

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

BOARD MEETING MINUTES

September 22, 2008 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 September 22, 2008 at the Department of 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
	Michael M. Glasson	Vice-Chairperson
	James W. Sellman	Member
	Sheri Sutherby-Fricke	Member
	Kyrian Nwagwu	Member
	Shawn Huston	Member
	Kitrina A. Spencer	Member
	Mark J. Wehner	Member
Absent:	Daniel Samson	Member
Staff:	Ann Millben	Licensing Administrator
	Lori J. Porubsky	Assistant Licensing Administrator
	Angela Diro	Secretary
	Stephen Gobbo	Compliance/Legal
	Barrington Carr	Enforcement
	James Nelson	Compliance/Legal
	Ann Paruk	Compliance/Legal
	William Wilhelm	Compliance/Legal
	James Farhat	Policy Analyst
	Yvette Robinson	Enforcement
	Sara Hernandez	Assistant Licensing Administrator
	Stacie Bayes	Assistant Licensing Administrator
Visitors:	Scott McClue	Petitioner
	Peter Mirk	Broker for Scott McClue
	Byron M. Lacey	Petitioner
	Erik Hibbard	Petitioner
	Susanne O'Brien	Broker for Erik Hibbard

Stanislav Kaufman	Petitioner
Jason R Katz	Attorney for Stanislav Kaufman
Anthony Grewal	Petitioner
Mary Grewal	Wife of Anthony Grewal
Joan Kelly	Friend of Anthony Grewal
Larry J Brown II	Petitioner
Horace Burse	Petitioner

ADDITIONS TO OR DELETIONS FROM AGENDA

Ms. Millben indicated that agenda item 5C Petitioner Horace Burse will be moved to the last of the Petitioners as Mr. Burse is in transit to the meeting.

APPROVAL OF THE MINUTES FROM THE MEETING HELD JUNE 2, 2008

MOTION: Mr. Glasson moved to approve the minutes from the June 2, 2008, meeting. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

PUBLIC COMMENT

None.

PETITIONS

Byron M. Lacey, Salesperson Applicant, Sterling Heights

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

MOTION: After discussion, Mr. Glasson moved to uphold the Department's denial due to the Board's concern regarding lack of supervision that the prospective employing broker would be able to give to Mr. Lacey as evidence to the contrary was not provided. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

Erik Richard Hibbard, Salesperson Applicant, Lincoln Park

The Board reviewed the Notice of Denial of an Application for a salesperson's license. Mr. Hibbard and his prospective employing broker, Suzanne O'Brien, 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 limitation is that Mr. Hibbard continues to be licensed to employing Broker Real Estate One Inc, for a two (2) year period and this will be contingent upon Mr. Hibbard's passing of the Real Estate exam within ninety (90) days. Mr. Glasson seconded and the motion passed. Mr. Nwagwu voted no.

Larry Brown, Salesperson Applicant, Detroit

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

MOTION: After discussion, Ms. Sutherby-Fricke moved to postpone the Petition until the next meeting. The reason for the postponement is so the Petitioner can bring his prospective employing Broker and letters of support, Certificate of Completion for his alcohol treatment and proof of regular attendance at an alcohol support group. Mr. Nwagwu seconded and the motion passed unanimously.

Stanislav Boris Kaufman, Salesperson re-licensure, Birmingham

The Board reviewed the Notice of Denial of an Application for Salesperson relicensure. Mr. Kaufman along with his attorney, Mr. Katz, were present to discuss his Petition and answer questions.

MOTION: After discussion, Mr. Glasson moved to overturn the Department's denial due to the evidence of rehabilitation presented and grant a five (5) year limited license. The limitation is that Mr. Kaufman continues to be licensed to employing Broker, Judy Walker & Associates Inc, for a period of five (5) years. Ms. Sutherby-Fricke seconded and the motion passed. Ms. Spencer voted no.

