

**Ken Lawson, Secretary**

**Rick Scott, Governor**

**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
February 21 and 22, 2012  
General Meeting**

Chair Darla Furst called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 21<sup>st</sup> day of February, 2012.

The following Commission members were in attendance: Chair Darla Furst, Richard DeNapoli, Roger Enzor, Michael Guju, Poul Hornsleth and Josh Podolsky. Vice-Chair Claude "Chip" Boring was excused. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana C. Watkins, Director; Denise Johnson, Deputy Director; Mark Letarte, Bureau Chief of Enforcement; Patrick Cunningham, Chief Attorney; Christina Arzillo, Andrew Fier, Josh Kendrick, Leigh Matchett and Joseph Solla, Assistant General Counsel; Lynette Kane, Operations & Management Consultant, II; Nyasha Riley, Government Analyst I; Johanne Knudson, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court reporter services.

**Approval of the Minutes**

Commissioner Guju moved; seconded by Commissioner DeNapoli to approve the Minutes of the January 24 and 25, 2012, General Meeting, as written. Motion passed without dissent.

**Unlicensed Activity Report**

Director Watkins presented the Unlicensed Activity Report and addressed questions and comments from the Commission. The Commission requested to see a tracking report of the cases that are referred to the State Attorney's Office.

**Monthly Exam Performance Summary Report**

Director Watkins presented the Monthly Exam Performance Summary Report and addressed questions and comments from the Commission and the audience. Mr. Dick Fryer, IFREC Schools, commented that there is only one Spanish instructor exam and that the Hispanic community knows all the questions on the exam and inquired whether the department will be adding new Spanish instructor exams to the test bank.

**Report Regarding Office Inspection/Escrow Audits**

Bureau Chief LeTarte presented the Report Regarding Office Inspection/Escrow Audit. Commissioner Enzor asked if the investigators are conducting a thorough inspection, including reviewing contracts as well as the escrow accounts. Mr. LeTarte responded affirmatively. Mr. LeTarte addressed additional

questions from the Commission. Mr. Letarte stated he will provide additional information regarding the audits at the next meeting. Assistant General Counsel Solla offered comments relating to this topic and addressed questions and comments from the Commission and members of the audience. Director Watkins and Bureau Chief LeTarte addressed additional comments from the Commission.

### **Escrow Disbursement Orders**

Assistant General Counsel Joseph Solla presented 30 Escrow Disbursement Orders and 5 Orders for the Commission's consideration. Commissioner Hornsleth moved to accept the 30 Escrow Disbursement Orders and 5 Orders, as presented. Commissioner Enzor seconded the motion. The motion passed without dissent.

### **Recovery Fund Claim**

#### **Shinning George Su v. Anne Woodward, DBPR Case No. 2011010152**

Neither Claimant nor Licensee was present. Assistant General Counsel Solla presented this matter to the Commission. Mr. Solla advised that the Claimant qualifies statutorily to receive payment from the recovery fund and recommended the Commission approve the request. The Commission considered the facts and circumstances. Commissioner Enzor moved to approve the order granting the claim in the amount of \$4,786.62. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

### **Legal Final Order Docket**

#### **Tab AD – Darryl Patterson, BK 515447; Case No. 2010019586; Tab AA – Patterson Realty Group, CQ 1017241; Case No. 2010019592 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and represented by Nancy P. Campiglia, Esquire, present. Chair Furst and Commissioner Hornsleth were recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to impose the following sanctions:

**Action Taken:** Respondent Patterson – Revocation, \$321.75 investigative costs. Respondent Patterson Realty Group – Revocation, \$165.00 investigative costs. **Violation:** Respondents violated Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), F.A.C., when he failed to immediately deposit Buyer's deposit into an escrow or trust account; violated Section 475.25 (1)(d)1, when Respondents failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; violated Section 475.25(1)(b) Florida Statutes when Respondents failed to return Buyer's escrow deposits.

