

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

BOARD MEETING MINUTES

December 1, 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 December 1, 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
	Daniel Samson	Member
Staff:	Ann Millben	Licensing Administrator
	Lori J. Porubsky	Assistant Licensing Administrator
	Angela Diro	Secretary
	Barrington Carr	Acting Enforcement Director
	William Wilhelm	Compliance/Legal
	Ann Paruk	Compliance/Legal
Visitors:	Brian Rashid	Petitioner
	Annette Compo	Broker for Brian Rashid
	Betty Bell	Petitioner
	Danneta Moore	Petitioner
	Tom Jennings	Petitioner
	Kennis M. Johnson	Petitioner
	Anthony Grewal	Petitioner
	Larry J. Brown II	Petitioner
	Arturo Rodriguez	Petitioner

ADDITIONS TO OR DELETIONS FROM AGENDA

Ms. Millben indicated that agenda item 5C Petitioner Horace Burse will be postponed until the March 2, 2009 meeting per petitioner's request. There was also additional information submitted by Petitioners 5B, Mr. Grewal, and 5D, Mr. Rashid. And an addition to the agenda under Hearing Reports was noted as 7.5, Charnette Henderson, for Final Order reconsideration.

APPROVAL OF THE MINUTES FROM THE MEETING HELD SEPTEMBER 22, 2008

MOTION: Ms. Sutherby-Fricke moved to approve the minutes from the September 22, 2008, meeting. Mr. Glasson seconded and the motion passed unanimously.

PUBLIC COMMENT

None.

PETITIONS

Larry J. Brown II, Salesperson Applicant, Detroit

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Mr. Brown was present to discuss his Petition and answer questions.

MOTION: After discussion, Ms. Sutherby-Fricke moved to overturn the Department's denial due to the evidence of rehabilitation presented and grant a two (2) year limited license. The limitation is: (1) that Mr. Brown continues to be licensed to employing Broker, Keller Williams Realty of West Bloomfield for a two (2) year period; this will be contingent upon Mr. Brown's passing of the real estate exam. Mr. Nwagwu seconded and the motion passed unanimously.

Anthony Grewal, Salesperson Applicant, Troy

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Mr. Grewal was present to discuss his Petition and answer questions.

MOTION: After discussion, Mr. Glasson moved to overturn the Department's denial due to evidence of rehabilitation presented and grant a one (1) year limited license. The limitations are: (1) that Mr. Grewal continues to be licensed to employing Broker, Freedom Realty Inc, for a one (1) year period

and (2) no handling of earnest money; this will be contingent upon Mr. Grewal's passing of the real estate exam. Ms. Sutherby-Fricke seconded and the motion passed unanimously.

Brian Rashid, Salesperson Applicant, Farmington Hills

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Mr. Rashid and his prospective employing Broker, Ms. Compo, were present to discuss his Petition and answer questions.

MOTION: After discussion, Mr. Samson moved to overturn the Department's denial due to evidence of rehabilitation presented and grant a three (3) year limited license. The limitations are: (1) that Mr. Rashid continues to be licensed to employing Broker, Ms. Compo, for a three (3) year period and (2) no handling of earnest money; this will be contingent on Mr. Rashid's passing the real estate exam. Mr. Nwagwu seconded and the motion passed unanimously.

Danneta Marie Moore, Salesperson Applicant, Benton Harbor

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's Licensure. Ms. Moore was present to discuss her Petition and answer questions.

MOTION: After discussion, Mr. Nwagwu moved to postpone the Petition until the next meeting. The reason for the postponement is so the Petitioner can bring her prospective employing Broker or letter of support from prospective employing Broker. Mr. Sellman seconded and the motion passed unanimously.

Thomas Jennings, Salesperson Applicant, Adrian

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Mr. Jennings 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 issue Mr. Jennings a Real Estate Salesperson's license contingent upon the Department's receipt of a letter of support from his prospective employing Broker and his passing of the real estate exam. Mr. Glasson seconded and the motion passed. Mr. Nwagwu voted no.

