

**STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES - LICENSING DIVISION
BOARD OF REAL ESTATE BROKERS AND SALESPERSONS**

BOARD MEETING MINUTES

March 2, 2009 9:30 a.m.

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Board of Real Estate Brokers and Salespersons met in Regular Session on March 2, 2009 at the Department of Energy, Labor & Economic Growth, Bureau of Commercial Services, First Floor, Conference Room 3, 2501 Woodlake Circle, Okemos, Michigan.

CALL TO ORDER

The business meeting was called to order by Chairperson Huggler at 9:30 a.m.

Present:	Brian T. Huggler	Chairperson
	Kyrian Nwagwu	Vice-Chairperson
	James W. Sellman	Member
	Sheri Sutherby-Fricke	Member
	Michael Glasson	Member
	Shawn Huston	Member
	Mark J. Wehner	Member
Absent:	Daniel Samson	Member
Staff:	Joyce Karr	Director of Licensing
	Ann Millben	Licensing Administrator
	Lori J. Porubsky	Assistant Licensing Administrator
	Angela Diro	Secretary
	Stephen Gobbo	Compliance/Legal
	Barrington Carr	Director of Enforcement
	Conrad Tatnall	Compliance/Legal
	Ann Paruk	Compliance/Legal
	Michael Lockman	Assistant Attorney General
Visitors:	Horace Burse	Petitioner
	Betty Bell	Petitioner
	Jason Pilotto	Petitioner
	Angela Harding	Employing Broker for Jason Pilotto
	Anne Piekarz	Petitioner
	Neil Piekarz	Employing Broker for Anne Piekarz
	Mark Huston	Guest of Board Member Huston
	Nancy Lukey	Attorney for John C. Klein

ADDITIONS TO OR DELETIONS FROM AGENDA

Ms. Millben reminded members of the folder contents containing additional information to be included for deliberation.

APPROVAL OF THE MINUTES FROM THE MEETING HELD December 1, 2008

MOTION: Ms. Sutherby-Fricke moved to approve the minutes from the December 1, 2008, meeting. Mr. Sellman seconded and the motion passed unanimously.

PUBLIC COMMENT

None.

PETITIONS

Horace Leander Burse, Salesperson Applicant, Detroit

The Board reviewed the Notice of Denial of an Application for a salesperson's license. Mr. Burse was present to discuss his Petition and answer questions.

MOTION: After discussion, Ms. Sutherby-Fricke moved to overturn the department's denial due to evidence of rehabilitation presented and grant a two (2) year limited license. The limitations are that Mr. Burse continues to be licensed to employing broker, Real Estate One Inc, for a two (2) year period. This will be contingent upon Mr. Burse passing of the Real Estate exam and the Department receiving a letter from the Broker stating they are willing to take full responsibility for Mr. Burse. Also Mr. Burse is not to handle earnest money for that two (2) year period. Mr. Huston seconded and the motion passed unanimously.

Danneta Moore, Salesperson Applicant, Benton Harbor

Ms. Millben informed the Board that Ms. Moore had called and requested to be postponed to the June 1, 2009 Board Meeting.

MOTION: Ms. Sutherby-Fricke moved to postpone Ms. Moore's petition until the June 1, 2009 Board Meeting at the request of the petitioner. Mr. Huston seconded and the motion passed unanimously.

Betty Jean Bell, Salesperson Applicant, Saginaw

The Board reviewed the Notice of Denial of an Application for a salesperson's license. Ms. Bell was present to discuss her Petition and answer questions.

MOTION: After discussion, Mr. Glasson moved to uphold the Department's denial in that (1) the offense was reasonably related to the practice of real estate, (2) sufficient evidence of rehabilitation was not presented and (3) the consequences and nature of the offense distinctly bears upon the ability to deal with the public in a fair, honest and open manner. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

Jason Pilotto, Salesperson Applicant, Dearborn

The Board reviewed the Notice of Denial of an Application for a salesperson's license. Mr. Pilotto and his prospective employing broker, Ms. Harding, were present to discuss his Petition and answer questions.

