

**Ken Lawson, Secretary**

**Rick Scott, Governor**

**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
March 17 and 18, 2015  
General Meeting  
(as amended)**

Chair Darla Furst, called the meeting of the Florida Real Estate Commission to order, at approximately 8:35 a.m., in Orlando, Florida, on this 17<sup>th</sup> day of March, 2015.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Dick Fryer, Chip Boring, Lee Chotas, Poul Hornsleth and Thomas Luzier. Commissioner Enzor had an excused absence. 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; Andrew Fier, Chief Attorney; Allison McDonald, Deputy Chief Attorney; Jennie Schwartz, Assistant General Counsel; Appearing via teleconference: Daniel Brackett, Al Cheneler, Daniel David, Josh Kendrick, Alison Lamont, Brande Miller and Crystal Stephens, Assistant General Counsels; Sara Kimmig, Bureau Chief of Enforcement; Nyasha Riley, Government Analyst I; Warren Sanger, Acting 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.

**Approval of the Minutes**

Vice-Chair Fryer moved to approve the Minutes of the February 17 and 18, 2015, General Meeting, as written. Commissioner Boring seconded the motion. The motion passed without dissent.

**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 Exam Performance Summary Report and addressed questions and comments from the Commission.

### **Financial Reports**

Director Watkins presented the Financial Reports ending December 31, 2014, and addressed questions and comments from the Commission.

### **Application and License Count Reports**

Deputy Director Johnson presented the Application and License Count Report and addressed questions and comments from the Commission.

### **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.

### **Legal Case Activity Report**

Chief Attorney Fier 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 6 Orders for the Commission's consideration. The Commission entered into discussion. Commissioner Hornsleth moved to accept 6 Escrow Disbursement Orders and accept 6 Orders as recommended. Commissioner Chotas seconded the motion; the motion passed without dissent.

### **Recovery Fund Cases**

#### **Tab D – John and Deborah Kerinuk v. Alberto Friexa, DBPR Case No. 2013-045593**

Mr. David presented the above matter to the Commission. Claimant Deborah Kerinuk was present. Attorney Alex R. Figares appeared on behalf of the claimants. The Licensee was not present. Mr. David advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

#### **Tab E – John and Deborah Kerinuk v. Odalis Friexa, DBPR Case No. 2013-045599**

Mr. David presented the above matter to the Commission. Claimant Deborah Kerinuk was present. Attorney Alex R. Figares appeared on behalf of the claimants. The Licensee was not present. Mr. David

advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Luzier seconded the motion. The motion passed without dissent.

**Tab F – John and Deborah Kerinuk v. Marisela Gamez, DBPR Case No. 2013-045602**

Mr. David presented the above matter to the Commission. Attorney Alex R. Figares appeared on behalf of the claimants. The Licensee was not present. Mr. David 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 Hornsleth moved to approve the Amended Final Order Granting the Recovery Fund Claim in the amount of \$50,000.00. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

**Tab C – Jalal and Fahmida Ward v. Mounir Drissi, DBPR Case No. 2013-004687**

Mr. David presented the above matter to the Commission. Attorney Bradley J. Anderson appeared on behalf of the Claimants. The Licensee was not present. Mr. David advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. ~~Vice-Chair Fryer~~ Commissioner Hornsleth moved to ~~approve the Final Order Denying Recovery Fund Claim~~ continue the matter until May 2015. Commissioner ~~Hornsleth~~ Chotas seconded the motion. The motion passed without dissent.

**Tab A – Gloria E. Gomez and Sumilda Gutierrez v. Rosa Arce, DBPR Case No. 2014-037572**

**Tab B – Michael Lassner v. Christopher White, DBPR Case No. 2014-051167**

**Tab G – Linda Faichney v. Denny Ray Hughes, DBPR Case No. 2013-034706**

**Tab H – Lynne Peyton and James Peyton v. Frank D. Inman, Jr., DBPR Case No. 2013-031710**

**Tab I – Gloria E. Gomez and Sumilda Gutierrez v. Luis A. Monsalve, DBPR Case No. 2014-037576**

**Tab J – Ashmead Shah v. Christopher White and The Christopher White Group, LLC,  
DBPR Case No. 2015-000630**

**Tab K – Alba Dempsey-Vance v. Kelly Wilson, DBPR Case No. 2014-022464**

Mr. David presented the above matters by consent. There were no appearances on behalf of the Claimants or Respondents. By consent, Commissioner Hornsleth moved to approve the above-referenced Final Orders as presented. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

**Legal Appearance Docket**

**Tab H – Isis V. Canales, SL 3048107; Case No. 2014016625 – Settlement Stipulation**

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire, present. Commissioner Hornsleth and Commissioner Chotas were recused due to participation on the probable cause panel.