Arturo Rollando Rodriguez, Salesperson Applicant, Leslie

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Mr. Rodriguez 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 and grant a two (2) year limited license or until the end of his probation, whichever comes first. The limitations are: (1) that Mr. Rashid continue to be licensed to employing Broker, Looking Grand Inc. and 2) no handling of earnest money; this is contingent upon a letter of support from employing Broker stating they fully understand their responsibility and Mr. Rashid's passing the real estate exam. Ms. Spencer seconded and the motion passed. Mr. Nwagwu voted no.

Betty Jean Bell, Salesperson Applicant, Saginaw

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Ms. Bell was present to discuss her 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 her prospective employing Broker and letters of support. Mr. Nwagwu seconded and the motion passed unanimously.

Kennis Moran Johnson, Salesperson Applicant, Sterling Heights

The Board reviewed the Notice of Denial of an Application for Real Estate Salesperson's License. Mr. Johnson was present to discuss his Petition and answer questions.

MOTION: After discussion, Mr. Huston moved to uphold the Department's denial due to (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.

STIPULATIONS

Kevin P. Moran, D/B/A Moran Management Services, Individual Broker, License No. 6504-276411, Complaint No. 6505-000665, Former No. 301591

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall voluntarily surrender his Broker license by returning the Wall License and Pocket Card to the Department within thirty (30) days of the mailing date of the Final Order in this matter, (2) Respondent shall pay a fine in the amount of \$3,500.00 within sixty (60) days of the date of mailing of the Final Order in this matter, (3) failure to comply with the terms set forth in this Stipulation shall result in the suspension of all Article 25 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 compliance is made with the terms of this Stipulation and (4) failure to comply with terms set forth in this Stipulation within one-hundred-twenty (120) days of the mailing date of the Final Order in this matter Respondent's Individual Broker license shall be revoked. Mr. Sellman seconded and the motion passed unanimously. Mr. Huggler abstained.

Kevin P. Moran, D/B/A Moran Management Services, Individual Broker, License No. 6504-276411, Complaint No. 6505-000327, Former No. 299812

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall voluntarily surrender his Broker license by returning the Wall License and Pocket Card to the Department within thirty (30) days of the mailing date of the Final Order in this matter, (2) Respondent shall pay a fine in the amount of \$2,000.00 within sixty (60) days of the date of mailing of the Final Order in this matter, (3) failure to comply with the terms set forth in this Stipulation shall result in the suspension of all Article 25 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 compliance is made with the terms of this Stipulation and (4) failure to comply with terms set forth in this Stipulation within one-hundred-twenty (120) days of the mailing date of the Final Order in this matter Respondent's Individual Broker license shall be revoked. Mr. Sellman seconded and the motion passed unanimously. Mr. Huggler abstained.

Nicholas David Nader, Associate Broker, License No. 6502-129010, Complaint No. 6508-000172

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent's Real Estate Associate Broker License Nos. 6502-129010 and 6502-139714 shall be immediately suspended until such time as Respondent complies with the previously issued Final Order regarding Complaint No. 86309. Upon receipt of the outstanding fine of \$10,000.00 within sixty (60) days of the date of mailing of the Final Order in this matter, Respondent's Real Estate Associate Broker Licenses shall be reinstated, (2) Respondent's Real Estate Appraiser Lic. No. 1201-002110 shall be immediately revoked upon the date of mailing of the Final Order in the matter, (3) Respondent shall return any and all wall or pocket licenses that remain in his possession to the Department and (4) failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order 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 registrations until compliance is made with the terms of this Stipulation. Mr. Sellman seconded and the motion passed unanimously. Mr. Samson abstained.

Nicholas David Nader, Associate Broker, License No. 6502-139714, Complaint No. 6508-000173

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent's Real Estate Associate Broker License Nos. 6502-129010 and 6502-139714 shall be immediately suspended until such time as Respondent complies with the previously issued Final Order regarding Complaint No. 86309. Upon receipt of the outstanding fine of \$10,000.00 within sixty (60) days of the date of mailing of the Final Order in this matter, Respondent's Real Estate Associate Broker Licenses shall be reinstated, (2) Respondent's Real Estate Appraiser Lic. No. 1201-002110 shall be immediately revoked upon the date of mailing of the Final Order in the matter, (3) Respondent shall return any and all wall or pocket licenses that remain in his possession to the Department and (4) failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order 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 registrations until compliance is made with the terms of this Stipulation. Mr.