MOTION: After discussion, Ms. Sutherby-Fricke moved to overturn the department's denial due to evidence of rehabilitation presented and grant a two (2) year limited license. The limitations are that Mr. Pilotto continues to be licensed to employing broker, The House Stop LLC, for a two (2) year period. This will be contingent upon Mr. Pilotto passing of the Real Estate exam. Mr. Nwagwu seconded and the motion passed unanimously.

Anne R. Piekarz, Associate Broker Applicant, Sterling Heights

The Board reviewed the Notice of Denial of an Application for an associate broker license. Ms. Piekarz and her prospective employing broker, Mr. Piekarz, were present to discuss her Petition and answer questions.

MOTION: After discussion, Ms. Sutherby-Fricke moved to overturn the department's denial due to evidence of rehabilitation presented and issue an associate broker's license to Ms. Piekarz. Mr. Huston seconded and the motion passed unanimously.

STIPULATIONS

John C. Klein, Salesperson, License No. 6501-307580, Complaint No. 6507-000476

MOTION: After discussion, Mr. Glasson moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) shall be on administrative probation for a period of three (3) years from the date of the Final Order in this matter. Respondent understands that any final administrative, civil or criminal conviction for misappropriation, embezzlement or other action involving monies entrusted to Respondent during the probation period will result in revocation of Respondents Real Estate Salesperson license. This probation will not be reflected on Respondent's wall or pocket license or the Departments Verify A License website and will not limit or restrict Respondent's practice as a Real Estate Salesperson. Respondent will be automatically discharged from this probation at the end of the probationary period, provided Respondent has complied with the terms of this Stipulation and (3) failure to comply with the terms of this Stipulation shall result in the suspension of all licenses or registrations of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

Greenridge Realty Inc., School of Real Estate, License No. K276, Complaint No. 6507-000426, Former No. 306366

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order and (2) failure to comply with the terms of this Stipulation within 60 days shall within result in the suspension of all licenses or registrations of Respondent or in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Weathersby Realty Inc., Broker, License No. 6505-243142, Complaint No. 6506-000803, Former No. 305394

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent jointly or severally shall pay a \$1,000.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order and (2) failure to comply with the terms of this Stipulation within 60

days shall within result in the suspension of Respondents Weathersby Realty, Inc., Daniel Weathersby, Michigan State Real Estate Associate Broker and Broker License Nos. 6502-117068; 6505-243142 until compliance. Mr. Huston seconded and the motion passed unanimously.

Daniel Weathersby, Associate Broker, License No. 6502-117068, Complaint No. 6507-000114, Former No. 306111

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent jointly or severally shall pay a \$1,000.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order and (2) failure to comply with the terms of this Stipulation within 60 days shall within result in the suspension of Respondents Weathersby Realty, Inc., Daniel Weathersby, Michigan State Real Estate Associate Broker and Broker License Nos. 6502-117068; 6505-243142 until compliance. Mr. Huston seconded and the motion passed unanimously.

Frank Galindo, Salesperson, License No. 6501-309867, Complaint No. 6507-000485

MOTION: After discussion, Mr. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order and (2) Respondent's Real Estate Salesperson license shall be Voluntarily Surrendered for a period of at least three (3) years. Respondent may reapply for a Real Estate Salesperson license three (3) years from the Final Order in this matter. Respondent will immediately return the wall license and pocket card to the Department and (3) failure to comply with the terms of this Stipulation within sixty (60) days of the date of mailing shall result in the suspension of all licenses or registrations of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Huston seconded and the motion passed unanimously. Mr. Glasson abstained.

