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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, November 8, 2012 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES APPROVED:	December 13, 2012

MEMBERS PRESENT

Christopher J. Whitfield, Professional Member, Chairman
Michael Harrington, Sr., Professional Member, Vice Chairman
Vincent M. White, Professional Member
Ricky H. Allamong, Professional Member
James C. Brannon, Jr., Public Member
Gilbert Emory, Public Member
Patricia O'Brien, Public Member
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

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

MEMBERS ABSENT

Andrew Staton, Professional Member, Secretary

ALSO PRESENT

Doug Doyle, Real Estate Education Committee
Angela Emerson, SCAOR
Regina Lundeen, DAR
Kay Warren, Deputy Director

CALL TO ORDER

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

REVIEW OF MINUTES

Mr. White made a motion, seconded by Mr. Harrington, to approve the minutes of the meeting held on October 11, 2012. By unanimous vote, the motion carried.

NEW BUSINESS

Education Committee Report

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student

Mr. Doyle stated that the Education Committee met on Thursday, November 1, 2012. The Committee approved several new courses and instructors. Mr. Whitfield and Mr. White were present at the Education Committee meeting. There were some topics that were sent back to the Committee from the Commission namely about the Salesperson's Core Course and the Broker's Core Course and the Committee chose to stand by their decision that the Core Courses don't fit into the new modules. The Committee discussed the suggested course content which was another topic sent back to the Committee from the Commission. The purpose of the suggested course content was to help the course providers. The Committee tweaked the suggested content guidelines and they were provided to the Commission. There was a discussion about previously submitted instructor applications and the Commission suggested that the Committee take a look at those again. The Committee stood behind their original decision and that each application should be looked at individually. Mr. Whitfield was at the Committee meeting when they discussed the instructor wanting to teach all modules. After review of the reasons the Education Committee is standing by their earlier decision, Mr. Whitfield said his recommendation would be to agree with the Committee.

Mr. Allamong made a motion, seconded by Ms. O'Brien, to approve the minutes of the Education Committee. By unanimous vote, the motion carried.

Ms. Heeney stated that there was some discussion of the Education Committee receiving a copy of the draft minutes from the Commission for review at their meetings to summarize what the Commission discussed in regards to the Education Committee. Ms. Heeney said that the draft minutes are not public and cannot be made available before Commission approval.

Mr. Whitfield stated that some of the Commission members were going to try and make the Education Committee meetings so they can discuss with them the findings by the Commission.

Mr. Whitfield asked the Education Committee to approve courses without the use of the suggested module course content until the Commission could take a look at the suggested proposed content. Mr. Doyle stated that several courses providers said that the suggested course content is very useful to them when putting courses together.

Mr. Brannon made a motion, seconded by Mr. Emory, to approve the new suggested course content. There was a discussion by the Commission on the spelling out of words instead of using abbreviations. Mr. White amended the motion above, seconded by Mr. Allamong, to approve the suggested course content with the changes and spelling words out. This will apply to both Module Course Content and Newly Licensed Salesperson Module Course Content. By unanimous vote, the motion carried.

Applications for Licensure

Ratification of Salesperson Applications

Mr. White made a motion, seconded by Ms. O'Brien, to ratify the following new salesperson applicants as presented:

Joshua Lipoff, Jones Lang LaSalle Brokerage, Inc, King of Prussia, PA
Craig Stewart, Keller Williams Realty, Wilmington, DE
Bing Kuang, Keller Williams Realty, Wilmington, DE
Richard Bolton, Bay Coast Realty, Rehoboth Beach, DE
Kelley Yeatman, Keller Williams Realty, Wilmington, DE
Stephen Compher, Keller Williams Real Estate, West Chester, PA

Natalie Monroe, Prudential Fox & Roach, Hockessin, DE
Joseph Coen, Realty Mark First State, Newark, DE
Kenneth Savage, Long and Foster, Bethany Beach, DE

By unanimous vote, the motion carried.

Review of Salesperson Application

Mr. Whitfield made a motion, seconded by Mr. McCann, to approve the following Salesperson application:

Xiaoge Zhou, Patterson Schwartz Real Estate, Hockessin, DE

By majority vote, the motion carried with Mr. White opposing.

Review of Broker Applications

Mr. White made a motion, seconded by Mr. Brannon, to approve the following Broker applications:

Trent Pettus, Integrity Real Estate Services, Philadelphia, PA

By unanimous vote, the motion carried.