**Tab AE – Darryl Patterson, BK 515447; Case No. 2011020467; Tab AB – Patterson Realty Group, CQ 1017241; Case No. 2011020468 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and represented by Nancy P. Campiglia, Esquire, present in the room. Chair Furst and Commissioner Hornsleth were recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to impose the following sanctions:

**Action Taken:** Respondent Patterson – Revocation, \$280.50 investigative costs. Respondent Patterson Realty Group – Revocation. **Violation:** Respondents violated Section 475.25(1)(e), Florida Statutes, by failing to make available to the department his business brokerage records to determine whether Respondent was in compliance with the provisions of Chapter 475, Florida Statutes; violated Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), F.A.C., when he failed to immediately deposit Buyer’s deposit into an escrow or trust account; violated Section 475.25 (1)(d)1, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; violated Section 475.25(1)(b) Florida Statutes when Respondent failed to return Buyer’s escrow deposits.

**Tab AF – Darryl Patterson, BK 515447; Case No. 2011017459; Tab AC – Patterson Realty Group, CQ 1017241; Case No. 2011017462 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and represented by Nancy P. Campiglia, Esquire, present in the room. Chair Furst and Commissioner Hornsleth were recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to impose the following sanctions:

**Action Taken:** Respondent Patterson – Revocation, \$363.00 investigative costs. Respondent Patterson Realty Group – Revocation. **Violation:** Respondents violated Section 475.25(1)(e), Florida Statutes, by failing to make available to the department his business brokerage records to determine whether Respondent was in compliance with the provisions of Chapter 475, Florida Statutes; violated Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), F.A.C., when he failed to immediately deposit Buyer’s deposit into an escrow or trust account.

**Tab AQ – Nancy Jimenez, SL 3186831, Case No. 2010027007 – Motion for Waiver**

Respondent was present and not represented by counsel. Commissioner DeNapoli was recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Enzor; motion carried unanimously to find the Respondent guilty as charged. Commissioner Hornsleth moved, seconded by Commissioner Enzor; motion carried without dissent to impose the following sanctions:

**Penalty imposed:** Suspension 2 years, \$2,000.00 fine, \$264.00 costs, 28-hour reactivation CE course within 2 years from the date of filing of the Final Order. **Violation:** Respondent violated Section 475.25 (1)(d)1, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; violated Section 475.25(1)(b) Florida Statutes when Respondent failed to return the Complainant's deposit and deposit the Complainant's money into escrow; violated Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.009, Florida Administrative Code, when she failed to deliver the Complainant's check to her broker; violated Section 475.42(1)(d) of Florida Statutes by failing to collect the Complainant's deposit in the name of her employer; violated Section 475.42(1)(b), Florida Statutes by operating as a broker while licensed as a sales associate and, therefore, is in violation of Section 475.25(1)(e), Florida Statutes.

**Tab J – Kelly Cochran, SL 3036140, Case No. 20090630359 – Respondent's Request for an Extension of Time to Comply with Final Order**

Respondent was present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Mr. Cunningham represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner DeNapoli moved, seconded by Commissioner Guju; motion carried unanimously to grant an extension to March 31, 2012, to complete the requirements of the Final Order.

**Action Taken:** Extension request granted until March 31, 2012.

**Tab AS – Errol N. Walker, BK 3009936, Case No. 2009033738 – Motion for Waiver of Rights**

Respondent was present and not represented by counsel. Commissioner DeNapoli was recused due to participation on the probable cause panel.

Mr. Kendrick represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Enzor moved, seconded by Commissioner Hornsleth; motion carried unanimously to find the Respondent guilty as charged. Commissioner Enzor moved, seconded by Commissioner Hornsleth; motion carried without dissent to impose the following sanctions:

**Penalty imposed:** Revocation, \$1,000.00 fine, \$199.00 costs. **Violation:** Respondent violated Section 475.25 (1)(d), Florida Statutes, by failing to remit payment to Cunningham-Codner and by failing to create and maintain a record of that payment.

**Tab A – 1010 Apartments, Inc., CQ 1022703, Case No. 2010031624 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$3,500.00, \$229.35 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d), Florida Statutes, when Respondent failed to account or deliver the security deposit as agreed upon or required by law; violated Section 475.25(1)(b), Florida Statutes, by acting with culpable negligence in accounting or committing a breach of trust when Respondent failed to deliver the security deposit.

**Tab B – 1010 Apartments, Inc., CQ 1022703, Case No. 2011018514 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Guju moved, seconded by Commissioner Enzor; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$90.75 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver material documents or payments made by tenant for the rental of subject property as agreed upon or required by law; violated Section 475.25(1)(b), Florida Statutes, by acting with culpable negligence in accounting or committing a breach of trust when Respondent failed to deliver material documents or payments made by tenant for the rental of subject property.

