



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

**STATE OF DELAWARE
REAL ESTATE COMMISSION**

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, August 14, 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	September 11, 2014

MEMBERS PRESENT

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

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Joseph F. McCann, Public Member

ALSO PRESENT

Tim Riale, Real Estate Education Committee
Denise Tatman, DAR
Angela Emerson, SCAOR
Mr. & Mrs. Medina

CALL TO ORDER

Mr. Staton called the meeting to order at 9:03 a.m.

REVIEW OF MINUTES

Mr. Harrington made a motion, seconded by Mr. Emory, to approve the minutes of the meeting held on July 10, 2014. By unanimous vote, the motion carried.

NEW BUSINESS

Discussion and Review of Hearing Officer Recommendations

Amy Diem – 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. Harrington, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Andrew Townsend – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Rogers describing the sanctions. After discussion, Mr. Rogers made a motion, seconded by Mr. Harrington, to accept the Hearing Officer's recommendation as written. Mr. Rogers withdrew his motion. Mr. Whitfield made a motion, seconded by Mr. Allamong, to accept the Hearing Officer's recommendation with amendments to submit 21 hours of continuing education for 2012-2014 renewal period and subject to a hearing by the Commission. By unanimous vote, the motion carried.

Jack Murray – 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. Whitfield, to accept the Hearing Officer's recommendation with amendment to show proof of 21 hours of continuing education for 2012-2014 before lifting suspension. By unanimous vote, the motion carried.

Janis Williams-Shepherd – 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. Harrington, to accept the Hearing Officer's recommendation with added language that Ms. Williams-Shepherd would need to bring the 21 hours of continuing education from 2012-2014 when she comes back before the Commission. By unanimous vote, the motion carried.

Joan Fultz – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Staton describing the sanctions. After discussion, Mr. Staton made a motion, seconded by Mr. Allamong, to amend the Hearing Officer's recommendation to strike the 14 day suspension and would be flagged for audit. By unanimous vote, the motion carried.

Mary Rudinski – 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. Harrington, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Michael Salove – 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. Rogers, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Shereese Holland – 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. Harrington, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Education Committee Report

Mr. Riale went through the Education Committee minutes with the Commission. They had 23 new courses approved and 1 was denied because the course was MD specific, 10 instructor applications were approved, with the exception of one instructor application that was tabled because it was

incomplete, 5 student requests were denied because they were PA specific and 1 approved for 3 hours for module 7.

The Education Committee reconsidered Mr. Ron Hohrein's request to teach the pre-licensing course to teach the mathematics and all other courses he was approved for.

The Education Committee denied the request of A.J. Johnson to teach module 1. Mr. Johnson was previously approved to teach professional enhancement; however Mr. Johnson is not qualified to teach fair housing and agency which is now part of Module 1.

The Education Committee discussed the tabling of applications opposed to outright denying applications when they are submitted to the education committee. After discussion, they found that according to rule 7.1 and 7.2 in the guidelines and on the application themselves "that applications that are incomplete when filed may not be considered or unsigned will be rejected."

Mr. Riale explained to the Commissioner's that the committee had discussed this when Director Collins was here and because of the fee structure Director Collins said another fee would need to be submitted.

Mr. Whitfield asked about having courses that are reciprocal and what makes a course state specific.

Ms. Williams explained to the Commission that the Education Committee reviews each course and what the course entails and all of the courses that were denied were state specific.

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

Mr. Harrington made a motion, seconded by Mr. Brannon, 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. Whitfield made a motion, seconded by Mr. Harrington, to ratify the following applications for salespersons:

Donna Whiteside, BHHS Gallo Realty, Lewes, DE
Darlene Townsend, Jack Lingo, Inc., Lewes, DE
Matthew Dickerson, Home Team Realty, Seaford, DE
Justin Shay, Transwestern, Bethesda, MD
Linda Millikin, Ocean Atlantic Sotheby's Intl Realty, Rehoboth Beach, DE
Kevin Thomas, Coldwell Banker Resort Realty, Milford, DE
Anthony Nanni, BHHS Fox & Roach, Devon, PA
Mark Wilson, BHHS Fox & Roach, Wilmington, DE
Adam Carro, Long & Foster Real Estate, Inc., Wilmington, DE
Kelsey Barry, Jack Lingo, Rehoboth Beach, DE
Deborah Veasley, Keller Williams Realty, Dover, DE
Stephany Kochie, Long & Foster Real Estate, Greenville, DE
Peter Good, Jr., Applebaum Realty, Wilmington, DE
Karen Fahey, RE/MAX 1st Choice, Middletown, DE
Suzanne Herel, Keller Williams Realty, Christiana, DE
David Burleigh, Meyer & Meyer Realty, Wilmington, DE
Richelle Blaisdell, RE/MAX 1st Choice, Middletown, DE
Connor Ciallella, BHHS Fox & Roach, Devon, PA
Ewan Harper, Meyer & Meyer Realty, Wilmington, DE
Ashley Mitchell, RE/MAX Associates, Newark, DE
Scott Wagner, Long & Foster Real Estate, Inc., Rehoboth Beach, DE
Brigitte Hug, Patterson Schwartz, Hockessin, DE
Rebecca Day, Long & Foster Real Estate, Inc., Greenville, DE