Review of Applications for Reinstatement

Mr. White made a motion, seconded by Mr. McCann, to approve the following applications for reinstatement:

Charna Parler, Keller Williams Realty, Wilmington, DE
Asia Wallace-Tran, Coldwell Banker Preferred, Wilmington, DE
Brian Koyanagi, Keller Williams Realty at the Beach, Rehoboth Beach, DE
Kenneth Phillips, Keller Williams Realty, Wilmington, DE
Jennifer Lenior, Keller Williams Realty, Rehoboth Beach, DE
Deborah Adams, Keller Williams Realty, Dover, DE
Clayton Hill, NAI Emory Hill Real Estate Svc, New Castle, DE
Paul Pustolski, Century 21 Fantini Real Estate, Claymont, DE
Diana Davis, NextRE, Middletown, DE
Joseph Barba, Century 21 Fantini Real Estate, Claymont, DE
Joshua Bukar, Realty Mark First State, Newark, DE
Roberta Roberson, Long and Foster, Bear DE
Robin Mitchell, National Referral Real Estate, Wilmington, DE
Thomas Steele, Keller Williams Realty at the Beach, Rehoboth Beach, DE
Margaret Webb, Ocean Atlantic Sothebys Intl Realty, Rehoboth Beach, DE

By unanimous vote, the motion carried.

Due to the Office being closed several applicants were given two extra days due to Hurricane Sandy to submit their applications to meet the timeframe.

Review of Applications for New Offices

The new office application for Medori Commercial Realty was reviewed. Mr. White made a motion, seconded by Mr. Brannon, to approve the application. By unanimous vote, the motion carried.

The new office application for Meyer & Meyer Realty was reviewed for reinstatement. Mr. White made a motion, seconded by Ms. O'Brien, to approve the application. By unanimous vote, the motion carried.

The application of Sperry Van Ness Miller Commercial Real Estate for a new office was reviewed. Mr. White made a motion, seconded by Mr. Brannon, to approve this application pending receipt of a floor plan showing direct access and if no floor plan is submitted the application will be denied. By unanimous vote, the motion carried.

Status of Complaints

Complaint No. 02-13-11 – Closed
Complaint No. 02-22-11 – Closed
Complaint No. 02-21-12 – Sent to AG Office
Complaint No. 02-11-11 – Closed
Complaint No. 02-09-12 – Closed by AG Office
Complaint No. 02-17-11 – Closed

Recommendations from Hearing Officer

Lauren Felton - Commission members reviewed the recommendation from the Hearing Officer with Ms. Heeney describing the sanctions. Mr. White made a motion, seconded by Mr. McCann, to approve and accept the recommendation from the Hearing Officer with the exception of striking recommendation number one. Mr. White amended his motion, seconded by Mr. Brannon, to accept the motion above and giving Mr. Whitfield, Chairman of the Commission, authority to sign the order for Lauren Felton without coming before the Commission to review. By unanimous vote, the motion carried.

Keith Levitt – Commission members reviewed the recommendation from the Hearing Officer with Ms. Heeney describing the sanctions. Mr. White made a motion, seconded by Mr. Brannon, to approve and accept the recommendation from the Hearing Officer with exception of a minimum 12 months probation and completion of the Salesperson Module for 12 CEs within the year of probation. Mr. Levitt will need to come before the Commission to lift probation. By unanimous vote, the motion carried.

Mr. Brannon made a motion, seconded by Mr. White, to have Ms. Heeney make the correction submitted by Deputy Attorney General Stacey Stewart. By unanimous vote, the motion carried.

Mr. White made a motion, seconded by Mr. McCann, to give Mr. Whitfield, Chairman of the Commission, authority to sign the order for Keith Levitt without coming before the Commission to review. By unanimous vote, the motion carried.

Nancy Nailin – Request for Reciprocity – Salesperson

Mr. White made a motion, seconded by Mr. Brannon, to send a letter to Ms. Nancy Nailin telling her that the Commission looked at her letter and is asking her to make application. The Commission would like Ms. Wagner to direct Ms. Nailin to 2909(b)(3) of the statute. By unanimous vote, the motion carried.

Update from Subcommittee on Reciprocity and Education Report

Mr. Harrington gave an overview of the Committee's recommendation to have reciprocity with other jurisdictions concerning CE. No motion being made at this time.

OLD BUSINESS

Discussion of Sellers Disclosure Forms: Disclosure of Methamphetamine Production on Property

Mr. White made a motion, seconded by Mr. Allamong, to have the above discussion go before the subcommittee. By unanimous vote, the motion carried.

Review of opinion letter regarding FOIA complaint against Real Estate Commission

Ms. Heeney stated that the Attorney General's Office found no FOIA violation by the Commission.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Mr. White spoke to the Commission about the Education Committee holding an educational meeting course providers and interested parties. This would be an informational meeting and would be required for all providers. The purpose would be to explain the new rules and regulations that just went into effect July 1, 2012. Mr. Whitfield would like the Education Committee to discuss this meeting and see if through consensus this is something that should be done. No action required from the Commission at this time.

PUBLIC COMMENT

There was no public comment for November.

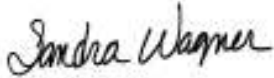
NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, December 13, 2012 at 9:00 a.m.

ADJOURNMENT

Mr. Brannon made a motion, seconded by Mr. White, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 11:20 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.