Mr. Kendrick represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Boring to accept the Stipulated Settlement as amended. The motion passed without dissent.

**Penalty:** Administrative fine of \$1,000.00; investigative costs of \$181.50; attend 2 complete FREC meetings. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent entered a plea of guilty to Cannabis/Sell/Man/Deliver/Possess w/ Intent and Controlled Substance/Possession.

**Action taken:** Settlement Stipulation accepted.

#### **Tab I – Yunieth Olivella, SL 3244992; Case No. 2014036258 – Settlement Stipulation**

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire, present. Commissioner Boring was recused due to participation on the probable cause panel.

Ms. Lamont represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Chotas to accept the Stipulated Settlement. The motion passed without dissent.

**Penalty:** Administrative fine of \$1,000.00; investigative costs of \$226.87; complete a 3-hour ethics course; attend 1 complete FREC meeting. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent entered a plea of guilty to Cannabis/Sell/Man/Deliver/Possess w/ Intent and Controlled Substance/Possession.

**Action taken:** Settlement Stipulation accepted.

#### **Tab C – Michael James Farabaugh, II, SL 3261808; Case No. 2014034741 – Petitioner’s Motion for Informal Hearing**

Respondent was present; Respondent was represented by James Harwood, Esquire, also present. Commissioner Chotas was recused due to participation on the probable cause panel.

Mr. David represented the department and presented the case to the Commission. The Commission granted the informal hearing. Mr. Harwood presented mitigation. Upon conclusion of discussion, Commissioner Hornsleth moved, seconded by Vice-Chair Fryer; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Vice-Chair Fryer; motion passed without dissent to impose the following sanctions:

**Penalty:** Administrative fine of \$1,000.00; investigative costs of \$82.50; attend 3 complete FREC meetings; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by having a judgment entered against him for Battery on an Elderly Person, adjudication withheld.

#### **Tab E – Rebekah Carter Neeley, BK 3229444; Case No. 2014005636 – Respondent’s Request for Informal Hearing**

Respondent was present; Respondent was represented by James Harwood, Esquire, also present. Vice-Chair Fryer was recused due 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 moved, seconded by Commissioner Boring; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Boring; motion passed 4 to 1 to impose the following sanctions:

**Action taken:** Probation for 10 months; investigative costs of \$660.00; attend 2 complete FREC meetings; must not have agents, hold escrow or manage rentals. **Violation(s):** Section 475.5015, Florida Statutes, by failing to be present for the Investigator's office and escrow audit inspection and by failing to make Brokerage's escrow accounts available to Petitioner for audit; Section 475.25 (1)(e), Florida Statutes, and Rule 61J2-14.010(1), Florida Administrative Code, when Respondent operated as the qualifying broker for a corporation without a current and active license by allowing Brokerage's license to become involuntary, inactive.

**Tab A – Michael BenHayon, SL 3204487; Case No. 2014035571 – Respondent's Request for Informal Hearing**

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

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

**Action taken:** Suspension for 90 days; administrative fine of \$1,000.00; investigative costs of \$280.50; must attend 3 complete FREC meetings; probation for 1 year. **Violation(s):** Section 475.25(1)(p), Florida Statutes (2013), by failing to inform the commission in writing within 30 days after pleading guilty to one count of Conspiracy to Possess with Intent to Distribute less than 50 kilograms of Marijuana and one count of Attempting to Possess with Intent to Distribute less than 50 kilograms of Marijuana; Section 475.25(1)(f), Florida Statutes (2013), by pleading guilty to two crimes which involve moral turpitude - one count of Conspiracy to Possess with Intent to Distribute less than 50 kilograms of Marijuana and one count of Attempting to Possess with Intent to Distribute less than 50 kilograms of Marijuana.

**Tab B – Judith Belinda Cole, BK 663564; Case No. 2013047407 – Petitioner's Motion for Informal Hearing**

Case continued.

