

Sarah Huckabee Sanders
Governor

Daryl Bassett
Secretary

Melissa L. Goff
Executive Director

Heather Henries
Deputy Director



Arkansas Real Estate Commission

Commissioners
Jerry L. Halsey, Jr., Chair
Tammy Browning, Vice Chair
Tracey Rancifer Rittelmeyer
Eugene Post
Luke Heffley

612 South Summit Street
Little Rock, AR 72201
501.683.8010

June 16, 2025

Homer Mason
5 Elliott Rd.
Greenbrier, AR 72058

CERTIFIED MAIL 9589 0710 5270 0708 8847 70
RETURN RECEIPT REQUESTED
FORMAL HEARING 3897

Dear Mr. Mason:

The Arkansas Real Estate Commission approved the Consent Order concerning the referenced matter on June 10, 2025. A signed copy of the Consent Order is enclosed. The Order should be self-explanatory, however, should you have questions, please contact Heather Henries, Deputy Director, (501) 683-8017.

Please advise if you have any questions.

Sincerely,

Melissa L. Goff
Executive Director

MLG/lb

Enclosure

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612 South Summit Street
Little Rock, AR 72201
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June 16, 2025

Sandy Valentine
73 Qual Valley Rd.
Sherwood, AR 72120

CERTIFIED MAIL 9589 0710 5270 0708 8847 87
RETURN RECEIPT REQUESTED
FORMAL HEARING 3897

Dear Ms. Valentine:

The Arkansas Real Estate Commission approved the Consent Order concerning the referenced matter on June 10, 2025. A signed copy of the Consent Order is enclosed. The Order should be self-explanatory, however, should you have questions, please contact Heather Henries, Deputy Director, (501) 683-8017.

Please advise if you have any questions.

Sincerely,

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612 South Summit Street
Little Rock, AR 72201
501.683.8010

June 16, 2025

Mark Harrison
73 Qual Valley Rd.
Sherwood, AR 72120

CERTIFIED MAIL 9589 0710 5270 0708 8847 94
RETURN RECEIPT REQUESTED
FORMAL HEARING 3897

Dear Mr. Harrison:

The Arkansas Real Estate Commission approved the Consent Order concerning the referenced matter on June 10, 2025. A signed copy of the Consent Order is enclosed. The Order should be self-explanatory, however, should you have questions, please contact Heather Henries, Deputy Director, (501) 683-8017.

Please advise if you have any questions.

Sincerely,

Melissa L. Goff
Executive Director

MLG/lb

Enclosure

BEFORE THE ARKANSAS REAL ESTATE COMMISSION

**IN THE MATTER OF
Homer Mason (Unlicensed)
Greenbrier, Arkansas**

FH 3897

CONSENT ORDER

The Arkansas Real Estate Commission [hereinafter referred to as "the Commission"] and Homer Mason [hereinafter referred to as "Respondent"] hereby enter into an agreed Order to resolve the referenced matter.

IT IS HEREBY AGREED by and between the Respondent and the Commission's Executive Director that:

1. Respondent Homer Mason is unlicensed and was unlicensed at all times pertinent to the allegations herein.

2. Respondent hereby waives any further procedural steps herein, including without limitation of his right to a hearing and all rights to seek judicial review or to otherwise challenge or contest the validity of this Consent Order.

3. Respondent has read the proposed Consent Order, acknowledges his right to consult with counsel, and voluntarily agrees to enter into this Consent Order on his own volition and without reliance upon any representation by the Commission, or any officer, employee, agent, or representative thereof other than expressly set forth herein.

4. Respondent has executed this Consent Order for the purpose of resolving the pending matter without further administrative action. In this regard, the Respondent agrees that the Commission will review and determine whether to approve this Consent Order. Furthermore, should the Commission not approve this Consent Order, the Respondent agrees that the presentation to and consideration of this Consent Order by the Commission shall not

unfairly or illegally prejudice the Commission or any of its members from further participation in the consideration and resolution of the matters set forth in the Order herein.

5. The Respondent and the Commission fully understand and agree that approval and entry of this Consent Order shall in no way preclude additional proceedings by the Commission against the Respondent for acts or omissions not specifically set forth in the Order and herein.

