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**STATE OF DELAWARE
REAL ESTATE COMMISSION**

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PUBLIC MEETING MINUTES:	REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Friday, March 13, 2014 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES FOR APPROVAL	April 10, 2014

MEMBERS PRESENT

Michael Harrington, Sr., Professional Member, Chairman
Ricky H. Allamong, Professional Member, Secretary
Christopher J. Whitfield, Professional Member
Justin Healy, Professional Member
James C. Brannon, Jr., Public Member
Gilbert Emory, Public Member
Lynn Rogers, Public Member
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III
Jessica Williams, Administrative Specialist II

MEMBERS ABSENT

Andrew Staton, Professional Member, Vice Chairman

ALSO PRESENT

Angela Emerson, SCAOR
Tammi Goebel
Donna Klimowicz, Real Estate Education Committee

CALL TO ORDER

Mr. Harrington called the meeting to order at 9:00 a.m.

REVIEW OF MINUTES

Mr. Emory made a motion, seconded by Mr. Brannon, to approve the minutes of the meeting held on February 21, 2014. By unanimous vote, the motion carried.

NEW BUSINESS

Discussion and Review of Hearing Officer Recommendations

Karen Cedrone – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Whitfield describing the sanctions. After discussion, Mr. Whitfield made a motion, seconded by Mr. Allamong, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Dominic Racobaldo – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Allamong describing the sanctions. After discussion, Mr. Allamong made a motion, seconded by Mr. Brannon, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Denise Clineff – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Healy describing the sanctions. After discussion, Mr. Healy made a motion, seconded by Mr. McCann, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Elaine Davidson - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Emory describing the sanctions. After discussion, Mr. Emory made a motion, seconded by Mr. Whitfield, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Jill Farina - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Harrington describing the sanctions. After discussion, Mr. Harrington made a motion, seconded by Mr. McCann, to accept the Hearing Officer's recommendation as written. Further discussion by the Commission, Mr. Whitfield made a motion, seconded by Mr. Allamong, to make an amendment to motion, that Ms. Farina be suspended for a minimum of 14 days or until Ms. Farina makes up the missing 3 hours of credits and to strike the letter of reprimand from the order. Ms. Farina will be flagged for audit in the 2012-2014 audit period. By unanimous vote, the motion carried.

Carol Houck - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Allamong describing the sanctions. After discussion, Mr. Allamong made a motion, seconded by Mr. Brannon, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Janell Foster - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Whitfield describing the sanctions. After discussion, Mr. Whitfield made a motion, seconded by Mr. Brannon, to accept the Hearing Officer's recommendation with an amendment to have a letter of reprimand issued. By unanimous vote, the motion carried.

Diane King - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Brannon describing the sanctions. After discussion, Mr. Brannon made a motion, seconded by Mr. Allamong, to accept the Hearing Officer's recommendation as written with an amendment to the recommendation to include a letter of reprimand. After further discussion, Mr. Whitfield made a motion, seconded by Mr. Allamong, to amend the motion by Mr. Brannon to strike the letter of reprimand as the suspension is a heavier discipline and to accept the recommendation as written. By unanimous vote, the motion carried.

Mary Kinnikin - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Healy describing the sanctions. After discussion, Mr. Healy made a motion, seconded by Mr. Whitfield, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Chris Ledeker - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Whitfield describing the sanctions. After discussion, Mr. Whitfield made a motion, seconded by Mr. Brannon, to table the Hearing Officer's recommendation. By unanimous vote, the motion carried.