**Tab D – JC Enterprises Group, Inc., CQ 1042078; Case No. 2013047410 – Petitioner's Motion for Informal Hearing**

Case continued.

**Tab F – Aswinder Suri PA, SL 3130858, Case No. 2014037915 – Respondent's Motion for Informal Hearing**

Case continued.

**Tab G – Timothy C. Tritschler, BK 3120032 and BK 364281, Case No. 2010044797 – Respondent's Request for an Extension of Time to Comply with Final Order**

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

Mr. Fier represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Chotas moved; seconded by Vice-Chair Fryer to approve a 90-day extension from March 17, 2015; the motion passed without dissent.

**Action Taken:** Extension granted for a period of 90 days.

**Tab J – Russell E. Sykes, Jr., SL 3084204; Case No. 2014047587 – Settlement Stipulation**

Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not in attendance.

Ms. Miller represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to accept the Stipulated Settlement. The motion passed without dissent.

**Penalty:** Administrative fine of \$500.00; investigative costs of \$465.30. **Violation(s):** Section 475.25(1)(e), Florida Statutes (2013), through a violation of Section 455.227(1)(t), Florida Statutes (2013), by failing to report his conviction on May 23, 2007, of one count of Driving Under the Influence (First Offense), within 30 days after being convicted, failing to report his conviction on March 10, 2011, of one count of Leaving the Scene of an Accident with Damage within 30 days after being convicted, and by failing to report his conviction on February 9, 2012, of one count of Battery within 30 days after being convicted; Section 475.25(1)(f), Florida Statutes (2013), by being convicted of a crime which involves moral turpitude - one count of Leaving the Scene of an Accident with Damage.

**Action taken:** Settlement Stipulation accepted.

**Tab K – Moonlight Properties, Inc., CQ 1030398; Case No. 2014038503 – Voluntary Relinquishment of License for Permanent Revocation**

Respondent was not present and was not represented by counsel. There was no 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 Vice-Chair Fryer 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.

**Tab L – Maria Ann Giacalone Hewson, BK 3266139; Case No. 2014014457 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order**

Respondent was not present and was not represented by counsel. Commissioner Boring 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 waiver hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Chotas; motion passed without dissent to impose the following sanctions:

**Action taken:** Suspension for 18 months; investigative costs of \$297.00; must complete a 28-hour reactivation CE course. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent pled guilty

to violation of 18 § U.S.C. 1035 and 26 U.S.C. § 7206; for respectively, False Statements in connection with Health Care Benefits, and Preparation of a False Federal Income Tax Return.

### **General Session continued**

#### **Petition for Declaratory Statement regarding Section 475.011, Florida Statutes – DS 2015-001**

The Commission considered the petition received from Don J. Miner, Esquire, on behalf of Retirement Housing Foundation (RHF) and Foundation Property Management (FPM). Mr. Stuart Hartman, Vice-President of Affordable Housing Operations, RHF, appeared in support of the petition. Mr. Barnhart presented a draft Final Order for the Commission's review and consideration. The Commission entered into discussion. Following discussion, Vice-Chair Fryer moved; Commissioner Boring seconded to approve the Final Order Granting Petition for Declaratory Statement as presented. The motion passed without dissent.

#### **Petition for Declaratory Statement regarding Rule 61J2-10.025, Florida Statutes – DS 2015-008**

The Commission considered the petition received from Scott Taylor. Mr. Taylor was not present. The Commission entered into discussion. Vice-Chair Fryer moved that the Commission decline issuing a Declaratory Statement. Commissioner Chotas seconded the motion; the motion passed without dissent.

### **Review and Consideration of the Real Estate Education Courses**

**Tab H** – *Florida Real Estate Reactivation Course* - New Course (28-hour Specialty CE; classroom) – Application No. 21738 – Maryglenn Blanks, Moseley Real Estate Schools, Inc.

Ms. Blanks was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 28 hours of Specialty CE; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

**Tab I** – *The End of the Paper Trail How to Conduct Paperless Transactions* – New Course (3-hour Specialty CE; distance education internet delivery) – Application No. 22649 – Nichole M. Fetzeck, McKissock, LP

Ms. Fetzeck was not present. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course with conditions for 3 hours of Specialty CE; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

**Tab J** – *Navigating a Hot Sellers' Market* – New Course (3-hour Specialty CE; distance education internet delivery) – Application No. 22649 – Nichole M. Fetzeck, McKissock, LP

Ms. Fetzeck was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 3 hours of Specialty CE; Commissioner Luzier seconded the motion. The motion passed without dissent.

