



CANNON BUILDING
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**STATE OF DELAWARE
REAL ESTATE COMMISSION**

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PUBLIC MEETING MINUTES:	REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, January 14, 2016 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES FOR APPROVAL	March 10, 2016

MEMBERS PRESENT

Justin Healy, Professional Member, Chairman
Jason Giles, Professional Member, Vice Chairman
Lynnette Scott, Professional Member, Secretary
Andrew Staton, Professional Member
Michael Harrington, Sr., Professional Member
Lynn Rogers, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

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

MEMBERS ABSENT

Curtis Rogers, Public Member
Joseph F. McCann, Public Member

ALSO PRESENT

Tim Riale, Education Committee Member
Patricia Anderson, SCAOR

CALL TO ORDER

Mr. Healy called the meeting to order at 9:05 a.m.

REVIEW OF MINUTES

Mr. Staton made a motion, seconded by Ms. Scott to approve the minutes of the meeting held on December 10, 2015 as written. By unanimous vote, the motion carried.

NEW BUSINESS

Education Committee Report

Mr. Riale went through the Education Committee minutes with the Commission. Mr. Riale told the Commission that this would be his last meeting as he was no longer on the Education Committee. Mr. Riale stated that Mr. Tom Burns was the Chairperson for the Education Committee now after the nominations were presented at the Committee meeting. The Education Committee reviewed ten new course provider applications of which all nine were approved and one was contingent approved upon

receipt of corrected course outline. They reviewed twelve instructor applications and all were approved.

Mr. Riale discussed the draft revisions of the Education Guidelines addressing online pre-licensing courses. Ms. Kelly stated that if approved by the Commission a March 10th hearing would take place at 9:00 a.m. After discussion, Mr. Staton made a motion, seconded by Mr. L. Rogers, to publish the Education Guidelines in the registry for publication in February for a March 10th hearing.

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

Mr. Staton made a motion, seconded by Mr. Giles, to approve the minutes and the education approvals submitted by the Education Committee. By unanimous vote, the motion carried.

Discussion and Review of Hearing Officers Recommendations

There were no recommendations to review.

Applications for Licensure

Ratification of Salesperson Applications

Mr. Staton made a motion, seconded by Ms. Scott, to ratify the following applications for salespersons:

Ronin Williams, BBHS Fox & Roach, Newark, DE
Sean Hicks, Keller Williams Realty, Wilmington, DE
Amy McDonald, Keller Williams Realty, Newark, DE
Ricardo Bryan, Keller Williams Realty, Newark, DE
Marianne DeVirgilio, Delaware Homes Inc., Townsend, DE
Tracy Brown, Keller Williams Realty, Newark, DE
Janice Wells, Long & Foster Real Estate, Inc., Bethany Beach, DE
Erica Winn, Keller Williams Realty, Lewes, DE
Pamela Brown, Coldwell Banker Residential Brokerage, Bethany, DE
Krista Roell, RE/MAX Associates, Lewes, DE
Rhoda Walter, Long & Foster Real Estate, Ocean City, MD
Marianne Gold, Long & Foster Real Estate, Bethany Beach, DE
Cheryl Macey, Patterson Schwartz & Associates, Hockessin, DE
Randolph Osborne, BHHS Fox & Roach, Greenville, DE
Clint Willoughby, Keller Williams, Christiana, DE
Walter Cassel, Mann & Sons, Inc., Rehoboth Beach, DE
Kathryn Myers, Weichert Realtors, Chadds Ford, PA
Michelle Lukowiak, Keller Williams Realty, Lewes, DE
Stephane Bried, Long & Foster Real Estate, Inc., Wilmington, DE
Sherry Thens, Ocean Atlantic Sotheby's Intl Realty, Rehoboth Beach, DE
John Wells, BHHS PenFed Realty, Ocean City, MD
Leslie Bauer, Long & Foster Real Estate, Inc., Ocean City, MD
Christina McMahan, RE/MAX Main Line, West Chester, PA
Tina Stewart, Key Realty, LLC, Dover, DE
Alcore DiTullio, Concord Realty Group, Wilmington, DE
Eileen Miller, RE/MAX Town & Country, West Chester, PA
Michele Huntley, Patterson Schwartz Real Estate, Hockessin, DE
John Rowley, II, R & R Commercial Realty, Dover, DE
Kevin Parmenter, Long & Foster Real Estate Inc., Bethany Beach, DE
Judith Samuel, Keller Williams Realty, Dover, DE
Marissa Binkley, Patterson Schwartz, Hockessin, DE