Kelly Reily - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Allamong describing the sanctions. After discussion, Mr. Allamong made a motion, seconded by Mr. Brannon, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Tammi Goebel - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. McCann describing the sanctions. Ms. Goebel was present at the meeting and Mr. Harrington asked Ms. Goebel if she would like to approach and discuss with the Commission. Ms. Goebel explained to the Commission that she has signed up for all of the modules and wanted to know if she needed to take something extra and that she would be willing. Ms. Goebel asked that her license not be suspended as she wouldn't want that on her record and explained the circumstances on why she felt that way. After hearing Ms. Goebel's reasons for not agreeing with the recommendation, Mr. McCann made a motion, seconded by Mr. Allamong, to accept the Hearing Officer's recommendation as written. After discussion, Mr. Brannon made a motion, seconded by Mr. Healy, to amend the previous motion to allow Ms. Goebel until April 30, 2014 to make up the 6 hours of deficient continuing education credits in addition to the 21 credits needed by April 30, 2014. By majority vote, the motion passed. After further discussion by the Commission, Mr. Whitfield made a motion, seconded by Mr. Allamong, to withdraw all previous motions. By unanimous vote, the motion carried. Mr. Whitfield made a new motion, seconded by Mr. Brannon, to grant Ms. Goebel a 14 day extension to complete the 6 credits needed for the 2010-2012 renewal period and if by March 30, 2014 Ms. Goebel has not completed the required continuing education her license will be suspended until the time that the credits are made up. By unanimous vote, the motion carried.

Michele Waters - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Emory describing the sanctions. After discussion, Mr. Emory made a motion, seconded by Mr. Whitfield, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Education Committee Report

Ms. Klimowicz went through the Education Committee minutes with the Commission. They had 22 new courses approved, 10 instructor applications were approved and 1 was tabled, and 7 student requests reviewed and approved for continuing education, and 2 was denied for not having an outline and resume. The Committee reviewed the Commission request about all modules being 3 hours and the Committee disagrees with the Commission on all modules are approved for 3 credits but if the modules take longer than 3 hours to complete they still only get 3 hours credit for the module. Mr. Whitfield stated that is not correct that the discussion was about a 6 hour course that got approved for just one module and should have only been approved for 3 hours. The discussion was really about how the notification went out to the course provider. Ms. Klimowicz stated that was not how she understood the discussion. Fredrick Academy applied to teach a pre-licensing course for 96 hours and not the required 99 hours and they created their own course rather than following the Delaware Association of Realtors guidelines. This request been denied. Sussex County submitted a 9 hour course and it was for 3 separate modules but only submitted one outline. This request was denied.

Mr. Allamong asked Ms. Klimowicz if the Committee has heard anything on the online pre-licensing course. Two years ago Mr. Colin McGowan and Mr. Andy Taylor were working with Dearborn to have an online pre-licensing course. Mr. Allamong asked Ms. Klimowicz if she could find out from Mr. McGowan how they are coming along with the online pre-licensing course.

Ms. Klimowicz stated that they tabled Mr. McGowan's request to teach a pre-licensing course because the Committee feels he is not qualified. The guidelines require a broker or an attorney to teach certain sections of a pre-licensing course which Mr. McGowan is neither.

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

Mr. Whitfield made a motion, seconded by Mr. Rogers to approve to the education approvals submitted by the Education Committee. By unanimous vote, the motion carried.

Applications for Licensure
Ratification of Salesperson Applications

Mr. Allamong made a motion, seconded by Mr. Rogers, to ratify the following applications for salespersons:

Allison Gardner, Innovation Realty Solutions, Newark, DE
Nicholas Fiels, Long & Foster Real Estate, Inc., Bethany Beach, DE
Michelle Rath, Berkshire Hathaway Home Svc. Fox & Roach, Newark, DE
Nabil Girgis, Berkshire Hathaway Home Svc. Fox & Roach, Bear, DE
Concetta Schulien, Long & Foster Realtors, Bethany Beach, DE
Daniel Bunting, Condominium Realty LTD, Ocean City, MD
Robert Munkittrick, Jr., SB Real Estate, LLC, Wilmington, DE
Melissa Matarese, Patterson Schwartz, Hockessin, DE
Carol McKennon, SB Real Estate, LLC, Wilmington, DE
Lynn Patterson, Coldwell Banker Residential Brokerage, Ocean City, MD
Andrea Barker, Integrity Real Estate, Northeast, MD
Rachel Conforti, Resort Quest, Bethany Beach, DE
Katherine Wilber, The Moving Experience, Dover, DE
James Medved, Keller Williams Realty Central, Dover, DE
Gary Bright, Keller Williams, Christiana, DE
Desiderio Rivera, RE/MAX Sunvest, Wilmington, DE
Richard Lauser, Berkshire Hathaway Home Svc., Newark, DE
Ashley Townsend, Resort Quest, Bethany Beach, DE
Debra Nunziato, Long & Foster Real Estate, Inc., Bear, DE
Jennifer Heilman, Delaware Homes, Townsend, DE
Amy Gagnon, Keller Williams Realty at the Beach, Rehoboth Beach, DE
Egbeziemi Ediki, Berkshire Hathaway Home Svc Fox & Roach, Hockessin, DE
Jamie Coleman, Patterson Schwartz, Rehoboth Beach, DE
Fatima Zamarripa, Patterson Schwartz, Greenville, DE
Sherri Nowicki, RE/MAX Realty Group, Rehoboth Beach, DE
Jun Tian, Berkshire Hathaway Home Svc, Newark, DE
Tariq Wallace, RE/MAX Sunvest Realty, Wilmington, DE
James Ogden, Long & Foster Real Estate, Greenville, DE
Renee Hines, Keller Williams Realty Central, Dover, DE
Torin Federico, Ocean Atlantic-Sotheby's Int., Bethany Beach, DE
Cynthia McLaughlin, Buyers Choice, Fenwick Island, DE

By unanimous vote, the motion carried.

Review of Salesperson Applications

Mr. Brannon made a motion, seconded by Mr. Emory, to approve the application for Mr. Jared Bowers for licensure as a Delaware Real Estates Salesperson. By unanimous vote, the motion carried.

Review of Broker and Associate Broker Applications

The Commission reviewed the broker's application of Renee Thompson. Mr. Whitfield made a motion, seconded by Mr. McCann, to approve Ms. Thompson's application. By unanimous vote, the motion carried.

The Commission reviewed the associate broker's application of Kevin DiSabatino. Mr. Whitfield made a motion, seconded by Mr. McCann, to approve Mr. DiSabatino's application. By unanimous vote, the motion carried.

The Commission reviewed the associate broker's application of James Murphy. Mr. Whitfield made a motion, seconded by Mr. McCann, to approve Mr. Murphy's application. By unanimous vote, the motion carried.

Review of Applications for Reinstatement

The Commission reviewed the application of Jo-Anne Ullrich for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Emory, to approve Ms. Ullrich's reinstatement application upon successful passing of Delaware State Exam. By unanimous vote, the motion carried.

The Commission reviewed the application of Susan Ash for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Emory, to approve Ms. Ash's reinstatement application upon successful passing of the Delaware State Exam. By unanimous vote, the motion carried.

The Commission reviewed the application of Todd Smallwood for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Emory, to approve Mr. Smallwood's reinstatement application upon successful passing of the Delaware State Exam. By unanimous vote, the motion carried.

The Commission reviewed the application of Daniel Hines for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Emory, to approve Mr. Hines's reinstatement application. Mr. Hines took both exams and passed. By unanimous vote, the motion carried.

Review of Applications for New Office

The Commission reviewed the application of Lakeview Realty for a main office. Mr. Allamong made a motion, seconded by Mr. Whitfield, to approve this main office application. By unanimous vote, the motion carried.

The Commission reviewed the application of Winterbury Realty, LLC for a main office. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve this main office application. By unanimous vote, the motion carried.