Scott Robert McClue, Salesperson, Berkley

The Board reviewed the Notice of Denial of an Application for a salesperson's license. Mr. McClue along with his prospective Broker, Mr. Mirk, 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 issue a one (1) year limited license. The limitations are that Mr. McClue continues to be licensed

to employing Broker MetroDetroitREO.Net LLC, for a period of one (1) year. Also Mr. McClue is to not handle earnest money for that one year limited period. This is contingent upon Mr. McClue's passing of the Real Estate exam within ninety (90) days. Mr. Sellman seconded and the motion passed. Mr. Nwagwu voted no.

Anthony Grewal, Salesperson, Troy

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

MOTION: After discussion, Ms. Sutherby-Fricke moved to approve Mr. Grewal to take the exam. Once Mr. Grewal has passed the exam he is to come back before the Board with his prospective employing Broker at the next Board meeting. Mr. Sellman seconded and the motion passed unanimously.

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 approve Mr. Burse to take the exam within ninety (90) days and to have applicant come back before the Board at the next meeting. Once he has passed the exam, he is to bring his prospective employing broker to the next Board meeting with him. Mr. Nwagwu seconded and the motion passed unanimously.

STIPULATIONS

Craig Jefferson, Salesperson, License No. 6501-336375, Complaint No. 6506-000298, Former No. 303188

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$100.00 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 shall result in the revocation of all licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Sellman seconded and the motion passed unanimously.

Tyrone A. Deshazer Jr., Salesperson, License No. 6501-303623, Complaint No. 6506-000664, Former No. 304860

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a \$100.00 fine to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) shall pay Restitution in the amount of 1,882.50 to Tanesha M. Dawson within 60 days of the date of the mailing of the Final Order, (3) failure to comply with the terms of this Stipulation within 60 days shall result in the suspension of all licenses of Respondent including all licensed residential builder or maintenance and alteration contractor licensees for which Respondent serves as qualifying officer and in the denial of any license renewal and/or future applications for licensure until compliance and (4) failure to comply with the terms of this Stipulation within 6 months shall result in the revocation of all licenses or registrations of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Sellman seconded and the motion passed unanimously.

Trent Allen Stowe Sr., Individual Broker, License No. 6504-267417, Complaint No. 6508-000174

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) Respondent shall pay within one hundred twenty (120) days of the date of mailing of the Final Order in this matter fines totaling \$3,000.00 to the State of Michigan as ordered by Michigan Board of Residential Builders and Maintenance and Alteration Contractors in Complaint No. 95361, (3) failure to comply with the terms of this Stipulation in regards to the payment of the \$500.00 fine within sixty (60) days shall result in the suspension of all Article 25 licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance, (4) failure to comply with the terms of this Stipulation in regards to the payment of the \$3,000.00 fine within one hundred twenty (120) days shall result in the increase of fine in the amount of \$2,000.00 and revocation of all Article 25 licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance and (5) In the event that Respondent's license is Suspended or Revoked, Respondent shall immediately return any and all wall licenses and pocket cards to the Department. Mr. Sellman seconded and the motion passed unanimously.

Trent Allen Stowe Sr., Associate Broker, License No. 6502-348763, Complaint No. 6508-000175

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) Respondent shall pay within one hundred twenty (120) days of the date of mailing of the Final Order in this matter fines totaling \$3,000.00 to the State of Michigan as ordered by Michigan Board of Residential Builders and Maintenance and Alteration Contractors in Complaint No. 95361, (3) failure to comply with the terms of this Stipulation in regards to the payment of the \$500.00 fine within sixty (60) days shall result in the suspension of all Article 25 licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance, (4) failure to comply with the terms of this Stipulation in regards to the payment of the \$3,000.00 fine within one hundred twenty (120) days shall result in the increase of fine in the amount of \$2,000.00 and revocation of all Article 25 licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance and (5) In the event that Respondent's license is Suspended or Revoked, Respondent shall immediately return any and all wall licenses and pocket cards to the Department. Mr. Sellman seconded and the motion passed unanimously.

