

BEFORE THE
MISSOURI REAL ESTATE COMMISSION
STATE OF MISSOURI

MISSOURI REAL ESTATE COMMISSION)	
)	
vs.)	License No. 2004019036
)	
VICKIE KAY LIND,)	
)	
Licensee.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND REVOCATION ORDER**

Pursuant to § 339.100.5, RSMo¹, the Missouri Real Estate Commission hereby issues its ORDER REVOKING the real estate license of Vickie Kay Lind, License No. 2004019036. As set forth in § 339.100.6, RSMo, Vickie Kay Lind may submit a written request to the Administrative Hearing Commission seeking a hearing and review of the Commission's decision to revoke her license. Such written request must be filed with the Administrative Hearing Commission within ninety (90) days of mailing, by certified mail, this notice of revocation. The written request should be addressed to the Administrative Hearing Commission, P.O. Box 1557, Truman State Office Building, Room 640, Jefferson City, MO 65102-1557. If no written request for review is filed with the Administrative Hearing Commission within the ninety-day period, all rights to appeal the Commission's decision shall be considered waived. Should Ms. Lind file a written request for review of this Order, the terms and conditions of this Order shall remain in force and effect unless and/or until such time as the Administrative Hearing Commission issues an Order to the contrary.

In support of the foregoing, the Commission hereby states:

¹ All statutory references are to the Revised Statutes of Missouri, as amended, unless otherwise indicated.

I.

FINDINGS OF FACT

1. The Missouri Real Estate Commission (“Commission”) is an agency of the State of Missouri created and existing pursuant to § 339.120, RSMo, for the purpose of executing and enforcing the provisions of §§ 339.010 to 339.205 and §§ 339.710 to 339.855, RSMo, and the regulations promulgated thereunder, relating to real estate salespersons and brokers.

2. Vickie Kay Lind (“Lind” or “Licensee”) is a natural person residing at 1440 State Highway 248, Suite Q169, Branson, Missouri 65616. Lind was licensed by this Commission as a real estate broker-officer, license number 2004019036, which was current and active at all times relevant to this proceeding.

3. On or about October 28, 2011 Vickie Kay Lind pled guilty to Conspiracy to Commit Wire Fraud, Wire Fraud, Conspiracy to Commit Money Laundering, and Money Laundering in the United States District Court, Western District of Missouri, case number 10-03044-01-CR-S-RD.

4. Pursuant to notice and § 339.100, RSMo, the Commission held a hearing on December 14, 2011, at approximately 9:30 a.m., at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining whether revocation of Lind’s license was required under § 339.100, RSMo. The Commission was represented by Assistant Attorney General Daniel Jacob. Licensee received proper notice and opportunity to appear but did not appear in person or through legal counsel. All of the members of the Commission were present and participated in the hearing and subsequent deliberations. Rosemary Vitale, Commission member, participated via telephone. After being present and considering all of the evidence presented during the hearing, the Commission issues this Findings of Facts, Conclusions of Law and Revocation Order.

II.

CONCLUSIONS OF LAW

5. Section 339.100.5, RSMo, provides, in relevant part:

Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(5) Mortgage fraud as defined in section 570.310, RSMo.

6. Section 570.310.1 also provides, in relevant part:

It is unlawful for a person, in connection with the application for or procurement of a loan secured by real estate to willfully:

(1) Employ a device, scheme, or artifice to defraud;

(2) Make an untrue statement of a material fact or to omit to state a material fact necessary in order to make the statement made, in the light of the circumstances under which it is made, not misleading;

(3) Receive any portion of the purchase, sale, or loan proceeds, or any other consideration paid or generated in connection with a real estate closing that such person knew involved a violation of this section[.]

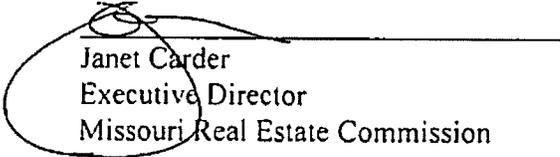
7. As a result of Vickie Kay Lind pleading guilty to Conspiracy to Commit Wire Fraud, Wire Fraud, Conspiracy to Commit Money Laundering, and Money Laundering in the United States District Court, Western District of Missouri, grounds exist for revoking Lind's real estate license, as required by § 339.100.5, RSMo.

III.

ORDER

Therefore, pursuant to § 339.100.5, RSMo, it is the ORDER of this Commission that the real estate broker-officer license of Vickie Kay Lind, license number 2004019036, is hereby revoked. All evidence of licensure shall be returned to the Commission within 30 days of this Order along with a Closing of a Real Estate Brokerage/Sole Proprietorship form.

So Ordered effective this 22nd day of December, 2011.



Janet Carder
Executive Director
Missouri Real Estate Commission