**Tab K** – *REO's to Rentals* – New Course (3-hour Combination Law and Specialty CE; classroom) – Application No. 22663 – Richard P. Breger, Empire Title Services, Inc.

Mr. Breger was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course; Commissioner Luzier seconded the motion. The motion passed without dissent.

**Tab L – *How to Lock in a Deal* – New Course (3-hour Combination Law and Specialty CE; classroom) – Application No. 22664 – Richard P. Breger, Empire Title Services, Inc.**

Mr. Breger was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course; Commissioner Luzier seconded the motion. The motion passed without dissent.

**Tab M – *FIRPTA 101* – New Course (3-hour Combination Law and Specialty CE; classroom) – Application No. 22665 – Richard P. Breger, Empire Title Services, Inc.**

Mr. Breger was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course; Commissioner Luzier seconded the motion. The motion passed without dissent.

### **Consent Agenda A**

The Commission considered 60 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve 30 applicants and require 30 applicants to be placed on the Summary of Applicant Agenda; the motion passed 5 to 1.

The following applicants were approved:

Accardi, Lillian C.	Cancino, America V.	Parsons, Steven John
Adames, Juan Uriel	Crews, Lane Michael	Perez, Laine Williamson
Alvarez, Cesar Aldo	Harman, Matthew	Plum, Nancy K.
Antepara, Vincent E.	Herbst, Christopher	Richardson, Joseph
Bayron, John Jr.	Hurley, Charles Michael	Schneider, Cameron F. N.
Bollerud, Craig Allen	Jones, Jacob	Sconiers, Eldric D.
Boussi, Hassan	Lane, Kathleen Whalen	Smith, Winston O'Brian
Brandwen, Gary Steven	McLaughlin, Gina Louise	Thepphalangsy, Nikita
Brown, Betty Jane	Moodie, Augustus	Velez, Gustavo Adolfo
Bushey, Timothy Earl	Octavien, Wilmise	Wood, Pamela

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

Baig, Mirza Arasalan	Hammond, Thomas Jr.	Orozco, Carlos Andres
Barroso, Joao C.	Harris, Tyler	Parks, Benjamin
Barton, John Anthony	Haslett, Brittany	Provanzana, Nicholas Edward
Braschos, Rebecca Jean	Holmquist, Robert Charles	Ricks, Christopher
Buchanan, Brent Conrad	Matthews, Renee	Rodriguez, Joshua
Buckley, Leighton	McKnight, Alphonso Sherrard	Shrouder, Nicholas Armand
Garcia, Jennifer Erica	Mesa, Christopher Paul	Stant, Joseph
Gebhard, Elizabeth	Mills, Gregory Stephen	Stark, Jennifer Ann
Gerlach, Tonya Marie	Murphy, Patrick Michael Jr.	Torres, Nicole Angelique
Gonzalez, Resty Alexis	Naticchione, Joseph Anthony	Turton, Byron Antoine III

### **Consent Agenda B**



The Commission considered 44 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve 22 applicants and require 22 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Arias, Ivan	Kettler, Rachael Leah	Robinson, Hollister Lee
Brown, Johnnie Frank	Knoles, David Robert	Spinogatti, Vincent
Byrne, Timothy	Le, Loc Van	St. Clair, Robert E. Jr.
Entinger, David	Manamon, James Michael	Tolbert, Johnny
Evans, Bonnie E.	Miller, Williams	Tye, Scott Anthony
Furness, Steven	Peltcs, Ronny	Vargas, Hilda
Gajardo, Mauricio Alejandro	Reyes, Adina	Zouloufos, Nicole Lynn
Gomez, John Alexander		

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

Alvarez, Fernando	Font, Jason	Proverb, Richard Charles Jr.
Banguera, Carlos	Ghostley, Melody Lynn	Rogers, Michael Alexander
Biswas, Neil Raj	Kostic, Joshua Mark	Rouse, Felicia L.
Blanco, Fernanda	Nagel, Hingo R.	Sheehan, Noreen Brennan
Boutros, Julianna Rose	Nay, Charles B.	Sotelo, Benito A.
Cavanagh, Erik Gary PA	O'Hanlon, Daniel James	Storey, Jessica Christine
De Queiroz, Jean Alves	Olaechea, Peter Anthony	Taylor, Jaqualine
Ferguson, Amy		

### **Consent Agenda C**

The Commission considered 5 applicants from the Consent Agenda C; Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve 2 applicants and require 3 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Anderson, Derek Joseph  
Soberay, Alice Fowler

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

Landreth, Steven Jay  
Lemus, Julio Jr.  
Perez, Edwin Jr.