**Tab C – Advantage Realty of Sarasota, Inc., CQ 273342, Case No. 2011036807 – Voluntary Relinquishment of License**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Mr. Fier represented the department and presented the case to the Commission. Commissioner Hornsleth moved, seconded by Commissioner Enzor to accept the Voluntary Relinquishment of License. The motion passed without dissent.

**Action Taken:** Commission accepted the Voluntary Relinquishment of License.

**Tab D – Augustine Agboro, ZH 1002455, Case No. 2008039547 – Respondent’s Request for Reconsideration**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Mr. Cunningham represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner DeNapoli; motion passed without dissent to deny the request for reconsideration.

**Action Taken:** Reconsideration request denied.

**Tab E – Al Campbell, BK 3210294, Case No. 2010011368 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Mr. Cunningham represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Enzor moved, seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Enzor moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$594.00 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver payments made by tenant for the rental of subject property as agreed upon or required by law; violated Section 475.25(1)(b), Florida Statutes, by failing to deliver to Complainant, upon demand, payments made by Tenant for the rental of Subject Property; violated Subsection 455.275(1), Florida Statutes, by failing to notify the Department of a change of address or failing to notify the Department of the Respondent’s current place of practice; violated Subsection 455.227(1)(j), Florida Statutes, by employing an unlicensed person to practice in real estate without a real estate license.

**Tab F – Al Campbell, BK 3210294, Case No. 2010013410 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner DeNapoli moved, seconded by Commissioner Guju; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner DeNapoli moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$181.50 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to deliver security deposit to tenant as agreed upon or required by law.

**Tab G – Al Campbell, BK 3210294, Case No. 2010027207 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner DeNapoli moved, seconded by

Commissioner Enzor; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner DeNapoli moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$153.45 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver payments made by tenant for the rental of subject property as agreed upon or required by law; violated Section 475.25(1)(b), Florida Statutes, by acting with culpable negligence in accounting or committing a breach of trust when Respondent failed to deliver payments made by tenant for the rental of subject property.

**Tab Z – Ocean View Int'l Realty, Inc., CQ 1010939, Case No. 2010042779 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Enzor moved, seconded by Commissioner DeNapoli; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Enzor moved, seconded by Commissioner DeNapoli; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$254.45 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, by failing to pay the civil judgment entered against it in case number 10-25922 CACE 02 for non-payment of a real estate commission.

**Tab Y – Ocean View Int'l Realty, Inc., CQ 1010939, Case No. 2010042779 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Guju moved, seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Guju moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$252.45 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, by failing to pay the civil judgment entered against it in case number 10-1262 CC 25 for non-payment of a real estate commission.

**Tab K – Yolanda M. Concepcion, BK 347264, Case No. 2010009119 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Mr. Fier represented the Department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Guju; motion passed without dissent to find the Respondent guilty as charged in the

Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$1,000.00, \$255.75 costs. **Violation:** Respondent violated Rule 61J2-14.012(2), Florida Administrative Code, by failing to sign and date the monthly reconciliation statements for her escrow account prior to February 2010 and by failing to reconcile her trust account monthly from February 2010 through May 2010 and therefore violated Section 475.25(1)(e), Florida Statutes.

**Tab L – Albert R. Deering, BK 5633612, Case No. 2011036806 – Voluntary Relinquishment of License**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel. Chair Furst recused herself from participating in the discussion.

Mr. Fier represented the department and presented the case to the Commission. Commissioner Enzor moved, seconded by Commissioner Hornsleth to accept the Voluntary Relinquishment of License. The motion passed without dissent.

**Action Taken:** Commission accepted the Voluntary Relinquishment of License.

**Tab O – Abi Furman, SL 3075477, Case No. 2011031630 – Voluntary Relinquishment of License**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Ms. Demartini represented the department and presented the case to the Commission. Commissioner DeNapoli moved, seconded by Commissioner Hornsleth to accept the Voluntary Relinquishment of License. The motion passed without dissent.

**Action Taken:** Commission accepted the Voluntary Relinquishment of License.

**Tab P; Tab Q – Noelvis Gamez, BK 696927, Case No. 2011036568 and 2011040839 – Voluntary Relinquishment of License**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Mr. Fier represented the department and presented the case to the Commission. Commissioner DeNapoli moved, seconded by Commissioner Guju to accept the Voluntary Relinquishment of License. The motion passed without dissent.