Sellman seconded and the motion passed unanimously. Mr. Samson abstained.

Lucas John Parker, Salesperson, License No. 6501-350426, Complaint No. 6507-000441

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation which stated that (1) Respondent agrees to voluntarily surrender his Salesperson License No. 6501-350426 to the Department within thirty (30) days of the mailing date of the Final Order in this matter by: (1) Respondent shall return his Pocket Card to the Department; (2) Respondent shall direct his Employing Broker to return his Wall License to the Department; and (3) Respondent's Employing Broker shall return his Wall License to the Department, (2) Respondent shall pay a fine in the amount of \$200.00 within sixty (60) days of the date of the mailing of the Final Order in this matter, (3) failure to comply with the terms set forth in this Stipulation shall result in the Suspension of all Article 25 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 compliance is made with the terms of this Stipulation and (4) failure to comply with the terms set forth in this Stipulation (surrender of license to Department and payment of fine) within sixty (60) days of the mailing date of the Final Order in this matter, Respondent's Salesperson License shall be revoked. Mr. Sellman seconded and the motion passed unanimously.

Jerry Ann Hebron, Associate Broker, License No. 6502-322243, Complaint No. 6508-000326

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that (1) Respondent shall pay a fine of \$2,000.00 to the Department within sixty (60) days of the date of the mailing of the Final Order, (2) Respondent shall be placed on Probation and provide proof of CPA Attestation for a period from July 1, 2009 to June 31, 2010, from the issuance of the Final Order in this matter. During period Licensee shall not have any "violations of practice" cited against her license. At the end of attestation period if no said violations exists Licensee should continue to practice without any restrictions and (3) failure to comply with the terms and conditions set forth in this Stipulation within sixty (60) days from the mailing date of this Final Order shall result in a suspension of all licenses or registrations of Respondent or in denial of any license or registration renewal and denial of future applications for licensure or registration until compliance

is made with all the terms or conditions of this Stipulation. Mr. Sellman seconded and the motion passed unanimously.

Deborah M. Grenell, Salesperson, License No. 6501-312240, Complaint No. 6505-000685

MOTION: After discussion, Ms. Sutherby-Fricke moved to accept the Stipulation, which stated that Respondent's Real Estate Salesperson License No. 6501-312240 shall be Limited by the following conditions: Respondent shall complete a minimum two (2) year period of license limitation whereby Respondent's license is restricted to an Employing Broker(s) approved by the Board of Real Estate Brokers and Salespersons (the Board); Respondent's Salesperson license is hereby restricted to the following Employing Broker: Weichert Realtors Chrystal-Anderson, Lic. No. 6505-170342, Principal Associate Broker Richard B. Anderson, Lic. No. 6502-124927; In the event that the Department receives notification, from either the Employing Broker or Respondent, that the employing broker/salesperson relationship has been terminated; or Respondent submits to the Department a Salesperson Transfer Application; the Department shall immediately place Respondent's License in "Lapsed-No Employing Broker" status and the Department shall place a "hold" on Respondent's Salesperson license; Prior to the Department's approval of Respondent's transfer to a subsequent Employing Broker, Respondent and the Employing Broker must appear before the Board to reaffirm the license limitations and the transfer of the Salesperson license must be approved by the Board; In the event that Respondent's license expires due to failure to renew prior to the date of the license expiration & Respondent submits an Application for Relicensure, Respondent and the Employing Broker must appear before the Board to reaffirm the license limitations and the relicensure must be approved by the Board; Respondent shall not be a "signatory" on any of the Broker's Trust or Escrow Accounts and Respondent shall pay over to the Broker upon receipt, all deposits or other money on a transaction in which Respondent is engaged on behalf of the Broker; By accepting Respondent under the license limitations, the Employing Broker agrees to perform statutory supervision of Respondent's real estate activities and agrees to immediately inform the Department of any violations of the Occupational Code or Administrative Rules, committed by Respondent, that come to the Broker's attention; Any violation of the Occupational Code and/or Administrative Rules as alleged in a Formal Complaint, issued by the Department, against Respondent, may result in the Department issuing a Summary Suspension against