Ralph R. Roberts Real Estate Inc., Broker, License No. 6505-251761, Complaint No. 6503-000473, Former No. 87589

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) failure to comply with the terms of this Stipulation within sixty (60) days shall result in the suspension or continued suspension of all licenses or registrations of

both Respondents (including all licensed residential builder or maintenance and alteration contractor licensees for which Respondent(s) serve as qualifying officer) or in the denial of any license renewal and/or future applications for licensure until compliance and (3) failure to comply with the terms of this Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation or continued revocation of all licenses or registrations of both Respondents (including all licensed residential builder or maintenance and alteration contractor licensees for which Respondent(s) serve as qualifying officer) or in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Red Carpet Keim Lakeside Inc., Broker, License No. 6505-276004, Complaint No. 6505-000677, Former No. 301638

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on November 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months and (3) failure to comply with the terms of this Stipulation shall result in the suspension of all licenses of Respondent and in the denial of any license renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Ted William Reithel, Associate Broker, License No. 6502-110194, Complaint No. 6505-000678, Former No. 301639

MOTION After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which

stated that (1) Respondent shall pay a \$375.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on January 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months and (3) failure to comply with the terms of this Stipulation shall result in the suspension of all licenses of Respondent and in the denial of any license renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

William Joseph Law, Associate Broker, License No. 6502-125209, Complaint No. 6506-000798, Former No. 305359

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall jointly or severally pay a \$1,000.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order and (2) failure to file the required CPA Attestation Reports for Solanus Inc d/b/a century 21 Hartford; William Joseph Law Real Estate License Nos. 6505-249378; 6502-125209 with the Administrative Services Division within the applicable time Period(s), shall suspend Respondents Solanus, Inc d/b/a Century 21 Hartford Michigan State Real Estate Brokerage License No. 6505-249378; William Joseph Law, Michigan Real Estate Associate Broker No. 6502-125209 until full compliance. Mr. Huston seconded and the motion passed unanimously.

Hebron Prime Time Properties Inc., Broker, License No. 6505-322239, Complaint No. 6508-000007

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent Real Estate Associate Broker Jerry Ann Hebron

shall pay a \$1,000.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) Respondent Real Estate Associate Broker License Jerry Ann Hebron shall make Restitution to the State of Michigan in the amount \$500.00, covering 11 hours of work performed by the State of Michigan auditor on these files to the Department within sixty (60) days of the date of the mailing of the Final Order, (3) shall provide a CPA attestation to the Department 14 months after the date of the Final Order in this matter. The CPA attestation shall cover the period between March 1, 2008 through 12 months after the date of the Final Order, and shall report on the 8 Audit Recommendations that are found in the Compliance and Trust Fund Account, dated March 19, 2008 and (4) failure to comply with the terms set forth in this Stipulation shall result in a suspension of all licenses or registrations of Respondents or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Huston seconded and the motion passed unanimously.

Hebron Prime Time Properties Inc., Broker, License No. 6505-322239, Complaint No. 6508-000286

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent Real Estate Associate Broker Jerry Ann Hebron shall pay a \$1,000.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) Respondent Real Estate Associate Broker License Jerry Ann Hebron shall make Restitution to the State of Michigan in the amount \$500.00, covering 11 hours of work performed by the State of Michigan auditor on these files to the Department within sixty (60) days of the date of the mailing of the Final Order, (3) shall provide a CPA attestation to the Department 14 months after the date of the Final Order in this matter. The CPA attestation shall cover the period between March 1, 2008 through 12 months after the date of the Final Order, and shall report on the 8 Audit Recommendations that are found in the Compliance and Trust Fund Account, dated March 19, 2008 and (4) failure to comply with the terms set forth in this Stipulation shall result in a suspension of all licenses or registrations of Respondents or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Huston seconded and the motion passed unanimously.