### **Public Comments**

The Commission received comments and questions from Mr. Robert Gress relating to various topics, which include: a specific CE class he wanted to possibly attend; "team" references in advertising; licensees working out of their home and required signage; and ethics. The Commission and Director Watkins addressed Mr. Gress's comments and questions.

## Recess

There being no objection, the Chair recessed the meeting at approximately 1:48 p.m. until 8:30 a.m. tomorrow.

## March 18, 2015

Chair Furst reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 18<sup>th</sup> day of March, 2015.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Dick Fryer, Chip Boring, Lee Chotas, Poul Hornsleth and Thomas Luzier. Commissioner Enzor had an excused absence. 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; Andrew Fier, Chief Attorney; Allison Lamont, Assistant General Counsel; Jocelyn Pomales, Education Coordinator; Jeannie Adkinson, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Nyasha Riley, Government Analyst I; Warren Sanger, Acting Licensing Supervisor; Mike Davis, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

## Summary of Applicants

Acting Licensing Supervisor Warren Sanger presented 62 Summary of Applicants requesting to sit for the real estate examination.

Tab AC – Raquel Castro Garcia, present with interpreter – Commissioner Chotas moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AR – Tyrus Kyle O’Neill, not present; was represented by Clinton Johnston, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BI – Graham Woodard, not present; was represented by Clinton Johnston, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab C – William Morrissey, present; was represented by James Harwood, Esquire, present – Informal – Commissioner Hornsleth moved; seconded by Commissioner Boring to continue the matter until April 2015; the motion passed without dissent.

Tab D – Gustavo Tomatti, present; was represented by Daniel Villazon, Esquire, present – informal – Vice-Chair Fryer moved; seconded by Commissioner Boring to vacate the Notice of Intent to Deny; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without 5 to 1.

Tab E – Ermal Alija, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab F – Cathy Louise Almand, present; was represented by Daniel Villazon, Esquire, present – Commissioner Chotas moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab G – Nery Amaya, not present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab X – Claudio J. Dipego, not present; was represented by Daniel Villazon, Esquire, present – Mr. Villazon withdrew the application on behalf of the applicant.

Tab AT – Theodore Papadogeorgis, present; was represented by Daniel Villazon, Esquire, present – Commissioner Boring moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab AZ – Keith Charles Salvato, not present; was represented by Daniel Villazon, Esquire, present – Mr. Villazon requested a continuance on behalf of the applicant and waived the 90-day requirement.

Tab BF – Blerta Tafani, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BH – Michael Scott Valerio, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BB – Eric L. Schrandt, present – Commissioner Chotas moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab B – Tiallondra Nicole Kemp, present – informal – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to vacate the Notice of Intent to Deny; the motion passed 5 to 1. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate with conditions; the motion passed 5 to 1.

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

Tab J – Lisa Marie Boatright, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab P – Benjamin Benito Celestin, present – Applicant requested a continuance and waived the 90-day requirement.

Tab Q – Brenda Irene Chambers, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab S – Jerri Lynn Connell, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Z – John Thomas Dowden, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for broker; the motion passed without dissent.

Tab N – Angelica Camacho, present – Commissioner Chotas moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Y – Gregory James Donovan, present – Vice-Chair Fryer moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab V – Allen Yvon Desropeaux, present – Vice-Chair Fryer moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AB – Dennis Florez, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 5 to 1.

Tab AD – Joshua Kelly Gault, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate with conditions; the motion passed 5 to 1.

Tab AG – Michelle Lynn Holland, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AH – Dmitry Khusht, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AI – Stanley J. Klos, III, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 4 to 2.

Tab AK – John Malavet, Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AL – Liesl Marquez, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AO – Cliff Costell Morris, III, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 5 to 1.

Tab AQ – Anh Quy Nguyen, present – Commissioner Hornsleth moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab AS – Hans Olivera, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AU – Leonardo Penizzoto, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

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

Tab BA – Alexander Carl Schmitt, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate. The vote was 3 to 3 and no action was taken.

