

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
February 16 and 17, 2016
General Meeting**

Chair Dick Fryer, called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 16th day of February, 2016.

The following Commission members were in attendance: Chair Dick Fryer, Vice-Chair Chip Boring, Lee Chotas, Patricia Fitzgerald, Darla Furst, Poul Hornsleth and Thomas Luzier. Mr. 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 Watkins, Director; Denise Johnson, Deputy Director; Sara Kimmig, Bureau Chief of Enforcement; Josh Kendrick, Chief Attorney; Jennie Schwartz, Assistant General Counsel; Appearing via teleconference: Al Cheneler, Daniel David, Megan Lloyd, Brande Miller, Crystal Stephens, William Vogel, James Whealdon and Maureen White, Assistant General Counsels; Warren Sanger, Licensing Supervisor; Jocelyn Pomales, Education Coordinator; Mike Davis, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

Chair Fryer welcomed Commissioner Patricia Fitzgerald to the Commission.

Approval of the Minutes

The Commission approved the Minutes of the December 31, 2015, General Meeting, as written.

The Commission approved the Minutes of the January 14, 2016, General Meeting, as written.

The Minutes of January 19 and 20, 2016, are deferred to March 15, 2016.

Reports

Enforcement Trends and Escrow Audits Reports

Bureau Chief Sara Kimmig presented the report regarding Enforcement Trends and Escrow Audits Summary and addressed questions and comments from the Commission.

Unlicensed Activity Report

Bureau Chief Sara Kimmig presented the Unlicensed Activity Report and addressed questions from the Commission.

Monthly Exam Performance Summary Report

Director Watkins presented the monthly and annual Exam Performance Summary Reports. Ms. Watkins addressed questions and comments from the Commission.

Financial Reports

Director Watkins presented the Financial Reports ending September 30, 2015, and addressed questions and comments from the Commission.

Quarterly Education and Foundation Scholarship Report

Deputy Director Johnson presented the first quarter Education Foundation Scholarship report and provided a brief summary of the progress during this quarter.

Application and License Count Reports

Licensing Supervisor Warren Sanger presented the Application and License Count Report and addressed questions and comments from the Commission.

Legal Case Activity Report

Chief Attorney Kendrick presented the monthly report regarding legal case activity and addressed questions and comments from the Commission.

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Cheneler presented 6 Escrow Disbursement Orders and 8 Orders for the Commission's consideration. The Commission entered into discussion. Commissioner Hornsleth moved to accept 6 Escrow Disbursement Orders and 8 Orders. Commissioner Luzier seconded the motion; the motion passed without dissent.

Attorney Cheneler reported that this will be his last meeting

Legal Appearance Docket

Tab E – Nancy Landi Coleman, PA, SL 3258503; Case No. 2015004827 – Respondent's Request for Informal Hearing

Respondent was present; Respondent was represented by John F. Hooley, Esquire. Commissioner Chotas was recused due to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved; seconded by Vice-Chair Boring; motion passed without dissent to impose the following sanctions:

Penalty: Investigative costs of \$561.00; attend 1 complete FREC meeting; probation for 6 months.

Violation(s): Section 475.25(1)(b), Florida Statutes, by failing to disclose her interest in Landcole & MYB LLC to the Seller.

Tab B – Damon M. Brabson, SL 3314289; Case No. 2015002171 – Petitioner's Motion for Informal Hearing

Respondent was present; Respondent was represented by Bernard Cassidy, Esquire, present. Commissioner Hornsleth and Commissioner Chotas were recused due to participation on the probable cause panel.

Ms. White represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Furst moved; seconded by Vice-Chair Boring; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint.

Commissioner Furst moved; seconded by Vice-Chair Boring; motion passed without dissent to impose the following sanctions:

Penalty: Suspension for 6 months; administrative fine of \$2,000.00; investigative costs of \$453.75; complete a 3-hour core law course; attend 2 complete FREC general meetings; probation for 1 year. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent pled guilty to False Imprisonment, a crime of moral turpitude; Section 475.25(1)(p), Florida Statutes, by failing to inform the commission in writing within 30 days after entering a plea of guilty to False Imprisonment and Criminal Mischief-\$1000 or more, third degree felonies; Section 455.227(1)(t), Florida Statutes, and thereby violating Section 475.25(1)(e), Florida Statutes, by failing to report to the department within 30 days after entering a plea of guilty to Battery, False Imprisonment and Criminal Mischief-\$1000 or more; Section 455.213(1), Florida Statutes, thereby violating 455.227(1)(k), Florida Statutes, by failing to supplement his application with his arrest and convictions, a material change in a circumstance or condition which might affect the Department's decision, which took place between his initial application and the final grant of his license.

