Twila Hillme. Doris Carlin and Rosemary Vitale participated through conference call. Further, each member of this Commission has read the Default Decision of the Administrative Hearing Commission. The Commission was represented by Assistant Attorney General Todd Lucas. Respondent having received proper notice and opportunity to appear did not appear in person or through legal counsel. After being present and considering all of the evidence presented during the hearing, the Commission issues the following Findings of Facts, Conclusions of Law and Order.

Based upon the foregoing the Commission hereby states:

I.

FINDINGS OF FACT

1. The Commission is an agency of the state of Missouri created and established pursuant to § 339.120, RSMo, for the purpose of licensing all persons engaged in the practice as a real estate broker or salesperson in this state. The Commission has control and supervision of the licensed occupations and enforcement of the terms and provisions of §§ 339.010-339.205 and 339.710-339.855, RSMo.

2. The Commission hereby adopts and incorporates by reference the Default Decision, the Complaint upon which it was based and the record of the Administrative Hearing Commission in *Missouri Real Estate Commission v. Kirk A. Andersen*, Case No. 13-2171 RE, issued July 2, 2014, in its entirety and takes official notice thereof.

3. The Commission set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion. Respondent failed to appear in person or through legal counsel at the hearing before the Commission

4. This Commission licensed Respondent Kirk A. Andersen as a real estate salesperson, license number 2005035074. Respondent's salesperson license was not current at

all times relevant to this proceeding. On February 11, 2013 Respondent's salesperson license was suspended pursuant to § 324.010, RSMo, for failure to pay and/or file Missouri income taxes.

II.

CONCLUSIONS OF LAW

5. This Commission has jurisdiction over this proceeding pursuant to §§ 621.110 and 339.100, RSMo.

6. The Commission expressly adopts and incorporates by reference the Default Decision with the Complaint upon which the Default Decision was based, issued by the Administrative Hearing Commission dated July 2, 2014, in *Missouri Real Estate Commission v. Kirk A. Andersen*, Case No. 13-2171 RE, takes official notice thereof, and hereby enters its Conclusions of Law consistent therewith.

7. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Default Decision dated July 2, 2014, Respondent's real estate salesperson license, number 2005035074, is subject to disciplinary action by the Commission pursuant to § 339.100.2, (15), RSMo.

8. The Commission has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

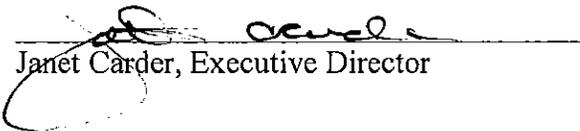
Having fully considered all the evidence before the Commission, and giving full weight to the Default Decision of the Administrative Hearing Commission, it is the **ORDER** of the Commission that the real estate salesperson license of Kirk A. Anderson (license no.

2005035074) is hereby **REVOKED**. All evidence of licensure shall be immediately returned to the Commission.

The Commission will maintain this Order as an open, public record of the Commission as provided in Chapters 339, 610 and 324, RSMo.

SO ORDERED, EFFECTIVE THIS 14th DAY OF October, 2014.

MISSOURI REAL ESTATE COMMISSION


Janet Carder, Executive Director

Before the
Administrative Hearing Commission
State of Missouri



MISSOURI REAL ESTATE COMMISSION,)
)
Petitioner,)
)
vs.)
)
KIRK A. ANDERSEN,)
)
Respondent.)

No. 13-2171 RE

DEFAULT DECISION

On December 31, 2013, Petitioner filed a properly pled complaint seeking to discipline Respondent. Respondent was served with a copy of the complaint and our notice of complaint/notice of hearing by personal service on March 24, 2014.

More than thirty days have elapsed since Respondent was served. Respondent has not filed an answer or otherwise responded to the complaint.

In accordance with § 621.100.2, RSMo (Supp. 2013), we enter a default decision against Respondent establishing that Petitioner is entitled to the relief requested in the complaint. This default decision shall become final and may not be set aside unless a motion is filed with this Commission within thirty days of the date of this order establishing good cause for not responding to the complaint and stating facts constituting a meritorious defense.

SO ORDERED on July 2, 2014.


SREENIVASA RAO DANDAMUDI
Commissioner