Lisa Michelle Wright, Associate Broker, License No. 6502-238253, Complaint No. 6507-000267

MOTION: After discussion, Mr. Sutherby-Fricke moved to accept the Stipulation that (1) Respondent 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 sixty (60) days of the date of mailing shall result in the suspension of all licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Sellman seconded and the motion passed unanimously.

Syatt Realty Group Inc, Broker, License No. 6505-338252, Complaint No. 6507-000245

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 of the date of the mailing of the Final Order, (2) Respondent Real Estate Broker Lic. 6505-338252 shall be placed on Probation for a period of time commencing upon the date of issuance of the

Final Order in this matter subject to the following: Respondent shall submit to the Department Certified Public Accountant (CPA) Attestation Report(s) prepared by a CPA licensed in Michigan for the period beginning February 28, 2007 through six months after the date of the Final Order, shall submit to Bureau of Commercial Services within sixty (60) days of the end date of the reporting period, (3) Respondent is responsible for all costs associated with the preparation of the CPA Attestation Reports, (4) Respondent agrees that the period of Probation shall end upon the submission of the CPA Attestation Reports required above and the determination of the Bureau of Commercial Services, Administrative Services Division that the Report(s) are acceptable and (5) 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 applications for licensure until compliance. Mr. Sellman seconded and the motion passed unanimously.

Syatt Realty Group Inc. d/b/a Syatt Realty, Broker, License No. 6505-338252, Complaint No. 6506-000670

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 of the date of the mailing of the Final Order and (2) 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. Sellman seconded and the motion passed unanimously.

Doris Marie Shaw, Individual Broker, License No. 6504-184141, Complaint No. 6503-001087

MOTION After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent's Real Estate Broker license continues to be revoked, (2) Respondent shall return her Wall License and Pocket Card to the Department within thirty (30) days of the issuance of a Final Order in this matter and (3) Respondent shall not submit an application for licensure, relicensure, reinstatement, or renewal, for at least three (3) years after the service date of the final Order in this matter. Mr. Sellman seconded and the motion passed unanimously.

Doris Marie Shaw, Individual Broker, License No. 6504-184141, Complaint No. 6503-001053

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent's Real Estate Broker license continues revocation, (2) Respondent shall return her Wall License and Pocket Card License to the Department within thirty (30) days of the issuance of a Final Order in this matter and (3) Respondent shall not submit an application for licensure, relicensure, reinstatement, or renewal, for at least three (3) years after the service date of the final Order in this matter. Mr. Sellman seconded and the motion passed unanimously.

Delbert Dulane Saulter, Associate Broker, License No. 6502-338254, Complaint No. 6507-000268

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) Respondent Real Estate Associate Broker License 6502-338254 shall be placed on Probation for a period of time commencing upon the date of issuance of the Final Order in this matter subject to the following: Respondent shall submit to the Department Certified Public Accountant (CPA) Attestation Report(s) prepared by a CPA licensed in Michigan for the period beginning February 28, 2007 through six (6) months after the date of the Final Order, shall submit to Bureau of commercial Services within sixty (60) days of the end date of the reporting period, (3) Respondent agrees that if the Department determines that the First CPA Attestation Report is not acceptable the Department may request that the Respondent prepare and submit a Second CPA Attestation Report for the 6 month period of time commencing with the ending date of the First CPA Attestation Report and (4) 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 applications for licensure until compliance. Mr. Sellman seconded and the motion passed unanimously.

Delbert Dulane Saulter, Associate Broker, License No. 6502-338254, Complaint No. 6507-000266

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 shall result in the suspension of all

licenses of Respondent and in the denial of any license renewal and/or future applications for licensure until compliance. Mr. Sellman seconded and the motion passed unanimously.

HEARING REPORTS

Infinity Homes Real Estate Inc, Broker, License No. 6505-308260, Complaint No. 6507-000246, Former No. 306793

MOTION: Ms. Sutherby-Fricke moved to receive the Hearing Report in the matter of Infinity Homes Real Estate Inc. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$2,000.00 civil fine payable within sixty (60) days of the date of mailing of the Final Order, (2) Respondent's license shall be suspended immediately on the date of the mailing of the Final Order and (3) failure of Respondent to pay civil fine within ninety (90) days of the issuance of the Final Order, Respondent's licenses will be revoked. Mr. Huston seconded and the motion passed unanimously.