Tabs C, J and K – Distinctive Realty, Inc., CQ 668474 – Case No. 2014043145; Joseph Francis Santomassino, BK 684022 – Case Nos. 2014044866 and 2014037791 – Motion To Withdraw as Counsel

Respondents were not present; Respondent was represented by Daniel Villazon, Esquire. Commissioner Luzier was recused do to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. Mr. Villazon presented a Motion to Withdraw as Counsel. The Commission entered into discussion. Commissioner Chotas moved; seconded by Commissioner Furst; motion passed without dissent to grant the Motion to Withdraw.

Action taken: Motion to Withdraw granted.

Tab C – Distinctive Realty, Inc., CQ 668474; Case No. 2014043145 – Petitioner's Motion for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Commissioner Luzier was recused do to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Furst; seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. The Commission deferred the penalty phase until March 2016.

Action taken: Penalty phase deferred until March 2016.

Tab J – Joseph Francis Santomassino, BK 684022; Case No. 2014044866 – Petitioner's Motion for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Commissioner Luzier was recused do to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth; seconded by Commissioner Furst; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. The Commission deferred the penalty phase until March 2016.

Action taken: Penalty phase deferred until March 2016.

Tab K – Joseph Francis Santomassino, BK 684022; Case No. 2014037791 – Petitioner's Motion for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Commissioner Luzier was recused do to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth; seconded by Vice-Chair Boring; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. The Commission deferred the penalty phase until March 2016.

Action taken: Penalty phase deferred until March 2016.

Tab N – Richard M. Sanchez., BK 485252; Case No. 2015020588 – Motion for Waiver Hearing

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire, present. Vice-Chair Boring was recused due to serving on the probable cause panel.

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

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted of one count of Conspiracy to Commit Bank Fraud, in violation of Title 18, U.S.C. 1349, a crime which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealings or fraudulent or dishonest dealing.

Tab L – Thomas Senatore, BK 3243453; Case No. 2014050744 – Respondent’s Request for Informal Hearing

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

Mr. Whealdon represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved; seconded by Vice-Chair Boring; motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine of \$250.00; investigative costs of \$577.50; attend 2 complete FREC meeting; probation for 1 year. **Violation(s):** Rule 61J2-5.016, Florida Administrative Code, by being registered as an officer or director of Bayliner, a brokerage corporation.

Tab I – Andrew Stephan Ponticos, BK 3091719; Case No. 2015017374 – Respondent’s Request for Informal Hearing

Respondent was present; Respondent was not represented by counsel. Vice-Chair Boring was recused due to participation on the probable cause panel.

Mr. Whealdon represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Luzier moved; seconded by Commissioner Chotas; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Luzier moved; seconded by Commissioner Furst; motion passed without dissent to impose the following sanctions:

Penalty: Suspension for 6 months; administrative fine of \$1,500.00; investigative costs of \$172.00; complete a 28-hour reactivation course; attend 2 complete FREC meetings; probation for 6 months. **Violation(s):** Section 455.227(1)(t), Florida Statutes, and thereby violating Section 475.25(1)(e), Florida Statutes, by failing to report to

the department within 30 days after entering a plea of Nolo Contendere to one count of Using Firearm, while under the influence of Alcohol, a second degree misdemeanor and one count of Unlawful discharge of a Firearm.

Tab A – Gerald Alter, BK 705779; Case No. 2014053243 – Respondent’s Request for Informal Hearing

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

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

Penalty: Revocation; investigative costs of \$1,212.75. **Violation(s):** Section 475.25(1)(b), Florida Statutes by providing prospective Buyer with a fraudulent deed and by misrepresenting to prospective Buyer that he owned Subject Property; Rule 61J2-5.019, Florida Administrative Code, and therefore Section 475.25(1)(e), Florida Statutes, by failing to provide the transaction file and real estate records requested by the Department.

Tab D – Sascha Michael Hufer, SL 3189235; Case No. 2015003028 – Respondent’s Request for Informal Hearing

Respondent was not present; Respondent was represented by Cintia N. Calevoso, Esquire, not present. Commissioner Luzier was recused due to participation on the probable cause panel.