Ashley Luchansky, Coldwell Banker Resort Realty, Seaford, DE
Shere'a Kelly, Keller Williams Realty, Dover, DE
Dawn Loeffler, Coldwell Banker Resort Realty, Milford, DE
Anthony Clark, Delaware Homes, Inc., Townsend, DE
Heather Wicks, Long & Foster Real Estate Inc., Greenville, DE
Patrice Joyner-Epps, RE/MAX 1st Choice, Middletown, DE
Keri Larotonda, BHHS Fox & Roach, Wilmington, DE
Kenneth Hunnings, Patterson Schwartz Real Estate, Dover, DE
Catherine Lee, Realty Mark Associates, Newark, DE
William Westergard, Patterson Schwartz, Hockessin, DE
Joseph Girgis, Keller Williams Central Delaware, Dover, DE
Mark Kley, Keller Williams Realty, Christiana, DE
TiAndra Jones, Keller Williams Realty, Christiana, DE
Carlos Cepeda, Keller Williams Realty, Christiana, DE
Jessica Watkins, Long & Foster Real Estate, Inc., Bethany Beach, DE
Becky Glover, Long & Foster Real Estate, Inc., Bethany Beach, DE
Jordan Garcia, Long & Foster Real Estate, Inc., Rehoboth Beach, DE
Jessica Sun, Long & Foster Real Estate, Inc., Rehoboth Beach, DE
Jeffrey Kemp, Coldwell Banker Resort Realty, Seaford, DE
Carrie Cosgrove, Resort Quest, Selbyville, DE
Maureen Hughes, Keller Williams Real Estate, West Chester, PA
Maureen Bovich, Long & Foster Real Estate, Inc., Bethany Beach, DE
Stephanie Beck, Keller Williams Realty Central DE, Dover, DE

By unanimous vote, the motion carried.

Review of Salesperson Application

Amanda Wallis, Long & Foster Real Estate, Inc., Bethany Beach, DE
Frances Engard, Realty Mark Associates, Newark, DE
Cheryl Rowe, Weichert Realtors-First Class, Dover, DE

Ms. Kelly advised that Ms. Amanda Wallace has a conviction for theft in violation of 24 Del. C. § 2907(a)(4) and Commission Rule 15.1.42. Mr. Staton made a motion, seconded by Ms. Scott, to propose to deny the application of Ms. Wallis with a right to a hearing. By unanimous vote, the motion carried.

Ms. Kelly advised that Ms. Engard received a Citation from Pennsylvania and paid a fine. After discussion, Ms. Scott made a motion, seconded by Mr. Harrington, to approve the application for Ms. Engard by reciprocity. By unanimous vote, the motion carried.

Ms. Kelly advised that Ms. Cheryl Rowe has several convictions substantially related to the practice of real estate in violation of 24 Del. C. § 2907(a)(4) and Commission Rules 15.1.41, 15.1.44, and 15.1.122. Specifically, Ms. Rowe was convicted of theft (Rule 15.1.41), theft by false pretense on (Rule 15.1.44), carrying a concealed deadly weapon (Rule 15.1.122) and theft by false pretense (Rule 15.1.44). Mr. Giles made a motion, seconded by Mr. L. Rogers, to propose to deny the application of Ms. Rowe with a right to a hearing. By unanimous vote, the motion carried.

Ratification of Broker and Associate Broker Applications

The Commission ratified the associate broker's application of Joseph Sardo. Mr. L. Rogers made a motion, seconded by Mr. Harrington, to approve Mr. Sardo's application. By unanimous vote, the motion carried.

The Commission ratified the associate broker's application of Joanne Milton. Mr. L. Rogers made a motion, seconded by Mr. Harrington, to approve Ms. Milton's application. By unanimous vote, the motion carried.

Review of Broker and Associate Broker Applications

There was no application(s) to review.

Ratification of Applications for Reinstatement

The Commission ratified the application of John Turssline for reinstatement of a Salesperson's license. Mr. Harrington made a motion, seconded by Mr. L. Rogers, to approve that ratification of Mr. Turssline's reinstatement application. By unanimous vote, the motion carried.

The Commission ratified the application of Gregg Perry for reinstatement of a Salesperson's license. Mr. Harrington made a motion, seconded by Mr. L. Rogers, to approve that ratification of Mr. Perry's reinstatement application. By unanimous vote, the motion carried.