Tab AX – Tyler Layne Reynolds, present – Commissioner Hornsleth moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab BC – Sohan Charran Seavcharran, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for broker; the motion passed without dissent.

Tab A – Fernando Javier Aguilera, not present – informal – The Commission granted the informal hearing and entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Chotas to uphold the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent.

Tab I – Meachie Junior Bell, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the vote was 3 to 3 and no action was taken.

Tab K – James Burkhalter, not present – Application withdrew the application.

Tab L – Willie Frank Burney, II, not present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 4 to 2.

Tab M – Jonathan Bush, not present – Applicant withdrew the application.

Tab O – Nicholas Edward Case, not present – Applicant withdrew the application.

Tab R – Jojo Leondra Cobb, not present – Applicant withdrew the application.

Tab T – Christopher Colson, not present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab U – Ivonne De Jesus Ramon, not present – Applicant withdrew the application.

Tab W – Maria Elena Dip, not present – Applicant requested to continue the application until May 2015 and waived the 90-day requirement.

Tab AA – Thomas Edward Fleenor, Sr., not present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AE – John Patrick Gilleran, not present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 5 to 1.

Tab AF – Genesis Anna Gutierrez, not present – Vice-Chair Fryer moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed without dissent.

Tab AJ – Jay Paul Langford, not present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AM – Tonya Rae Menzies, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to deny the application for sales associate; the motion passed without dissent.

Tab AN – Frank Miele, not present; was represented by Nancy P. Campiglia, Esquire, not present – Ms. Campiglia requested a continuance on behalf of the applicant and waived the 90-day requirement.

Tab AP – Luke Taylor Morris, not present; was represented by Margaret M. Carland, Esquire, not present – Applicant withdrew the application.

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

Tab AW – Bianca Allen Angelique Ray, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 4 to 1.

Tab BD – Joseph Kelvin Singh, not present – Commissioner Luzier moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab BE – Dennis Lynn Stewart, present – Applicant requested a continuance and waived the 90-day requirement.

Tab BG – Sandra Grace Testo Michaud, not present – Commissioner Boring moved; seconded by Vice-Chair Fryer to deny the application for sales associate; the motion passed without dissent.

### **Agenda B**

Tab A – Reinhard Martin Hack, not present – Commissioner Hornsleth moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

### **Director's Comments**

Director Watkins provided the following updates:

Instructor Seminars – Ms. Pomales has scheduled the 2015 Instructor Seminars for continuing education for the following dates and venues: June 25<sup>th</sup> – Palm Beach State College (Lake Worth); July 23<sup>rd</sup> – University of North Florida (Jacksonville); and July 29<sup>th</sup> – Pinellas Realtor® Organization (Clearwater); September 23<sup>rd</sup> – Seminole State College (Sanford).

Legislative Update – Director Watkins reported that Senate Bill 608 and House Bill 707 which affect Chapter 475 have passed through two committees and have one more committee to pass before they reach the full Chamber. Ms. Watkins stated that there has only been one comment between the two committees and should any issues arise she would inform the Commission. Ms. Watkins also reported that the Legislative Session begins in January next year.

Vice-Chair Fryer expressed his concerns relating to revocation in Section 455.227, Florida Statutes. Director Watkins reported that she will be meeting with the Deputy Secretary, the Director of Legislative Affairs and Mr. Barnhart to discuss a separate matter and she would also relay Commissioner Fryer's concerns.

ARELLO Conference – Director Watkins reported that this year's budget only allow one member to attend the Mid-year conference; however, the Division has the dates for ARELLO conferences next year and will incorporate the attendance of additional FREC members and board counsel into the budget.

**Chair's Remarks**

Chair Furst commented that there have been some recent media reports relating to real estate application approvals and requested the Division provide a report reflecting the action results of the Summary of Applicants for the last four years for discussion at a FREC meeting within the next couple of months. Director Watkins responded affirmatively.

**Public Comments**

The Commission offered but did not receive any comments from the audience members.

**Adjournment**

There being no further business and no objection, the Chair adjourned the meeting at approximately 4:30 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for April 14 and 15, 2015, in Orlando, Florida.



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Darla Furst, Chair  
Florida Real Estate Commission



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Juana Watkins, Director  
Florida Real Estate Commission