Ms. Miller represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Chotas; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved; seconded by Commissioner Chotas; motion passed 5 to 1 to impose the following sanctions:

Penalty: Suspension for 1 year; administrative fine of \$1,000.00; investigative costs of \$1,584.00; complete a 3-hour core law course; attend 3 complete FREC meetings; probation for 1 year. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report to the Petitioner his nolo contendere plea to one count of Falsely Impersonating a Police Officer (3rd Degree Felony) and one count of Criminal Mischief (over \$200, under \$1,000) (1st Degree Misdemeanor), within 30 days of the entry of his plea as required.

Tab F – Maurice McLaughlin, BK 3243453; Case No. 2015010829 – Petitioner’s Motion for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Vice-Chair Boring was recused due to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. Respondent requested a continuance. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Chotas; motion passed without dissent to continue the matter.

Action taken: Case continued.

Tab G – Jerome Oliver McLean, CQ 1017707; Case No. 2015017318 – Petitioner’s Motion for Informal Hearing

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

Ms. Stephens represented the department and presented the case to the Commission. Respondent requested a continuance. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Furst; motion passed without dissent to continue the matter until March 2016.

Action taken: Case continued.

Tab H – Nations Princeton Nassau, Inc., CQ 1043328; Case No. 2015010834 – Petitioner’s Motion for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Vice-Chair Boring was recused due to participation on the probable cause panel.

Ms. Lloyd represented the department and presented the case to the Commission. Respondent requested a continuance. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Fitzgerald; motion passed without dissent to continue the matter.

Action taken: Case continued.

Tab M – Christine Marie Weilert, BK 574752; Case No. 2015042252 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. White represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Furst moved, seconded by Commissioner Chotas to accept the Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

Action taken: Accepted Voluntary Relinquishment of License for Permanent Revocation.

Review and Consideration of the Real Estate Education Courses

Tab B – *Unlock the Secrets to a Lifetime of Real Estate Leads* – New Course (3 hours specialty, distance) – Application No. 25572 – Bert Rodgers Schools of Real Estate, Inc.

The applicant was present in support of the application. The Commission entered into discussion. Commissioner Furst moved to approve the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab C – *Building Trust-Subtle Strategies That Make A Big Difference* – New Course (3 hours specialty, distance) – Application No. 25573 – Bert Rodgers Schools of Real Estate, Inc.

The applicant was present in support of the application. The Commission entered into discussion. Commissioner Hornsleth moved to approve the course; Commissioner Furst seconded the motion. The motion passed without dissent.

Tab E – *63 Hr. Sales Associate Pre Licensing* – New Course (63 hours, distance) – Application No. 25558 – Dimensions Realty, Inc.

The applicant was present in support of the application. The Commission entered into discussion. Chair Fryer moved to approve the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab A – *3 Hour Florida Real Estate Law Update Course* – New Course (3 hours specialty, distance) – Application No. 25678 – 100% At Your Pace Online, LLC

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to deny the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab D – *FL Real Estate Sales Associate License Course* – New Course (63 hours, distance) – Application No. 25705 – The CE Shop, Inc.

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to deny the course; Vice-Chair Boring seconded the motion. The motion passed without dissent.

Tab F – *Realtor Assist* – New Course (3 hours, classroom) – Application No. 25127 – Joel Anton Dramis

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to deny the course; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Tab G – *National USPAP Update (2016-2017)* – New Course (7 hours specialty, classroom) – Application No. 25207 – McKissock, LP

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to deny the course; Commissioner Luzier seconded the motion. The motion passed without dissent.

Tab H – *Exploring Appraiser Liability* – New Course (7 hours specialty, classroom) – Application No. 25210 – McKissock, LP

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to deny the course; Commissioner Chotas seconded the motion. The motion passed without dissent.

Tab I – *How to Recognize and Avoid Mortgage Fraud* – New Course (7 hours specialty, classroom) – Application No. 25672 – McKissock, LP

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to approve the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab J – *Appraising Manufactured Homes* – New Course (7 hours specialty, classroom) – Application No. 25673 – McKissock, LP

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Furst moved to approve the course; Commissioner Chotas seconded the motion. The motion passed without dissent.

Tab K – *Exploring Appraiser Liability* – New Course (7 hours specialty, classroom) – Application No. 25674 – McKissock, LP

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to approve the course; Commissioner Chotas seconded the motion. The motion passed without dissent.