**Action Taken:** Commission accepted the Voluntary Relinquishment of License.

**Tab R – Joseph Anthony Garcia Riveiro, BL 612052, Case No. 2009003904 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Commissioner DeNapoli was recused due to participation on the probable cause panel.

Mr. Fier represented the Department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved; seconded by



Commissioner Guju; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$3,000.00, \$643.50 costs. **Violation:** Respondent violated Section 475.25(1)(s), Florida Statutes, by having his Florida Bar license by the Florida Supreme Court in February 2008; violated Section 475.42(1)(i), Florida Statutes, when Respondent failed to keep and make available all required brokerage records, obstructing and hindering the Department's statutorily authorized audit and inspection.

**Tab W – Marshall Neil Kanner, SL 599478, Case No. 2011016003 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. Petitioner requested the Commission strike paragraph five of the Administrative Complaint. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Enzor; motion passed without dissent to find the Respondent guilty of all counts as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Six months suspension, \$1,000.00, \$437.25 investigative costs. **Violation:** Respondent violated Section 475.25(1)(f), Florida Statutes, by entering a guilty plea of conspiracy to dispense and cause to be dispensed schedule III and IV controlled substances and conspiracy to launder money; violated Section 475.25(1)(p), Florida Statutes, by failing to inform the Commission in writing within 30 days after entering a guilty plea conspiracy to dispense and cause to be dispensed schedule III and IV controlled substances and conspiracy to launder money.

**Tab U – Theresia Marie Helton, BK 3077530, Case No. 2010031610 – Petitioner's Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Enzor moved, seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Enzor moved, seconded by Commissioner DeNapoli; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$3,500.00 fine, \$420.75 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver the security deposit as agreed upon or required by law; violated Section 475.25(1)(b), Florida Statutes, by acting with culpable negligence in accounting or committing a breach of trust when Respondent failed to account or deliver the security deposit.

**Tab V – Theresia Marie Helton, BK 3077530, Case No. 2011018510 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Enzor moved, seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Enzor moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$5,000.00 fine, \$90.75 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver material documents or payments made by tenant for the rental of subject property as agreed upon or required by law; violated Section 475.25(1)(b), Florida Statutes, by acting with culpable negligence in accounting or committing a breach of trust when Respondent failed to deliver material documents or payments made by tenant for the rental of subject property.

**Tab X – Ciro Martinez, BK 3197457, Case No. 2011014217 – Voluntary Relinquishment of License**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Ms. Demartini represented the department and presented the case to the Commission. Commissioner Hornsleth moved, seconded by Commissioner DeNapoli to accept the Voluntary Relinquishment of License. The motion passed without dissent.

**Action Taken:** Commission accepted the Voluntary Relinquishment of License.

**Tab AG – John Patrick Payton, BK 3209950, Case No. 2011021318 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner DeNapoli; motion passed without dissent to impose the following sanctions:

**Action Taken:** \$250.00 fine, \$321.75 investigative costs. **Violation:** Respondent violated Section 455.227(1)(j), Florida Statutes, by aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter the chapter regulating the profession, or the rules of the department or the board.

**Tab AH – Nicola J. Perillo, SL 3017130, Case No. 2008029964 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Enzor; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Enzor; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$750.00 fine, \$891.00 investigative costs. **Violation:** Respondent violated Section 475.25(1)(b), Florida Statutes, by conveying fraudulent information and actively making misrepresentations.

**Tab AI – Gustavo Adolfo Petisco, SL 3212263, Case No. 2010018947 – Voluntary Relinquishment of License**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Ms. Demartini represented the department and presented the case to the Commission. Commissioner DeNapoli moved, seconded by Commissioner Enzor to accept the Voluntary Relinquishment of License. The motion passed without dissent.

**Action Taken:** Commission accepted the Voluntary Relinquishment of License.

**Tab AJ – Lucian Popescu, BK 3054722, Case No. 2008065278 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. Chair Furst and Commissioner Hornsleth were recused due to participation on the probable cause panel.

Ms. Jahingir represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Enzor moved, seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Enzor moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$3,500.00 fine, \$608.85 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; violated Section 475.25(1)(b), Florida Statutes, by failing to forward Complainant’s rental funds, for which Respondent maintained no ownership interest.