The Commission ratified the application of John Maxwell for reinstatement of a Salesperson's license. Mr. Harrington made a motion, seconded by Mr. L. Rogers, to approve that ratification of Mr. Maxwell's reinstatement application. By unanimous vote, the motion carried.

The Commission ratified the application of Cheryl Gerkens for reinstatement of a Salesperson's license. Mr. Harrington made a motion, seconded by Mr. L. Rogers, to approve that ratification of Ms. Gerkens' reinstatement application. By unanimous vote, the motion carried.

Review of Applications for Reinstatement

Gregory Cook, RE/MAX Horizons, Inc., Dover, DE – Needs both exams

The Commission reviewed the application of Gregory Cook for reinstatement of a Salesperson's license. Mr. Giles made a motion, seconded by Mr. Harrington, to approve Mr. Cook's reinstatement application upon successful passing of both exams. By unanimous vote, the motion carried.

Review of Applications for New Office

Harvey Hanna & Associates, Inc., Newport, DE – New Office

Long & Foster Real Estate, Inc., Rehoboth Beach, DE – New Office

The Commission reviewed the application of Harvey Hanna & Associates, Inc. for a new main office. Mr. Harrington made a motion, seconded by Mr. Giles, to approve the new office application for Harvey Hanna & Associates, Inc. By unanimous vote, the motion carried.

The Commission reviewed the application of Long & Foster Real Estate, Inc. for a new main office. Mr. Harrington made a motion, seconded by Mr. Giles, to approve the new office application for Long & Foster Real Estate, Inc. By unanimous vote, the motion carried.

Mr. L. Rogers made a motion, seconded by Mr. Harrington, to amend the agenda to add Presto Realty Company for relocation of office. By unanimous vote, the motion carried.

The Commission reviewed the application of Presto Realty Company for relocation of the main office. Mr. Harrington made a motion, seconded by Mr. Giles, to approve the new office application for Long & Foster Real Estate, Inc. By majority vote, the motion carried with Ms. Scott abstaining.

Status of Complaints

Complaint 02-26-14 – Closed by Investigator
Complaint 02-06-15 – Closed by Investigator

Correspondence

Ms. Cindy Manry-Grimm called into the Division with a question about the requirement of the 30 sales to become a broker. Ms. Manry-Grimm's question was "can sales while working with a builder could be considered sales/leases to meet the requirements for obtaining a broker's license?" After discussion, the Commission stated that builder sales cannot be used as part of the required 30 sales/leases. Ms. Wagner will let Ms. Manry-Grimm know.

Discussion and Review of Consent Order

The Commission discussed the signed revised consent agreement for Lauren Jones. Mr. Staton made a motion, seconded by Mr. Giles, to accept the revised consent agreement for Ms. Jones. By unanimous vote, the motion carried.

Review of revised Education Guidelines – Distance Education

This was discussed under the Real Estate Education Committee.

Discussion of Unimproved Land Disclosure

Ms. Kelly discussed with the Commission that this disclosure does not fall under the Commission's law or regulations, so this is not something they can move forward with at this time. Ms. Kelly did mention to the Commission that she sent an email to Mr. Andy Taylor but that she has not heard back from him yet.

OLD BUSINESS

Discussion and Re-Signing of Updated Recommendation and Final Order

Ms. Margaret Lawson stated in a letter to the Commission that there was language in her recommendation and final order that had an incorrect statement. Ms. Lawson came into the office and met with Ms. Wagner to go over her audit and hearing documents. After further review by Ms. Wagner, it showed that Ms. Lawson did not falsely attest as stated in her recommendation and final order. After discussion by the Commission, Mr. Harrington made a motion, seconded by Mr. Staton, to re-signed Ms. Lawson final order with the removal of the false attestation.

Review and Sign Orders from Recommendations

The following orders were signed by Mr. Giles.

Bruce Cain - salesperson
Christopher Diebold – salesperson
Jessica Floyd – salesperson
Yokahoma Johnson – salesperson
Vanessa Nyemb – salesperson
John Ballen - salesperson

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Ms. Wagner mentioned that at the next meeting the Commission would start using the eBoards and iPads.

PUBLIC COMMENT

Ms. Patricia Anderson spoke to the Commission by introducing herself and to let the Commission know what her role was at SCAOR.

NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, February 11, 2016 at 9:00 a.m.

ADJOURNMENT

Mr. Staton made a motion, seconded by Mr. L. Rogers, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 9:53 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.