Respondent's Salesperson license, and that more severe disciplinary sanctions will be imposed if the violations are proven pursuant to due process and the contested case hearing process. The Department shall issue a statement of Limitations for Respondent's Salesperson license, which shall be attached to the posted Wall License and a copy carried with the Respondent/Licensee's Pocket Card, (2) Respondent acknowledges that regulations require that Respondent shall disclose the subject conviction (and any subsequent conviction) on all license applications submitted to the Department and the failure to disclose will result in disciplinary action for engaging in fraud, deceit, or dishonesty in the practice of an occupation, a violation of MCL 339.604(b), (3) Respondent acknowledges that pursuant to MCL 339.2505(2), the Department shall not issue a Broker or Associate Broker license to Respondent due to the conviction of embezzlement, (4) Respondent shall pay a \$750.00 civil fine within sixty (60) days of the date of mailing of the Final Order in this matter and (5) failure to comply with the terms set forth in this Stipulation shall result in the suspension of all Article 25 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 compliance is made with the terms of this stipulation. Mr. Sellman seconded and the motion passed unanimously. Mr. Glasson abstained.

HEARING REPORTS

Shane Michael Neely, Salesperson, License No. 6501-276460, Complaint No. 6507-000391

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,000.00 civil fine payable within sixty (60) days of the date of mailing of the Final Order, (2) Respondent shall pay \$1,000.00 restitution to Real Estate One, (3) Respondent's license shall be suspended for a six (6) month term and (4) failure of Respondent to pay civil fine and restitution within six (6) months of the issuance of the Final Order, Respondent's licenses will be revoked. Mr. Glasson seconded and the motion passed unanimously.

James Jeffrey Fish, Individual Broker, License No. 6504-287265, Complaint No. 6508-000181

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent's license shall be revoked immediately and (2) 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.

Aysel Loucks, Salesperson, License No. 6501-297145, Complaint No. 6506-000476

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

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

Lisa C. Martin, Salesperson, License No. 6501-289562, Complaint No. 6505-000275

MOTION: Mr. Wehner moved to receive the Hearing Report in the matter of Lisa C. Martin. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Mr. Wehner moved that (1) Respondent shall pay a \$1,000.00 fine within sixty (60) days of the date of mailing of the Final Order

and (2) failure to pay the civil fine within sixty (60) days of the issuance of the Final Order will result in all of Respondent's Article 25 licenses being suspended. Mr. Samson seconded and the motion passed unanimously. Ms. Sutherby-Fricke abstained.

Michigan Great Lakes Properties LLC, Broker, License No. 6505-326318, Complaint No. 6507-000117

MOTION: Ms. Sutherby-Fricke moved to receive the Hearing Report in the matter of Michigan Great Lakes Properties LLC. Mr. Sellman seconded and the motion passed unanimously.

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,000.00 fine within sixty (60) days of the date of mailing of the Final Order, (2) Respondent shall pay \$500.00 restitution to Gina Fluker and (3) continued revocation of all Article 25 licenses until at least six (6) months after fine and restitution have been paid. Mr. Nwagwu seconded and the motion passed unanimously.

Shonnise A. Woods, Salesperson, License No. 6501-292540, Complaint No. 6505-000429

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,000.00 fine within sixty (60) days of the date of mailing of the Final Order, (2) Respondent shall pay \$2,278.00 restitution to Vincent D. and Melinda J. Little, (3) immediate revocation of Respondent's license and (4) 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. Sellman seconded and the motion passed unanimously. Mr. Samson abstained.

Shonnise A. Woods, Salesperson, License No. 6501-292540, Complaint No. 6506-000760

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,000.00 fine within sixty (60) days of the date of mailing of the Final Order, (2) Respondent shall pay \$24,000.00 restitution or satisfy judgment to Ice Out LLC and/or Dean Salminen, (3) immediate revocation of Respondent's license and (4) 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. Sellman seconded and the motion passed unanimously. Mr. Samson abstained.