**Tab AL – Robin Marie Speronis, BK 3175966, Case No. 2011024132 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present and not represented by counsel. No current members were recused due to participation on the probable cause panel.

Mr. Fier represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Guju; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$10,000.00 fine, \$404.25 investigative costs. **Violation:** Respondent violated Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; violated Section 475.25(1)(b), Florida Statutes, by failing to return Complainant’s escrow deposit.

**Tab AP – Theresia Marie Helton, BK 3077530, Case No. 2009020275 – Motion for Waiver of Rights**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation, \$2,500.00 fine, \$453.00 investigative costs. **Violation:** Respondent violated Section 475.25(1)(b), Florida Statutes (2008), by breaching Complainant’s trust through concealment and dishonest dealing.

**Agenda B, Tab B – Harry Alan Linet, BK 552382, Case No. 2011001052 – Settlement Stipulation**

Respondent was not present and not represented by counsel. Vice-Chair Boring served on the probable cause panel. No current members present were recused due to participation on the probable cause panel.

Ms. Matchett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Podolsky to deny the Settlement Stipulation. Motion carried unanimously.

**Action taken:** Settlement Stipulation denied.

The following cases were continued or withdrawn

- Tab H – City One Realty, LLC
- Tab I – City One Realty, LLC
- Tab M – Pamela Joyce DeTore
- Tab N – Pedro Diaz

Tab S and T – Yamila Garcia  
Tab AK – Robert Smith, III  
Tab AM, AN, AO – USA Properties and Investments, Inc.  
Tab AT – Juan C. Zuniga  
Agenda B, Tab A – Al Campbell – Case No. 2010020341

Upon conclusion of the Legal Agenda Ms. Linda Crawford addressed the Commissioners to encourage them that as part of the penalties imposed that the Commission includes the 28-hour reactivation course. Director Watkins stated that 61J2-3.010(2), Florida Administrative Code, provides what is included in this course and that she sent Chief Attorney Cunningham the link to the approved courses for reference.

### **General Session continued**

### **Reports**

#### **Report Regarding Legal Case Activity**

Chief Attorney Cunningham presented the Legal Case Activity Report to the Commission. Chair Furst requested to table this discussion until tomorrow.

#### **Report Regarding FREC Investigations Trends**

Bureau Chief LeTarte presented the Report Regarding FREC Investigations Trends. The Commission commended the Division's enforcement team for reducing the cases over 365 days in investigations to zero. Director Watkins reported stated that this accomplishment is a result of communication between Mr. LeTarte and the division.

#### **Report Regarding Office Inspection and Escrow Audits**

Bureau Chief LeTarte reported that the investigators are conducting the audits as they did in 2002. Mr. LeTarte further reported that the division has conducted 370 audits from the beginning of this Fiscal Year (July 1, 2011) and have conducted 92 as of January 2012. Mr. LeTarte addressed comments and questions from the Commission.

### **Special Agenda**

#### **Correspondence received from Stephen R. Kelly**

FREC Counsel Barnhart presented a letter received from Stephen R. Kelly requesting an opinion whether he is required to obtain a real estate license in Florida. The Commission provided guidance and requested that Mr. Barnhart contact Mr. Kelly and relay the options available to him.

### **Consent Agenda**

The Commission considered 106 applicants from the Consent Agenda; Commissioner Hornsleth moved; seconded by Commissioner Guju to approve 70 applicants and require 36 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Arnoux, Sydney	Hubbard, Scott W	Orozco, Diana M
Barone, Mark	Ivanovich, Elizabeth A	Paine, Glen G
Bier, Angela M	Jacobs, Daryl B	Paulson, Melina J
Boarman, Cassandra	Johnson, Travis	Phillips, Tara N
Brunelli, Mario R	Krajewski, Neal	Piccolo, Ryan A
Brutus, Gladel	Kristiansen, Uffe S	Pikop, David
Cherubin, Djerry R	Lafavre, Adam T	Polson, Heather M
Christensen, Todd	Larrieux, Jean R	Potts, Nicholas
Christman, Catherine	Lipsey, Marcus J	Quezada, Alexander L
Conran, Michael S	Liscano, Maria E	Rodriguez, Diego R
Crane, Marta S	Marrero, Jesus A	Rollo, William D Jr.
Crilly, Michael P	Martinez, Frank R Sr.	Root, Lourdes C
Dean, William G Jr.	Martonffy, Steven P	Rosario, Ruben
Drake, Robert S	Mascia, Paul N	Rushford, George P
Farid, Emad	McGibony, Robert F	Salazar, Carol I
Feng, Yao	Medlin, Mary A	Sanders, Jeffrey P
Fernandez, Silvia	Middleton, Marc T	Shanaberger, Frank L
Figueredo, Ernest G Jr.	Miles, Paul J	Sheffield, Leon
Gonzalez, Edwin A	Mitchell, Robert S	Sheptak, David C
Griffith, James H	Nadal, Vilma I	Vilmar, Joyce L
Harrison, Aron M	Nadler, Jason	Vogt, Barbara L
Hatala, Cheryl L	Norwood, Stepfon T	Walden, Lavada J
Hause, Reginald J	Ochoa, Joseph A	Weiselberg, Alan
Heffron, Gabriele M		

The following applicants will be placed on the next available Summary of Applicant agenda:

Abrego, Sergio A	Jensen, Jeremy B	Questell, Jose M
Alas, Roberto Z	Karai, Sangeeth	Rhulen, Erik J
Battle, Jesse B	Kerrigan, Danielle	Rodriguez, Juan
Betsinger, Matthew J	Laing, Sherry	Rossetti, Michael
Brand, Daniel	Law, Mark X	Shearer, Christopher
Brookman, Thomas	Malave, Domitila R	Skipper, Trigg R
Chadwick, Michael J	McFadden, Andrea J	Spence, Nadia L
Cleckley, Blaine M.	McFadden, Joshua	Tyson, Lashanna R
Davenport, Darin T	Medida, Gilbert	Williams, Glenn D Jr.
Dumas, Joshua P	Melford, Jeff S	Williams, Joshua G
Dunn, David B	Milask, Marc B	Williams, Robert C
Hopper, Stuart PA	Nadeau, Joann M	Wood, April

There being no further business and no objection, the Chair adjourned the meeting at approximately 3:30 p.m.

### **February 22, 2012**

Chair Darla Furst reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 22<sup>nd</sup> day of February, 2012.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Claude "Chip" Boring, Richard DeNapoli, Roger Enzor, Michael Guju, Poul Hornsleth and Josh Podolsky. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana C. Watkins, Director; Patrick Cunningham, Chief Attorney; Jocelyn Pomales, Operations Management Consultant II; Johanne Knudson, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court reporter services.

### **Summary of Applicants**

OMC II Jocelyn Pomales presented 54 Summary of Applicants requesting to sit for the real estate examination.

Tab A – Lorenzo, Orlando J., present; represented by Adrian D. Ferraz, Esquire, present – informal hearing – Commissioner Guju moved; seconded by Commissioner Hornsleth to vacate the Notice of Intent to Deny the Commission previously entered regarding the application for sales associate and approve the application; motion carried without dissent.

Tab H – Arena, Ronald J., Jr., not present; represented by Bob Dwyer, Esquire, present – Mr. Dwyer requested a continuance on behalf of the applicant and waived the 90-day requirement. Commissioner Guju moved; seconded by Vice-Chair Boring to grant a continuance; the motion passed without dissent.

Tab I – Berthiaume, Michelle, not present; represented by Michael J.P. Baker, Esquire, present – Mr. Baker requested a continuance on behalf of the applicant and waived the 90-day requirement. Commissioner Podolsky moved; seconded by Commissioner DeNapoli to grant a continuance for 90 days; the motion passed without dissent.

Tab P – DiGirolamo, Joseph R., present; represented by Nancy Campiglia Esquire, present – Commissioner Enzor moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab U – Gordon, Marvin L., present; represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner DeNapoli to approve the application for instructor; the motion passed without dissent.

Tab Y – Kelley, Keith B., present; represented by Daniel Villazon, Esquire, present – Commissioner Enzor moved; seconded by Commissioner Guju to approve the application for sales associate; the motion passed without dissent.

Tab AE – Lutgert, Erik F., present; represented by Gary L. Printy, Esquire, present – Commissioner Enzor moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed 6 to 1.

Tab B – Oliver, Asia K., not present – informal hearing – Applicant withdrew application.

Tab C – Richburg, Kelton L., present – informal hearing – Commissioner DeNapoli; seconded by Commissioner Podolsky to vacate the Notice of Intent to Deny the Commission previously entered regarding the application for sales associate; Commissioner DeNapoli moved; seconded by Vice-Chair Boring to approve the application; motion carried without dissent.