Tab L – *Strange but True: Appraising Complex Residential Properties* – New Course (7 hours specialty, classroom) – Application No. 25675 – McKissock, LP

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to deny the course; Vice-Chair Boring seconded the motion. The motion passed without dissent.

Tab M – *63 Hr Sales Associate Pr-Licensing 39th Edition* – New Course (63 hours, distance) – Application No. 25355 – Ray Suarez Real Estate School

The applicant was not present in support of the application. The Commission entered into discussion. Chair Fryer moved to approve the course with conditions; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab N – *Form Simplicity* – New Course (3 hours specialty, classroom) – Application No. 25508 – Realtor Association of Martin County

The applicant withdrew the application.

Rules Discussion

Rules Report

FREC Counsel Barnhart reported on the status of the rules currently open for discussion, workshop or rulemaking and addressed questions and comments from the Commission.

Rule Development Workshop

Rule 61J2-24.006 – Probation

FREC Counsel Tom Barnhart presented the rule and Statement of Estimated Regulatory Cost (SERC) checklist for the Commission's review. Mr. Barnhart requested the Commission approve the language as presented. The Commission entered into discussion. Vice-Chair Boring moved; seconded by Commissioner Fitzgerald; motion passed without dissent to amend 61J2-24.006(6)(b) as follows:

(1) through (6)(a) – No change.

(6)(b) Appropriate dress is required. Appropriate dress includes casual business attire. Respondents may choose to wear coat, tie or other business attire at their option. ~~Items of prohibited clothing include denim, shorts, flip-flops, sneakers, sandals, t-shirts, hats, caps or other leisure attire;~~

(6)(c) through (i) – No change.

Rulemaking Authority 475.05 FS. Law Implemented 455.227, 475.25(4) FS. History–New 2-13-96, Amended 11-10-97, 12-8-02, 7-10-06, 1-11-11, _____.

Commissioner Hornsleth moved to accept the Department's proposed determination that there is no impact on small businesses; seconded by Vice-Chair Boring; the motion passed without dissent.

Petition for Declaratory Statement received from Alexander Jack, Esquire – DS 2015-144

FREC Counsel Barnhart presented a Final Order Denying Petition for Declaratory Statement for the Commission's review and consideration as requested in February. After review and discussion, Chair Fryer moved to approve the Final Order as presented; Commission Luzier seconded the motion. The motion passed without dissent.

Special Agenda

Rule 69B-186.010 – Unlawful Inducements Related to Title Insurance Transactions

Director Watkins reported that the Florida Department of Financial Services, Division of Agent and Agency Services provided notice of Final Adoption of this rule which became effective on February 9, 2016. Ms. Watkins provided a copy of the rule and addressed comments from the Commission.

Anti-Trust Power Point Presentation

FREC Counsel Barnhart presented a Power Point created by the Office of the Attorney General relating to the US Supreme Court ruling in *North Carolina State Board of Dental Examiners v. the Federal Trade Commission* and the principles behind Anti-Trust Laws. Upon conclusion, Mr. Barnhart addressed questions and comments from the Commission.

Consent Agenda A

The Commission considered 57 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve 39 applicants and require 18 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Akileh, Aiman R.	Erutti, David	Pinnock, Jason Alexander
Alatriste, Lourdes Maria	Fajardo, Janessa Nicole	Randin, Kelly Joyner
Alvarez, Christian Alexander	Glover, Benjamin Scott	Rogoszewski, Vanessa
Andha, Mohammed Yousuf	Gullo, Jason	Saunders, Logan
Augustin, Jacques Andy	Holley, Karris	Sherman, Ida M.
Benenati, Walter Francis	King, Kristen	Sloan, Tyler Jeffrey
Bennett, Cecilia Shondel	Lenyszyn, Ana E.	Suarez, Diana
Bialkowski, Shawn Robert	Metayer, Alix	Tilton, John Stephen
Blevins, Eric Gene	Mills, Nichole	Urrutia Castillo, Nestor
Booth, Bridget	Paredes, Jose Luis	Vias, Antonio
Burton, Robyn Graziano	Paul, Jean Vestin	Wagner, Mark Anthony
Carbonell, Bayron	Pavlov, Alexander	Watson, Justin Walter
Culpepper, Kelly	Phillips, Daoud	Wedding, Richard Howard