Shawna Kirlin, RE/MAX Horizons, Inc., Dover, DE
Angelique Canion-Ahmad, Realty Mark Associates, Philadelphia, PA
Sean Clancy, BHHS Fox & Roach, Hockessin, DE
Eugene Cousens, Jerry Mueller Real Estate, Inc., Bethany Beach, DE
Natalie Davis, BHHS Fox & Roach, Newark, DE
Gareth Deitzel, Southern Delaware Realty, Laurel, DE
Madeline Dobbs, Keller Williams Realty, Wilmington, DE
Cheryl Finnan, BHHS Fox & Roach, Chadds Ford, PA
Christina Foster, RE/MAX Associates, Newark, DE
Bradley Gillan, BHHS Fox & Roach, Bear, DE
Melodie Gordon-Stahley, RE/MAX Integrity, Chadds Ford, PA
Anthony Graves, Keller Williams Realty, Newark, DE
Damion Ham, NRT Phila LLC dba Coldwell Banker Pref., Wilmington, DE
Crystal King, BHHS Fox & Roach, Newark, DE
Jason Matthews, BHHS Fox & Roach, Devon, PA
Armando Nunez, BHHS Fox & Roach, Newark, DE
Georgette Stelyn, Patterson Schwartz Real Estate, Middletown, DE
Brian Venuto, Keller Williams Realty, Wilmington, DE
Wenfei Wang, Realty Mark Associates, Philadelphia, PA
Joelle Waterkotte, RE/MAX Town & Country, West Chester, PA
Robert Stevenson, Layton Associates Real Estate, Ocean View, DE
Sean Brooks, BHHS Fox & Roach, Bear, DE
Joey Bonano, Keller Williams Realty, Wilmington, DE
Timothy Muniz, Long & Foster Real Estate Inc., Rehoboth Beach, DE
Michael Gregory, Keller Williams Realty at the Beach, Rehoboth Beach, DE
Marian Campo, Ocean Atlantic Sotheby's International Realty, Rehoboth Beach, DE

By unanimous vote, the motion carried.

Review of Salesperson Applications

Review of Broker and Associate Broker Applications

The Commission reviewed the broker's application of Steven Italiano. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve Mr. Italiano's application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Phuc Truong. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve Mr. Truong's application. By unanimous vote, the motion carried.

The Commission reviewed the associate broker's application of Yasmin Bowman. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve Ms. Bowman's application. By unanimous vote, the motion carried.

Review of Applications for Reinstatement

The Commission reviewed the application of Edward Falkowski for reinstatement of an associate broker's license. Mr. Healy made a motion, seconded by Mr. Harrington, to approve Mr. Falkowski's reinstatement application upon successful passing of both exams. By unanimous vote, the motion carried.

The Commission reviewed the application of Shirin Saberi for reinstatement of a salesperson's license. Mr. Harrington made a motion, seconded by Mr. Healy, to approve Ms. Saberi's reinstatement application. By unanimous vote, the motion carried.

The Commission reviewed the application of Maynard Caulk for reinstatement of a salesperson's license. Mr. Harrington made a motion, seconded by Mr. Healy, to approve Mr. Caulk's reinstatement application. By unanimous vote, the motion carried.

The Commission reviewed the application of Thien Nguyen for reinstatement of a salesperson's license. Mr. Harrington made a motion, seconded by Mr. Healy, to approve Mr. Nguyen's reinstatement application. By unanimous vote, the motion carried.

The Commission reviewed the application of Joseph Pittard for reinstatement of a salesperson's license. Mr. Harrington made a motion, seconded by Mr. Healy, to approve Mr. Pittard's reinstatement application. By unanimous vote, the motion carried.

Review of Applications for New Office

The Commission reviewed the application of ELM Properties for a relocation of office. Mr. Allamong made a motion, seconded by Mr. Harrington to approve the relocation of office application. By unanimous vote, the motion carried.

Status of Complaints

Complaint # 02-22-13 – Closed by Investigator
Complaint # 02-35-13 – Closed by Investigator
Complaint # 02-39-13 – Closed by Investigator
Complaint # 02-40-13 – Closed by Investigator
Complaint # 02-37-13 – Closed by Investigator
Complaint # 02-41-13 – Closed by Investigator
Complaint # 02-25-14 – Forwarded to the Attorney General's Office

Correspondence

There was no correspondence for review.

Practice of Mock Recommendations for Seminar

The Commission discussed what process they were going to do for the mock recommendation. After speaking with Mr. Akin, the Commission decided to go with a rule to show cause recommendation instead of a disciplinary recommendation.

Discussion: Disclosure by Licensee who advertises properties where on-site sales could be conducted by one of the exemptions contained in § 2901

Mr. Allamong discussed this issue with the Commission as it was released out of Subcommittee. The new language that the Subcommittee came up with was handed out to all the Commissioners to review. This is due to an onsite sales office that is staffed by salespersons that do not hold a license. Licensed salespersons are now getting involved with putting the properties on the MLS and it may be presumed that a licensed salesperson will be at the site to assist with the sales. This new rule will clarify this arrangement for potential sales. Mr. Allamong made a motion, seconded by Mr. Whitfield, to add this language to the rules and regulations 8.4.5.6 A license advertising property for sale for an exempted party under § 2901 where an unlicensed salesperson conducts on-site sales shall disclose in any advertising "On-site unlicensed salespeople represent the seller only." By unanimous vote, the motion carried.

OLD BUSINESS

Review and Signing of Hearing Officer Orders

Mr. Staton signed orders for:

Candace Cottrell
Donald Roth

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

There was no other business before the Commission.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, September 11, 2014 at 1:00 p.m. at Polytech Adult Education Center

ADJOURNMENT

Mr. Brannon made a motion, seconded by Mr. Emory, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:26 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.