Tab D – Aguado, Alvaro J., present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 6 to 1.

Tab E – Amador, Frank N., present – Applicant requested a continuance and waived the 90-day requirement. Commissioner Podolsky moved; seconded by Commissioner DeNapoli to grant a continuance to July 2012; the motion passed without dissent.

Tab F – Anderson, Tashiem T., present – Applicant withdrew application and waived the 90-day requirement.

Tab G – Ardoguein, Gustavo M., not present – Commissioner Enzor moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab J – Bravo, Oliver J., present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 6 to 1.

Tab K – Burkott, Scott A., present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 6 to 1.

Tab L – Celestin, Steven, present – Applicant withdrew application and waived the 90-day requirement.

Tab M – Cook, Ernell, not present – Commissioner Enzor moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab N – Crouch, Nicholas, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to deny the application for sales associate; the motion passed without dissent.

Tab O – Diaz DeLeon, Laura, present – Applicant withdrew application and waived the 90-day requirement.

Tab Q – Espejo, Miguel A., Sr., present – Commissioner Guju moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 6 to 1.

Tab R – Espido, Krystal M., not present – Applicant requested a continuance and waived the 90-day requirement. Commissioner Guju moved; seconded by Vice-Chair Boring to grant a continuance; the motion passed without dissent.

Tab S – Fis, Rafael R., not present – Applicant requested a continuance and waived the 90-day requirement. Commissioner Guju moved; seconded by Vice-Chair Boring to grant a continuance to April 2012; the motion passed without dissent.

Tab T – Garrett, David A., present – Applicant withdrew application and waived the 90-day requirement.

Tab V – Hansell, Theresa, not present – Commissioner Enzor; seconded by Vice-Chair Boring Enzor to deny the application for sales associate; the motion passed without dissent.

Tab W – Hill, David, present – Commissioner DeNapoli moved; seconded by Commission Guju to approve the application for sales associate; the motion passed without dissent.

Tab X – Hubert, Jeffrey M., not present – Applicant requested a continuance and waived the 90-day requirement. Commissioner Guju moved; seconded by Vice-Chair Boring to grant a continuance to March 2012; the motion passed without dissent.



Tab Z – Killingback, Donald, present – Commissioner Enzor moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AA – Kiselyov, Dmitry, present – Commissioner Enzor moved; seconded by Commissioner Guju to deny the application for sales associate; the motion passed without dissent.

Tab AB – Knie, Ashley, present – Commissioner DeNapoli moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AC – Kocijan, Sandra, not present – Applicant requested a continuance and waived the 90-day requirement. Vice-Chair Boring moved; seconded by Commissioner Hornsleth to grant a continuance to March 2012; the motion passed without dissent.

Tab AD – Linenko, Michelle, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to deny the application for sales associate; the motion passed without dissent.

Tab AF – Lynch, Gerald E., present – Applicant withdrew application and waived the 90-day requirement.

Tab AG – Magris, Jesus, present – Commissioner Enzor moved; seconded by Commissioner Guju to approve the application for sales associate; the motion passed without dissent.

Tab AH – Masengale, Wanda C., present – Applicant withdrew application and waived the 90-day requirement.

Tab AI – McCone, Kenyana, not present – Commissioner Enzor moved; seconded by Commissioner Guju to deny the application for sales associate; the motion passed without dissent.

Tab AJ – Meyeraan, Ross P., not present – Commissioner Enzor moved; seconded by Commissioner Guju to deny the application for sales associate; the motion passed without dissent.

Tab AK – Michaelles, Erica, present – Applicant withdrew application and waived the 90-day requirement.

Tab AL – Miller, Andrew Victor, IV, not present; represented by Nancy Campiglia Esquire, not present – Application withdrawn.

Tab AM – Mitravich, Courtney K., present – Commissioner DeNapoli moved; seconded by Commissioner Guju to approve the application for sales associate; the motion passed without dissent.

Tab AN – Peckham, Malik, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to deny the application for sales associate; the motion passed without dissent.

Tab AO – Pennell, Barbara, present – Commissioner Guju moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AP – Renaas, Sheila, present – Applicant withdrew application and waived the 90-day requirement.