Jerry Ann Hebron, Associate Broker, License No. 6502-322243, Complaint No. 6508-000325

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent Real Estate Associate Broker Jerry Ann Hebron shall pay a \$1,000.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) Respondent Real Estate Associate Broker License Jerry Ann Hebron shall make Restitution to the State of Michigan in the amount \$500.00, covering 11 hours of work performed by the State of Michigan auditor on these files to the Department within sixty (60) days of the date of the mailing of the Final Order, (3) shall provide a CPA attestation to the Department 14 months after the date of the Final Order in this matter. The CPA attestation shall cover the period between March 1, 2008 through 12 months after the date of the Final Order, and shall report on the 8 Audit Recommendations that are found in the Compliance and Trust Fund Account, dated March 19, 2008 and (4) failure to comply with the terms set forth in this Stipulation shall result in a suspension of all licenses or registrations of Respondents or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Huston seconded and the motion passed unanimously.

Claudia Susan Kalonich, Salesperson, License No. 6501-313717, Complaint No. 6507-000632, Former No. 307630

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$2,000.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) Respondent's Real Estate license shall be immediately Revoked for five (5) years from the date of execution of this Stipulation, (3) at the conclusion of the revocation of Respondent's license, Respondent shall be eligible to re-apply for licensure and (4) failure to comply with the terms of this Stipulation shall result in a revocation or continued revocation of all licenses or registrations of Respondent or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Sellman seconded and the motion passed unanimously.

Russell S. Dawson, Associate Broker, License No. 6502-130395, Complaint No. 6502-279700, Former No. 68385

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$250.00 fine to the Department within

sixty (60) days of the date of the mailing of the Final Order, (2) if Respondent currently serves as a signatory on his own or another broker's trust account, he shall submit to the Department a Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondent is responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on January 1, 2009 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondent to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months, (3) if Respondent does not serve as a signatory to any real estate trust account, then he shall supply written proof from his employing broker of this fact within sixty (60) days of the date of mailing of the Final Order in this matter and (4) failure to comply with the terms of this Stipulation within 60 days shall result in the suspension or continued suspension of all licenses or registrations of Respondent or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Huston seconded and the motion passed unanimously.

Linda R. Day, Associate Broker, License No. 6502-126408, Complaint No. 6505-000621, Former No. 301391

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$750.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on October 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA

Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Assured Real Estate Inc., Broker, License No. 6505-296208, Complaint No. 6505-000609, Former No. 301324

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$750.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on October 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Solanus Inc. D/B/A Century 21 Hartford, Broker, License No. 6505-249378, Complaint No. 6506-000735, Former No. 305188

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall jointly or severally pay a \$1,000.00 fine to

the Department within sixty (60) days from the date of the mailing of the Final Order and (2) failure to file the required CPA Attestation Reports for Solanus Inc d/b/a century 21 Hartford; William Joseph Law Real Estate License Nos. 6505-249378; 6502-125209 with the Administrative Services Division within the applicable time Period(s), shall suspend Respondents Solanus, Inc d/b/a Century 21 Hartford Michigan State Real Estate Brokerage License No. 6505-249378; William Joseph Law, Michigan Real Estate Associate Broker No. 6502-125209 until full compliance. Mr. Huston seconded and the motion passed unanimously.

Ronald W. Cooley, Associate Broker, License No. 6502-103233, Complaint No. 6505-000127, Former No. 302373

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on November 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

David Wendell Crabtree, Associate Broker, License No. 6502-126400, Complaint No. 6505-000539, Former No. 300978

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which

stated that (1) Respondent shall pay a \$750.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on August 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

David Wendell Crabtree, Associate Broker, License No. 6502-126399, Complaint No. 6505-000707, Former No. 301782

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on November 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a

second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Stanley John Selengowski, Associate Broker, License No. 6502-137225, Complaint No. 6505-000706, Former No. 301781

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on November 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Stanley John Selengowski, Associate Broker, License No. 6502-137224, Complaint No. 6505-000538, Former No. 300977

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$750.00 fine to the Department within

sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on August 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Lakeside Advantage Realty, Broker, License No. 6505-285084, Complaint No. 6505-000507, Former No. 300778

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$750.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on August 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the

ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Re/Max in the Park Inc., Broker, License No. 6505-203717, Complaint No. 6505-000647, Former No. 301541

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$375.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on January 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

William C. Hitchcock, Associate Broker, License No. 6502-128540, Complaint No. 6505-000679, Former No. 301640

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$375.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall

submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on January 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Uldis Terauds, Associate Broker, License No. 6502-118088, Complaint No. 6502-279600, Former No. 68384

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$250.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) if Respondent currently serves as a signatory on his own or another broker's trust account, he shall submit to the Department a Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondent is responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on January 1, 2009 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondent to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First

CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period, (3) if Respondent does not serve as a signatory to any real estate trust account, then he shall supply written proof from his employing broker of this fact within sixty (60) days of the date of mailing of the Final Order in this matter and (4) failure to comply with the terms of this Stipulation within 60 days shall result in the suspension or continued suspension of all licenses or registrations of Respondent or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Huston seconded and the motion passed unanimously.

Robert D. Kluck, Associate Broker, License No. 6502-115887, Complaint No. 6506-000656, Former No. 304813

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$1,500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on August 1, 2006 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

North Bay Real Estate Inc., Broker, License No. 6505-300010, Complaint No. 6506-000622, Former No. 304622

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$1,500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on August 1, 2006 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Teresa A. Chahine, Salesperson, License No. 6501-302411, Complaint No. 6506-000676

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent's Real Estate license shall be immediately Revoked. Respondent agrees to immediately return all licenses to the Department. Mr. Huston seconded and the motion passed unanimously.

Daniel Allen Nelson, Associate Broker, License No. 6502-137902, Complaint No. 6502-405000, Former No. 83155

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$325.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) if Respondent

currently serves as a signatory on his own or another broker's trust account, he shall submit to the Department a Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondent is responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on January 1, 2009 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondent to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period, (3) if Respondent does not serve as a signatory to any real estate trust account, then he shall supply written proof from his employing broker of this fact within sixty (60) days of the date of mailing of the Final Order in this matter and (4) failure to comply with the terms of this Stipulation within 60 days shall result in the suspension or continued suspension of all licenses or registrations of Respondent or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until full compliance. Mr. Huston seconded and the motion passed unanimously.

Joseph Duncan Schulte, Associate Broker, License No. 6502-111238, Complaint No. 6506-000126, Former No. 302372

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on November 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable,

then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

O Connor Realty Inc., Broker, License No. 6505-174019, Complaint No. 6505-000694, Former No. 301721

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$500.00 fine to the Department within sixty (60) days from the date of the mailing of the Final Order, (2) shall submit to the Department Certified Public Accountant Attestation Report(s) prepared by a CPA licensed in Michigan for the specified periods of time giving an opinion as to whether Respondents have deviated from the requirements of the Occupational Code or the Rules promulgated thereunder, using the Attestation Report format. Respondents are responsible for all costs associated with the preparation of the CPA Attestation Report. Report(s) shall include the period of time beginning on November 1, 2005 and ending six (6) months after the date of the Final Order in this matter. The Report(s) shall be submitted within sixty (60) days of the end date of the reporting period. Respondents agree that if the Department determines that the CPA Attestation Report(s) is not acceptable, then the Department may request Respondents to prepare and submit a second CPA Attestation Report for the six month period of time commencing with the ending date of the First CPA Attestation Report for an additional six (6) months to be submitted within sixty (60) days of end date for reporting period and (3) failure to comply with the terms of this Stipulation shall result in the suspension or continued suspension of all licenses or registrations of Respondent and in the denial of any license or registration renewal and/or future application's for licensure until compliance. Mr. Huston seconded and the motion passed unanimously.

Kevin Richard Knisely, Salesperson, License No. 6501-200730, Complaint No. 6508-000792, Former No. 310682

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent Kevin Knisely will make restitution to the

Construction Lien Recovery Fund in the amount of \$42,500.00 and that until and unless he does so he may not apply for nor hold a Residential Builders or Maintenance and Alteration Contractor's license nor serve as a qualifying officer for any licensed contractor and (2) failure to comply with the terms set forth in this Stipulation may result in a suspension of all Occupational Code licenses or registrations of Respondent Kevin Knisely or in the denial of any Occupational Code license or registration renewal and the denial of future applications for licensure or registration under the Occupational Code until full compliance. Mr. Sellman seconded and the motion passed unanimously.

HEARING REPORTS

A. Bruce Clute, Salesperson, License No. 6501-323585, Complaint No. 6505-000286, Docket No. 2008-1148

MOTION: Ms. Sutherby-Fricke moved to receive the Hearing Report in the matter of A. Bruce Clute. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Ms. Sutherby-Fricke moved that they accept the Administrative Law Judge recommendation to dismiss the complaint against respondent. Mr. Glasson seconded and the motion passed unanimously.

Terrell Thomas, Individual Broker, License No. 6504-351853, Complaint No. 6508-000264, Docket No. 2008-1516

MOTION: Ms. Sutherby-Fricke moved to receive the Hearing Report in the matter of Terrell Thomas. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondents license shall be immediately revoked upon mailing of the Final Order. Mr. Huston seconded and the motion passed unanimously.

Frederick K. Lovelace, Associate Broker, License No. 6502-121594, Complaint No. 6504-000640, Former No. 297020, Docket No. 2008-1147

MOTION: Ms. Sutherby-Fricke moved to receive the Hearing Report in the matter of Frederick K. Lovelace. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Ms. Sutherby-Fricke moved that they accept the Administrative Law Judge recommendation to dismiss the complaint against respondent. Mr. Sellman seconded and the motion passed unanimously.

STAFF REPORTS

Legislative Report

Ms. Millben stated that the House Bill regarding eliminating the requirement that brokers post wall licenses is still pending.

GMC Conviction Applicants Approval For Exam

Ms. Millben referenced the letter that she previously sent to the Board Members. She asked if any of the Board Members had questions regarding the letter or procedures. Ms. Sutherby-Fricke stated that she feels they have a better understanding of the Salesperson application examination and petition procedures.

September Board Meeting Date

Ms. Millben asked the Board to choose one of two dates that are available for the September Board Meeting September 21st or 28th.

MOTION: After discussion, Ms. Sutherby-Fricke moved that the September Board Meeting be scheduled for September 28, 2009. Mr. Wehner seconded and the motion passed unanimously.

ITEMS FOR CONSIDERATION FROM BOARD MEMBERS

Mr. Huggler raised the issue of security at Board Meetings. He felt that if there is a perceived possible threat prior to a Board Meeting, that accommodations for security at the meeting should be made. Mr. Huston pointed out that at today's meeting there was no threat, or even a hint of a threat, in the petitioners' files. He added that staff may have some advance notice with their dealing with the petitioners; and if something happens, it will happen fast. Mr. Huston believes that if there is a Police Officer in the room, attendees would think before they act. Ms. Sutherby-Fricke felt that in the Department's letter regarding security issues, the paragraph regarding Board Members and compliance conference problems, put the responsibility on the Board Members. Board Members are volunteers and should not be put in a threatening position.

Suggestions to decrease the possibility of risk included have conferences in different rooms/locations and stating on the letters attendees receive that weapons are not allowed in State buildings. More discussion may follow in other meetings regarding this subject. Mr. Gobbo pointed out that security officers do not check for weapons in the Department's downtown offices.

NEXT MEETING DATE – June 1, 2009

The next regularly scheduled meeting of the Board of Real Estate Brokers and Salespersons is scheduled for June 1, 2009.

ADJOURNMENT

There being no further business to be brought before the board, the meeting was adjourned at 11:02 a.m.

/s/ _____
Brian T. Huggler, Chairperson

6/1/09 _____
Date

/s/ _____
Ann Millben, Licensing Administrator

6/1/09 _____
Date