Status of Complaints

Complaint 02-32-13 – Closed by Investigator

Complaint 02-24-12 – Closed by Investigator

Discussion: Letter for Brokers – Upcoming Renewal and Audit

Mr. Allamong wrote a letter to be sent out to all Broker's for review by the Commission. Mr. Harrington thought this was a great idea to be sent out. Ms. Kelly thinks the hearing officer's should be educated on the broker's involvement concerning the responsibility of making sure the people working under them complete their CE's. Ms. Kelly had some minor changes to the letter. Ms. Kelly will talk to the hearing officers and let them know what the Commission is trying to do. Ms. Wagner will get the letter

to the Mr. Mangler and the Operations manager for approval to be sent out. Mr. Brannon made a motion, seconded by Mr. Rogers, to approve the letter to be sent out to all brokers. By unanimous vote, the motion carried.

Reports from Pearson Vue

Ms. Wagner went over the current number of licensees with the Commission and previous number of licensees from the last renewal period. Ms. Wagner let the Commission know that 15% of licensee's were audited last renewal period. Discussion by the Commissioner's on what percentage to audit for this upcoming period taking into consideration of the late renewals and person's that have been flagged to be audited due to orders. Mr. Whitfield made a motion, seconded by Mr. Healy, to audit 5% of licensees, plus late renewals and those flagged for audit for the 2012-2014 audit period. By unanimous vote, the motion carried.

Ms. Wagner presented reports from the Pearson Vue website to the Commission for review. The Commission wanted to see the pass/fail rates per individuals and what the pass/fail rate was for the approved pre-licensing schools.

Discussion: Expiration of Examination

Ms. Wagner asked the Commission about a person applying for licensure and the exam they took is a year old or over. Mr. Allamong thought that the intent of the rules and regulations change covered if a person was over a year with their test and pre-licensing course. Ms. Wagner stated that when looking at the rules and regulations it only states about the pre-licensing course and the rules do not mention anything about a person's test being a year old or over. It is the Commissions understanding that the rule 13.2.2 applies to their test being over a year old as well as their pre-licensing course.

Correspondence

The Commission reviewed Ms. Nancy Cloud's request for a waiver of her continuing education credits for 2012-2014 due to a hardship. Ms. Kelly said that under rule 13.5 the Commission has the option to grant this request. After discussion, the Commission decided to have Ms. Wagner send a letter to Ms. Cloud. Mr. McCann made a motion, seconded by Mr. Brannon, to grant an extension of her continuing education to 30 days after the renewal period. An amendment to the motion was made to allow Ms. Cloud 60 days extension. Ms. Cloud will then need to submit the continuing education to the Commission's office for review by June 30, 2014. By unanimous vote, the motion carried.

The Commission reviewed the questions from Mr. Jelani Adams. Ms. Kelly explained to the Commission that she had sent Mr. Adams so rules and regulations to look at but wanted to know if here were any practices issues. Mr. Harrington stated that he did not think that this was anything the Commission should be answering and that Mr. Adams would be better off contacting a Delaware Real Estate Broker to get answers to his questions. Ms. Wagner will let Mr. Adams know where to find his answers.

Discussion: Memo from Director of Professional Regulation – Complaint Assignment Process

This memo was just to inform the Commission of the new policy regarding the Complaint Process. No action was needed.

OLD BUSINESS

Discussion and Review of Hearing Officer Orders

Mr. Harrington signed an order for:

Chris Panarello
David DePetris
Jeffrey Osciak

Michelle Hunt
Jessica Floyd
Bill Franklin
Patricia Moore
Stephanie Farris
Bolanie Coker
Deirdre J. Sadler Crew
Sabina Marland
Donald Catalano

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Mr. Allamong asked about receiving a certificate for the continuing education credits that the Commissioner's receive for being present at their meetings. Ms. Wagner will make sure that Ms. Williams gets all the certificates out to the Commissioners for their attendance to the meetings.

PUBLIC COMMENT

Ms. Emerson asked if she could get a copy of the Broker's letter that will be going out. Mr. Harrington said there were some changes being made and that as soon as Ms. Wagner gets the letter back Ms. Wagner can send a copy to Ms. Emerson.

NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, April 10, 2014 at 9:00 a.m.

ADJOURNMENT

Mr. Brannon made a motion, seconded by Mr. Rogers, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 11:00 a.m.

Respectfully submitted,



Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.