Tab AQ – Riggio, Caryl J. Sheehan, present – Applicant requested a continuance and waived the 90-day requirement. Commissioner DeNapoli moved; seconded by Commissioner Enzor to grant a continuance to May 2012; the motion passed without dissent.

Tab AR – Rungo, Corinne, present – Commissioner Enzor moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AS – Samuel, Lee A., present – Applicant withdrew application and waived the 90-day requirement.

Tab AT – Saumell, David, present – Commissioner Hornsleth moved; seconded by Commissioner Guju to approve the application for sales associate; the motion passed without dissent.

Tab AU – Secrist, Tracey, present – Commissioner Hornsleth moved; seconded by Commissioner Guju to approve the application for sales associate; the motion passed without dissent.

Tab AV – Sharma, Giresh K., present – Applicant requested a continuance and waived the 90-day requirement. Commissioner Guju moved; seconded by Vice-Chair Boring to grant a continuance to March 2012; the motion passed without dissent.

Tab AW – Skillmann, David W., present – Commissioner Guju moved; seconded by Commissioner Podolsky to approve the application for broker; the motion passed without dissent.

Tab AX – Tarin, Victor M., present – Commissioner Enzor moved; seconded by Commissioner DeNapoli to approve the application for sales associate; the motion passed 6 to 1.

Tab AY – Tuck, Brian, present – Applicant withdrew application and waived the 90-day requirement.

Tab AZ – Warren, Leonard C., Jr., not present – Commissioner Hornsleth moved; seconded by Commissioner Enzor to deny the application for sales associate; the motion passed without dissent.

Tab BA – Zielinski, Paul A., present – Applicant withdrew application and waived the 90-day requirement.

Agenda B, Tab A – Zraik, Samr B., present – Commissioner Hornsleth moved; seconded by Commissioner Podolski to approve the application for sales associate; the motion passed 6 to 1.

### **DOAH Recommended Order - Applicant**

Richard Reed v. DBPR, Florida Real Estate Commission – DOAH Case No. 11-5798

FREC Counsel Tom Barnhart presented the Recommended Order of the Administrative Law Judge. Petitioner was not present. The Commission considered the Recommended Order of the Division of Administrative Hearings recommending the Petitioner's application for licensure as a real estate sales associate be denied. Commissioner Hornsleth moved to adopt the Findings of Fact and Conclusions of Law and accept the Recommended Order and issue an Order denying the applicant. Commissioner DeNapoli seconded the motion. The motion carried unanimously.

### **General Session continued**

#### **Reports**

#### **Legislative Update**

Director Watkins provided an update regarding HB 887, HB 454, and HB 4153 and summarized the provisions which may affect the division. Director Watkins reported that March 9, 2012, is the last day of

Session and that she will provide an update next month as to the outcome.

#### Report Regarding Legal Case Activity

Director Watkins provided the Commission with an updated report reflecting the correct counts. Commissioner Guju inquired as to why there has been such an increase. Chief Attorney Cunningham stated he would investigate this issue and report back to the Commission next month.

#### Director's Comments

Director Watkins, in response to the Commission's inquiry, explained the business process of what happens upon conclusion of a license suspension when other Final Order provisions remain unsatisfied. Director Watkins and FREC Counsel Barnhart addressed additional questions from the Commission.

Director Watkins requested the Commission appoint one of its members to assist the Bureau of Education and Testing (BET) with various issues. Ms. Watkins stated that Bureau Chief Gus Ashoo said he would be happy to appear at the next meeting to discuss this as well as answer any other questions that the Commission may have.

#### Commission's Comments

Commissioner DeNapoli stated that in August, when he was excused from the FREC meeting, the Commission approved live streaming of the FREC meetings and inquired whether attendees are made aware that they are on camera. Commissioner DeNapoli provided his concerns relating to live streaming and cautioned his fellow members that the benefits may not outweigh the liability. Chair Furst stated that at the time she felt it was a good idea but now after more thought the Commission may want to address this topic with all members present. Commissioner Enzor agreed. Director Watkins stated the gentleman that requested the Commission consider web streaming for educational purposes. Commissioner Guju requested that this discussion be tabled until March.

#### Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 4:46 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for March 20 and 21, 2012, in Orlando, Florida.

  
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Darla Furst, Chair  
Florida Real Estate Commission

  
\_\_\_\_\_  
Juana C. Watkins, Director  
Florida Real Estate Commission