Shonnise A. Woods, Salesperson, License No. 6501-292540, Complaint No. 6506-000759

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,000.00 fine within sixty (60) days of the date of mailing of the Final Order, (2) Respondent shall pay \$450.00 restitution to CJM Rehab Inc. and/or Mervyn St. Clair, (3) immediate revocation of Respondent's license and (4) 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." Ms. Spencer seconded and the motion passed unanimously. Mr. Samson abstained.

Shonnise A. Woods, Salesperson, License No. 6501-292540, Complaint No. 6507-000496

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

MOTION: After discussion, Ms. Sutherby-Fricke moved that (1) Respondent shall pay a \$1,000.00 fine within sixty (60) days of the date of mailing of the Final Order, (2) Respondent shall pay \$1,900.00 restitution to Prime Real Estate Company LLC and/or Stephen Tarquinio, (3) immediate revocation of Respondent's license and (4) 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. Mr. Samson abstained.

RECONSIDERATION

Charnette Henderson, Associate Broker, License No. 6502-129213, Complaint No. 6507-000202, Former No. 306551

Ms. Millben explained to the Board that new information was presented to her after the September 22, 2008 Board Meeting regarding Ms. Henderson. Ms. Henderson did however, attempt to make good on the non-sufficient funds checks in July 2008, however, staff was unable to locate the information about the NSF in the database and informed Ms. Henderson she did not owe anything. When Ms. Henderson received the Final Order she contacted the Department and explained the situation that happened in July, that she had returned the licenses paid for by the NSF so she thought that concluded the matter and she is willing to pay the \$256 owed for the non-sufficient funds checks.

MOTION: Mr. Huston moved to rescind the Final Order provided that Ms. Henderson pay the \$256 to replace the non-sufficient funds checks to the Department within sixty (60) days of the date of the mailing of the notification. Mr. Wehner seconded and the motion passed unanimously.

STAFF REPORTS

Legislative Report

Ms. Millben stated that the bill regarding eliminating the requirement that brokers post wall licenses is still pending in the Senate.

GMC Conviction Applicants Approval for Exam

Ms. Millben stated that all requirements, including the Department making a determination regarding the license requirement that applicants possess good moral character (GMC), must be met before an applicant can sit for the exam. If Salesperson applicants have not completed all requirements at the time they take and pass the exam, they could incorrectly be issued a photo pocket license at that time. Mr. Wehner requested that the Bureau manager who makes the decisions on GMC attend the next Board meeting. Ms. Millben stated that she would put in the request. Mr. Wehner asked if there was anything within the Board's capabilities that could change this procedure; Ms. Millben stated that it appeared not. Ms. Sutherby-Fricke stated that applying for a license and applying to take the exam should be separate processes.

ITEMS FOR CONSIDERATION FROM BOARD MEMBERS

Several members of the Board expressed concern regarding the need for security at the Board meetings. Ms. Sutherby-Fricke stated that she believes that they need to be protected. Mr. Samson stated that he feels it is reasonable to pursue security and the cost of it, as the Board often is denying what these petitioners want. Ms. Millben stated that petitioners also often get upset when they are postponed.

MOTION: After discussion, Mr. Glasson moved to request security presence at the Board Meetings. The Board is concerned about safety and lack of security at meetings. This is the Board's second request. The Board would like a response from Bureau Administrators by February 1, 2009. Mr. Wehner seconded and the motion passed unanimously.

ELECTION OF OFFICERS

MOTION: Mr. Glasson nominated Mr. Huggler for Chairperson. Mr. Sellman seconded and the motion passed unanimously.

MOTION: Mr. Glasson nominated Mr. Nwagwu for Vice-Chairperson. Mr. Wehner seconded and the motion passed unanimously.

NEXT MEETING DATE – March 2, 2009

The next regularly scheduled meeting of the Board of Real Estate Brokers and Salespersons is scheduled for March 2, 2009.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned at 12:45 p.m.

_____/s/_____
Brian T. Huggler, Chairperson

_____3/2/09_____
Date

_____/s/_____
Ann Millben, Licensing Administrator

_____3/2/09_____
Date