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

Bacon, Arthur	Gridley, Rhonda	Lima, Maylin
Bui, Hieu Van	Hand, Elizabeth Anne	Lyspak, Iurii
Cheng, Robert	Johnson, Regina Sherrell	Montesano, Adrienne
Coker, David	Jones, Xavier	Nasr, Malek
Collier, Sean B.	Kelly, Joshua Richard	Pitts, Jeremiah
Ganut, Sherrie	Langford, Jay Paul	Scarbrough, Donielle Lea

Consent Agenda B

The Commission considered 17 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve 11 applicants and require 6 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Carbajal, Josue	McCoy, Justin	Poix, Patrick Raymond
Hoynes, Maranda Lynn	Parish, Mark	Scorgie, Stephen Robert
Lizondro, Wilbert G.	Perez, Alette	Woodward, Graham

Martinez, Travis

Pierce, Stephen

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

Dahl, Katrina
Driesslein, Homer

Keane, James P.
Kidd, James Allen

Mayfield, Brandon Derell
Repko, Ryan James

Public Comments

The Commissioners received a comment from a member of the audience.

Recess

There being no objection, the Chair recessed the meeting at approximately 4:00 p.m. until 8:30 a.m. tomorrow.

February 17, 2016

Chair Fryer reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 17th day of February, 2016.

The following Commission members were in attendance: Chair Dick Fryer, Vice-Chair Chip Boring, Lee Chotas, Patricia Fitzgerald, Darla Furst, Poul Hornsleth and Thomas Luzier. Mr. 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 Watkins, Director; Denise Johnson, Deputy Director; Josh Kendrick, Chief Attorney; James Whealdon, Assistant General Counsel; Susan Bailey, Administrative Assistant II; Warren Sanger, Licensing Supervisor; Mike Davis, Regulatory Specialist III; Jeannie Adkinson, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

Licensing Supervisor Warren Sanger presented 89 Summary of Applicants requesting to sit for the real estate examination.

Agenda A

Tab K – Miriam Baydes, present with interpreter – Applicant withdrew the application.

Tab V – Joshua Samuel Croston, present; was represented by N. Fleetwood Tilden, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6 to 1.

Tab AC – Amir Saleem Elliott, present; was represented by Randy Reep, Esquire, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AT – Robert E. Lunt, III, present; was represented by Patrick T. Hogan, Esquire, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 6 to 1.

Tab BL– Jennifer Porter, present; was represented by James M. Vernon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5 to 2.

Tab D – David A. Meyers, present; was represented by Steven W. Johnson, Esquire, present – Informal – Commissioner Fitzgerald moved; seconded by Commissioner Furst to uphold the Notice of Intent to Deny the application for sales associate; the motion passed 5 to 2.

Tab BX– Benjamin Slicer, present; was represented by Steven W. Johnson, Esquire, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab Q – Lorenzo Alexis Bromwell, present; was represented by Nancy P. Campiglia, Esquire, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AP – Jonelle Kop, present; was represented by Nancy P. Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab BD – David T. Mulligan, present; was represented by Daniel Villazon, Esquire, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application with conditions for sales associate; the motion passed without dissent.

Tab BS – Daniel Ruiz; was represented by Daniel Villazon, Esquire, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application with conditions for sales associate; the motion passed without dissent.

Tab AQ – Jeremy M. Kral, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application with conditions for sales associate; the motion passed without 5 to 2.

Tab BN – Kenny Ramos, present – Commissioner Chotas moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BC – Diogene Moreta, IV, present – Applicant withdrew the application.

Tab B – Ricardo J. Barrios, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab C – Shayne Craig, present – informal – Commissioner Furst moved; seconded by Commissioner Fitzgerald to vacate the Notice of Intent to Deny and approve the application for sales associate; the motion passed without dissent.

Tab H – Phaedra Almstead, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab I – Asem Altubakhi, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5 to 2.

Tab L – Yamilee J. Bennett, present – Commissioner Chotas moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab M – Jansen Anthony Bernuy, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for broker; the motion passed without dissent.

Tab N – Tara Bethel, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 3.

Tab O – Robert E. Bowe, Jr., present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab P – Douglas Bowers, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab S – Steve Douglas Celetano, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 4 to 3.

Tab T – Raymond Michael Chirino, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab X – Willie Davis, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

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

Tab AB – Kevin Dunlap, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AD – Abdessamad Farih, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AF – Garrett David Gallus, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed 6 to 1.