FINDINGS OF FACT

6. On or about October 19, 2019, Unlicensed Respondent Homer Mason submitted an Agreement To Sell Real Estate for the purchase of 251 Scenic Hill Road, Conway, Arkansas in the amount of \$205,000. Paragraph 9 Title (d) Memorandum read, "Seller authorizes Buyer to record a Memorandum of Agreement with respect to this contract in the public records upon execution thereof." Paragraph 13 Marketing read, "Upon execution of this agreement, Buyer will be operating as a principal in the purchase of Seller's property, will have an equitable interest in this property and there will have the right to market the property in any way Buyer deems fit; including but not limited to; [sic] listing the Property on the Multiple Listing Service (MLS), placing a sign on the property, advertising the property for sale...". The contract was electronically executed by Seller Mark L. Harrison and Buyer Homer Mason.

7. On or about October 24, 2019, an Affidavit and Memorandum of Real Estate Purchase Agreement was signed by Seller Mark Harrison. The Memorandum partially read, "A copy of the Real Estate Purchase Agreement between Seller and Buyer as well as the Agreement between Buyer and Freedom Property Interests LLC, a Wyoming Limited Liability Company ("FPI"), which provides FPI a contractual interest in the

Property, may be obtained by contacting FPI ...In order to satisfy this encumbrance, a Release of Interest must be obtained from FPI.”

8. On or about November 7, 2019, a letter addressed to Respondent Homer Mason from Attorney Kitty Cone of Davidson Law Firm read, “We represent Mark Harrison and Sandy Valentine...I have reviewed the Agreement to Sell Real Estate contract and the Affidavit and Memorandum of Real Estate Purchase Agreement that you provided to them for 251 Scenic Hill Road, Conway, AR 72034...I have advised them to terminate the agreement immediately...It is impossible to get title insurance in Arkansas with an out of state entity such as Freedom Property Interests, LLC in accordance with Section 9 of the Agreement to Sell Real Estate...Mark Harrison revokes any agreements, permissions, or authorizations executed in favor of Freedom Property Interests, LLC or yourself effective immediately.”

9. Attorney Jason Bolden sent a letter to Attorney Kitty Cone, RE: 251 Scenic Hill Road, Conway, Arkansas, Homer Mason and Mark Harrison read, “I represent Homer Mason, who is in receipt of your letter dated November 7, 2019, in regards to Mark Harrison’s revocation of the Agreement to Sell Real Estate dated 10/19/2019...It is not clear to me or my client the basis for the termination...Standard Abstract located at 1012 Autumn Road, Suite 4, Little Rock, AR 72211 would provide any required title insurance services pursuant to Paragraph 9 of the contract and will close on behalf of my client...My client may elect specific performance pursuant to Paragraph 11 of the contract, should we not be able to resolve this issue...How can we resolve this issue without resorting to protracted litigation?”

10. On or about November 10, 2019, Respondent Homer Mason emailed Complainants Harrison and Valentine which read, "I want you to know that it is always my top priority to take care of my clients, buyers and sellers alike...I was surprised and alarmed to see that you both took a hard and defensive posture against me as if I was your opponent or offender...For example, talking with a lawyer before you talked with me, and changing out the locks as if I would come onto your property without your consent..."

11. On or about November 12, 2019, the Affidavit and Memorandum of Real Estate Purchase Agreement was filed with Faulker County.

12. On or about December 2, 2019, Escrow Assistant Stephanie Duncan of Faulkner County Title emailed Freedom Property Interests, freedompropertyinterests@gmail.com, which read, "Please see attached agreement, we need a release of interest on this...We are working on closing and need either that or a quitclaim deed from Mr. Homer Mason to remove his interest in the property...Let me know if you have any questions."

13. On or about December 3, 2019, Brian Busch of Freedom Property Interests, LLC, emailed Escrow Assistant Stephanie Duncan which read, "Hi Stephanie, thank you for contacting us...We are researching this file and will follow up as soon as possible."

14. On or about December 4, 2019, Escrow Assistant Stephanie Duncan emailed Brian Busch which read, "Brian - Please keep me updated on this...We are needing some clarification pretty quickly to resolve this matter."

15. On or about December 6, 2019, Phil Pustejovsky, Managing Member of Freedom Property Interests, LLC, sent a letter addressed to "To Whom It May Concern"

which read, "For the property located at 251 Scenic Hill Road, Conway, AR 72034. This serves as the written payoff referenced in the Affidavit and Memorandum of Real Estate Purchase Agreement dated October 24, 2019 and filed and recorded on November 12, 2019 in the Faulkner County Recorder's Office in the State of Arkansas in Instrument Number L201917219, to which reference may be had...For the amount of \$5,000.00 which shall be good through 01/03/2020, Upon receipt, Freedom Property Interests, LLC will release and discharge any and all rights and/or indebtedness or other obligation secured from that Affidavit and Memorandum of Real Estate Purchase Agreement." According to the Complainants, this letter was sent to the title company.

16. On or about December 6, 2019, Brian Busch emailed Escrow Assistant Stephanie Duncan which read, "Stephanie, we have made contact with Homer Mason who has retained an attorney for this matter...Mr. Mason has an active contract with Mark Harrison and wishes to proceed to close as agreed, as purportedly was communicated by letter to Mr., Harrison's attorney, but without reply...Should Mr. Harrison choose to default on their agreement and instead sell to another buyer, Mr. Mason is willing to release his interest for a fee of \$5,000 as attached."

17. On or about December 9, 2019, Escrow Assistant Stephanie Duncan emailed Brian Busch which read, "Thank you for your quick response, we have forwarded this along to Mr. Harrison's attorney and will get back with you on how he would like to proceed...If you should have any questions or concerns, please don't hesitate to contact us."

18. On or about December 31, 2019, Respondent Homer Mason emailed Complainant Sandy Valentine which read, "I'm sure you all hate me right now, but I

really don't want to be a pain in the butt...I didn't appreciate how you abruptly broke contract with me and kicked me off the property...My partner was upset also."

19. On or about December 31, 2019, Attorney Kitty L. Cone with Davidson Law Firm emailed Respondent Homer Mason which read, "I represent Mark Harrison and Sandy Valentine...I sent you the notice of termination to you and to Freedom Property Interests LLC on November 7, 2019...Sandy Valentine hand delivered the notice of termination to you on November 8, 2019 at the Scenic Hill property...The notice revoked my client's agreement, authorizations, and permissions executed in favor of you or Freedom Property Interests LLC effective immediately...The notice was sent certified mail to you and your wife's home address on Elliott Road and to the address listed in the Real Estate Agreement at 1621 Central Ave, Cheyenne, WY 82001...On November 12, 2019, you then recorded the Affidavit and Memorandum of Real Estate Agreement, which clouded the title on the Scenic Hill property unlawfully...Additionally, you then changed Mr. Harrison's record with the tax assessor's office to indicate the statements should be sent to you...You were not authorized to make these changes...Lastly, neither you or your wife has a realtor's license and you have posted this property and others for sale, which is a violation of the Arkansas Real Estate Commission's rules and regulations...I am authorized to offer you/your wife and Freedom Property interests LLC \$1,000 to execute and return the enclosed quit claim deed before 3:00 om Tuesday, January 7...If I do not receive a response, I will file a suit against you, your wife, and Freedom Property Interests LLC on Wednesday morning."

20. On or about January 7, 2020, Complainants Mark Harrison and Sandy Valentine completed notarized affidavits noting events which took place during the transaction.

21. On or about January 30, 2020, Closing occurred on subject property at Faulkner County Title Company with Buyer Pinkston Custom Homes and Complainant Seller Mark Harrison.

CHARGES

22. By conducting activities as described in Arkansas Code Annotated §17-42-103(10) without holding an active Arkansas Broker's License, Respondent Mason engaged in unlicensed real estate activity as defined in Arkansas Code Annotated §17-42-103(13), in violation of Arkansas Code Annotated §17-42-105(a)(1) and §17-42-109.

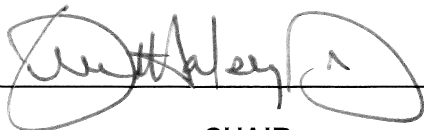
ORDER

IT IS THEREFORE ORDERED that Homer Mason is ordered to pay a civil penalty of \$5,000 to the Arkansas Real Estate Commission within ninety (90) days of the date of this order.

IT IS FURTHER ORDERED that the Commission shall retain jurisdiction of this matter for purposes of implementing and enforcing this Consent Order, and that Respondent's failure to comply with any provision herein shall constitute a violation of a Commission order pursuant to Arkansas Code Annotated §17-42-109 for which the Commission may impose disciplinary action upon the Respondent.

IT IS SO ORDERED this 10 day of June 2025.

ARKANSAS REAL ESTATE COMMISSION


CHAIR

Approved:

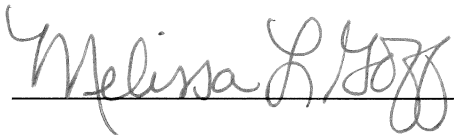


Homer Mason

Respondent

Ethan Nobles

Respondent's Attorney



Melissa L. Goff

Executive Director