Ramon Joseph Patrick Sr., Salesperson, License No. 6501-343708, Complaint No. 6507-343708, Former No. 306794

MOTION: Ms. Sutherby-Fricke moved to receive the Hearing Report in the matter of Ramon Joseph Patrick Sr. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Mr. Huston moved that (1) Respondent shall pay a \$1,500.00 civil fine payable within sixty (60) days of the date of mailing of the Final Order, (2) Respondent's license shall be suspended immediately on the date of the mailing of the Final Order and (3) failure of Respondent to pay civil fine within ninety (90) days of the issuance of the Final Order, Respondent's licenses will be revoked. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

Roger S. Canzano, Salesperson, License No. 6501-307330, Complaint No. 6505-000657, Former No. 301581

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent's license shall be revoked immediately on the date of the mailing of the Final Order, (2) Respondent shall pay a fine of \$10,000.00 within sixty (60) days of the date of mailing of the Final Order and (3) Respondent must abide by Rule 215, which states, "A person whose license has been revoked shall not apply for a new license for at least three (3) years after the service of the Final Order. To be considered for a license following a revocation, an applicant shall meet all educational and examination requirements in effect at the time of application. Credit for education, examinations, or experience obtained before the revocation shall not be granted." Mr. Huston seconded and the motion passed unanimously.

Meron Seyoum, Salesperson, License No. 6501-298166, Complaint No. 6506-000651

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent's license shall continue to be revoked, (2) Respondent shall pay a \$10,000.00 fine within sixty (60) days of the date of mailing of the Final Order and (3) Respondent must abide by Rule 215, which states, "A person whose license has been revoked shall not apply for a new license for at least three (3) years after the service of the Final Order. To be considered for a license following a revocation, an applicant shall meet all educational and examination requirements in effect at the time of application. Credit for education, examinations, or experience obtained before the revocation shall not be granted." Mr. Glasson seconded and the motion passed unanimously.

Charnette Rochell Henderson Associate Broker, License No. 6502-129213, Complaint No. 6507-000202

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

MOTION: After discussion, Mr. Huston moved that (1) Respondent shall pay a \$1,500.00 fine within sixty (60) days of the date of mailing of the Final Order and (2) immediate suspension of Respondent's license. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

Brian Wesley Gossan Salesperson, License No. 6501-272176, Complaint No. 6507-000262

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,500.00 fine within sixty (60) days of the date of mailing of the Final Order, (2) immediate revocation of Respondent's license and (3) Respondent must abide by Rule 215, which states, "A person whose license has been revoked shall not apply for a new license for at least three (3) years after the service of the Final Order. To be considered for a license following a revocation, an applicant shall meet all educational and examination requirements in effect at the time of application. Credit for education, examinations, or experience obtained before the revocation shall not be granted." Mr. Huston seconded and the motion passed unanimously.

STAFF REPORTS

Legislative Report

James Farhat distributed legislative information and drew the Board's attention to HB 5270. The bill is intended to remove the brokers' statutory wall license posting requirement. Board reviewed the report with minimal questions.

ITEMS FOR CONSIDERATION FROM BOARD MEMBERS

Ms. Millben explained the new on-line Salesperson application process which an applicant must complete to become licensed. Using iCola, applicants complete the license application on-line, but if they indicate a conviction or disciplinary action, the information doesn't get passed on to PSI to enable them to sit for the exam. After discussion, the Board requested that applicants be allowed to take the exam before there application is denied even if they have conviction or disciplinary action issues. Ms. Millben stated that she would look into the matter further.

NEXT MEETING DATE – December 1, 2008

The next regularly scheduled meeting of the Board of Real Estate Brokers and Salespersons is scheduled for December 1, 2008.