Tab AG – Mark Glover, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

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

Tab AI – Zuegeanne Hernandez, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Chair Fryer was excused for the remainder of the meeting.

Tab AK – James Luther Hicks, III, present – Commissioner Luzier moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AM – Michael John House, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AN – John Hurley, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AS – Brandon Michael Long, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AU – Dean Martin, Jr., present – Commissioner Furst; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AV – Ronald Axel Martinez, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 5 to 1.

Tab CA – James Vidal, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application with conditions for sales associate; the motion passed without dissent.

Tab AW – Alexis Mayerhofer, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AY – Rodney Means, present – Commissioner Chotas moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Commissioner Chotas was excused for the remainder of the meeting.

Tab BA – Danylle Monique Mitchell, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4 to 1.

Tab AZ – Micha Mehta, present – Applicant requested a continuance and waived the 90-day requirement.

Tab BB – Nazario Ruben Monzon, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BE– Rhonda Nagy, present – Commissioner Hornsleth moved; seconded by Commissioner Fust to approve the application for sales associate; the motion passed without dissent.

Tab BF – Raymond Neil Oberman, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BH – Matthew Ottaviano, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BJ– Marlon Brando Pendleton, Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab BK– Dyan John Pepia, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Commissioner Luzier was excused for the remainder of the meeting.

Tab BM– Kelli Potter, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 3 to 1.

Tab BO – Kristal T. Ramos, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BP – Joseph Lawrence Reed, present – Applicant requested a continuance and waived the 90-day requirement.

Tab BQ – Amarilys Remedios, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BR– Sonya Rodgers, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BT– Justin Salins, present – Applicant requested a continuance and waived the 90-day requirement.

Tab BU– Luz Minerva Serrano Sierra, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab BV – Salman Siddiqui, present – The applicant withdrew the application.

Tab BY – Eric Smack, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BZ – Alex Vercheski, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab CB – Ryan Matthew Yarde, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve with conditions the application for sales associate; the motion passed without dissent.

Agenda B

Tab C – Vittorio Francesco Valentino, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Agenda A

Tab A – Veronica Allen, not present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab E – Quince George Plunkett, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab F – Jessica Smith, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab G – Kevin Richard Almario, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab J – Adam Bartomeo, not present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab R – Lorenzo Alexis Bruni, not present – Commissioner Hornsleth moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Tab U – Stuart S. Cowitt, not present – Applicant withdrew the application.

Tab W – Otis Daniel III, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab Y – Charles Scott Dempsey, III, not present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AA – Rocio Diaz Orozco, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AE – Jason Fay, present – Commissioner Furst moved; seconded by Hornsleth to approve the application with conditions for sales associate; the motion passed without dissent.

Tab AJ – Cleophus Hethington, Sr., not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AL – Elida B. Hodgson, not present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AO – Lora L. Kafel, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab AR – Shawn Manuel Laureano, not present – Commissioner Hornsleth moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent

Tab AX – Marcus R. McCluster, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab BG – Jonathan Osorio, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab BI – Brenda Jane Paixao, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab BW – Angela Silipena, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Agenda B

Tab A – Jan Paul Gomez Roldan, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab B – Nicole Jean Spangler, not present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Education Agenda

Tab A – 3 Hour Florida Real Estate Law Update Course – New Course (3 hours specialty, distance) – Application No. 25678 – 100% At Your Pace Online, LLC

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Furst moved to reopen the application; Commissioner Fitzgerald seconded the motion; the motion passed without dissent. Commissioner Furst moved to vacate the vote to deny based on there was no permit holder; Commissioner Fitzgerald seconded the motion; the motion passed without dissent. Commissioner Furst moved to deny the course based on improper timeline and failure to update information regarding Statutes and Rules which were updated in 2015; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Director's Comments

Director Watkins stated that the bills affecting real estate are moving along and added that she will continue to keep the Commission updated.

Chair's Remarks

Commissioner Furst recommended that Commissioner Fitzgerald attend the next available Commissioner College at ARELLO with reimbursement.

Public Comments

The Commission offered but did not receive any comments.

Adjournment

There being no further business and no objection, the Vice-Chair Boring adjourned the meeting at approximately 5:15 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for March 15 and 16, 2016, in Orlando, Florida.



Dick Fryer, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission