

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
April 15 and 16, 2014
General Meeting**

Chair Roger Enzor, called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 15th day of April, 2014.

The following Commission members were in attendance: Chair Roger Enzor, Vice-Chair Poul Hornsleth, Claude “Chip” Boring, III, Elias Chotas, Dick Fryer, Darla Furst and Josh Podolsky. 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: Denise Johnson, Deputy Director; Patrick Cunningham, Chief Attorney; Jenny Schwartz, Assistant General Counsel; Appearing via teleconference: Sean Anderson, Christine Arzillo, Daniel Brackett, Daniel David, Josh Kendrick, Ann Prescott, Katie Sabo and Susan Williams, Assistant General Counsels; Sara Kimmig, Bureau Chief of Enforcement; Jocelyn Pomales, Education Coordinator; Johanne Knudson, 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

Commissioner Furst moved; seconded by Commissioner Podolsky to approve the Minutes of the March 11 and 12, 2014, General Meeting, as written. The motion passed without dissent.

Reports

Unlicensed Activity Report

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

Report Regarding Enforcement Trends and Escrow Audits

Bureau Chief Kimmig presented the report regarding Complaint Trends and Escrow Audit Summary. Ms. Kimmig addressed questions and comments from the Commission.

Monthly Exam Performance Summary Report

Deputy Director Johnson presented the monthly Exam Performance Summary Report and addressed questions and comments from the Commission.

Quarterly Education and Foundation Scholarship Report

The Commission tabled this report until tomorrow.

Financial Reports Ending December 31, 2013

Deputy Director Johnson presented the Financial Reports ending September 30, 2013 and addressed questions and comments from the Commission.

Report Regarding Application and License Count Reports

Ms. Pomales presented the License Count Report and addressed questions and comments from the Commission

Rules Report

FREC Counsel Barnhart provided a rule report and stated that currently no rules are pending. Mr. Barnhart addressed questions and comments from the Commission.

Report Regarding Legal Case Activity

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

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Cheneler presented 10 Escrow Disbursement Orders and 4 Orders for the Commission's consideration. Vice-Chair Hornsleth moved to accept 10 Escrow Disbursement Orders and 4 Orders; Commissioner Fryer seconded the motion; the motion passed without dissent.

Recovery Fund Cases

In response to the Commission's inquiry regarding payments made from the Recovery Fund Account, Mr. Cheneler reported that to date \$60,625.00 has been paid from the Recovery Fund Account.

Tab A – Steven Cates v. Noelvis Gamez, DBPR Case No. 2012-025756

Mr. Kendrick presented this matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Kendrick advised that the Claimant does not qualify statutorily to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Furst moved to approve the order denying the claim. Commissioner Fryer seconded the motion. The motion passed without dissent.

Tab B – Donald and Jeannine Duchateau v. Raymond Glynn, DBPR Case No. 2013000881

Mr. Cheneler presented this matter to the Commission. Neither the Claimant nor the Licensee was present. The Licensee was not present. Mr. Cheneler advised that the Claimant does not qualify statutorily to receive

payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Podolsky moved to approve the order denying the claim. Commissioner Fryer seconded the motion. The motion passed without dissent.

Tab C – Sadao and Reiko Maeda v. Rieko Niizato, DBPR Case No. 2012035848

Mr. Cheneler presented this matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Cheneler 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 Fryer moved to approve the order granting the claim in the amount of \$33,906.78. Commissioner Podolsky seconded the motion. The motion passed without dissent.

Tab D – Ami Segev v. Darryl Patterson, DBPR Case No. 2013-045651

Mr. Kendrick presented this matter to the Commission. Mr. Jeremy Thakurdin, Esquire, appeared on behalf of the Claimants and presented mitigation to support receiving payment from the recovery fund. The Licensee was not present. Mr. Kendrick advised that the Claimant does not qualify statutorily to receive payment from the recovery fund and recommended the Commission deny the request. Mr. Thakurdin presented mitigation to support granting the claim. The Commission considered the facts and circumstances. Commissioner Podolsky moved to approve the claim in the amount of \$50,000.00, based on mitigation provided by Mr. Thakurdin. Commissioner Fryer seconded the motion. The motion passed without dissent.

DOAH Recommended Order - Applicant

Evelyn Lozado v. DBPR, Florida Real Estate Commission – DOAH Case No. 14-0282

FREC Counsel Tom Barnhart presented the Recommended Order of the Administrative Law Judge. Ms. Lozado was 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 Fryer moved to adopt the Findings of Fact and Conclusions of Law and accept the Recommended Order and issue an Order denying the applicant. Commissioner Podolsky seconded the motion. The motion carried unanimously.

Special Agenda

Tab A - Gabriel Leite, Case No. 2012040662 – Request to Present Motion to Vacate received from Steven Johnson, Esquire, on behalf of Respondent

Respondent was not present and was represented by Steven Johnson, Esquire, present.

Mr. Johnson presented a Motion to Vacate and offered mitigation. The Commission entered into discussion. Commissioner Podolsky moved to consider the Respondent's motion for reconsideration of the Final Order in June 2014; Commissioner Fryer seconded the motion; the motion passed without dissent.

Legal Appearance Docket

Tab I – Christopher Michael Hutchins, SL 3016311, Case No. 2013037965 – Respondent’s Request for an Informal Hearing

Respondent was present and was represented by Daniel Villazon, Esquire, also present. Commissioner Boring was recused due to participation on the probable cause panel.

Ms. Sabo represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Podolsky moved, seconded by Vice-Chair Hornsleth; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Podolsky moved, seconded by Vice-Chair Hornsleth; motion passed 4 to 2 to impose the following sanctions:

Action taken: Suspension for 30 days; \$1,000.00 fine; investigative costs; complete a 28-hour reactivation course; attend 1 complete FREC general meeting; probation for 30 days concurrent with suspension.

Violation(s): Section 475.25(1)(f), Florida Statutes, by entering a plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute 100 Kilograms or More of a Mixture and Substance Containing Marijuana.

Tab L – Michael J. Padova, SL 3129553, Case No. 2012017017 – Request for Final Order

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

Mr. Brackett represented the department and presented the case to the Commission. The Commission found the Respondent guilty as charged in the Administrative Complaint on October 15, 2013. The Commission entered into discussion for consideration of penalties. Commissioner Fryer moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action taken: Suspension for 3 years; \$1,000.00 fine; investigative costs; attend 2 complete FREC general meetings; probation for 3 years. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when the United States District Court, Middle District of Florida, Fort Myers Division adjudicated Respondent guilty of Possession with Intent to Distribute a Quantity of 3, 4 Methylenedioxymethamphetamine, also known as of MDMA or Ecstasy, a crime of moral turpitude; Section 475.25 (1)(n), Florida Statutes, for having been confined in state or federal prison.

Tab Q – Gloria M. Calle, SL 3063138, Case No. 2012050587 – 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.

Mr. David represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Fryer to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$1,000.00 fine; investigative costs; attend 1 complete FREC general meeting; attend an escrow management course. **Violation(s):** Respondent neither admits nor denies violating Section 472.25(1)(d)1, Florida Statutes, by receiving a \$1,000 escrow deposit from complainant and failing to timely return same to the complainant upon demand; Section 475.25(1)(v), Florida Statutes, by depositing the complainant’s

\$1,000 escrow money into her escrow account, but not having at least \$1,000 in her escrow account when complainant demanded return of the escrow deposit.

Action taken: Settlement Stipulation accepted.

Tab X – Tatiana Samarina, BK 3166805, Case No. 2013022801 – Settlement Stipulation

Respondent was present and was represented by Daniel Villazon, Esquire, also present. Commissioner Boring was recused due to participation on the probable cause panel.

Mr. David represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Podolsky moved; seconded by Commissioner Furst to continue the case until May 20, 2014. The motion passed without dissent.

Action taken: Case continued to May 20, 2014.

Tab W – Vincent McArthur Robinson, SL 3256786, Case No. 2013014069 – Settlement Stipulation

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

Mr. David represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Podolsky moved; seconded by Commissioner Chotas to continue the case until May 20, 2014. The motion passed without dissent.

Action taken: Case continued to May 20, 2014.

Tab C – Lance David Donovan, BK 3204022, Case No. 2012024175 – Respondent’s Request for an Informal Hearing

Respondent was present and was represented by Daniel Villazon, Esquire, also present. Commissioner Boring was recused due to participation on the probable cause panel.

Ms. Prescott 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 Commissioner Fryer; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Chotas moved, seconded by Commissioner Podolsky; motion passed 4 to 2 to impose the following sanctions:

Action taken: Suspension for 10 years without leave to petition for early reinstatement before July 1, 2018; investigative costs. **Violation(s):** Section 472.25(1)(f), Florida Statutes, when Respondent was adjudicated guilty of a third-degree felony crime involving moral turpitude.

Tab D – David Robert Dubow, BK 517651, Case No. 2013030279 – Respondent’s Request for an Informal Hearing

Respondent was present and was represented by Lyons, Esquire, also present. Vice-Chair Hornsleth 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 and entered into discussion. Commissioner Podolsky moved, seconded by Commissioner Fryer; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Podolsky moved, seconded by Commissioner Furst; motion passed without dissent to impose the following sanctions:

Action taken: \$2,000.00 fine; investigative costs; probation for 6 months; complete a 3-hour ethics course; complete a 4-hour broker escrow management course; attend 1 full FREC general meeting. **Violation(s):** Rule 61J2-14.008, Florida Administrative Code and therefore, Section 475.25(1)(e), Florida Statutes, by depositing into his real estate brokerage escrow account monies having no relationship to real estate activities; Section 475.25(1)(v), Florida Statutes, by using the escrow account to hold monies for a business venture not related in any way to real estate activity.

Tab E – John J. Duffy, SL 616653, Case No. 2013027699 – Respondent’s Request for an Informal Hearing

Respondent was present and was represented by Steven Johnson, Esquire, also present. Vice-Chair Hornsleth 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 Podolsky moved, seconded by Commissioner Boring; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Podolsky moved, seconded by Commissioner Furst; motion passed without dissent to impose the following sanctions:

Action taken: \$1,000.00; investigative costs; complete a 3-hour ethics course; probation for 1 year. **Violation(s):** Section 472.25(1)(f), Florida Statutes, by being convicted of Fraud Practice-Attempt.

Tab H – Colleen Renee Hess, SL 3016311, Case No. 2013024791 – Respondent’s Request for an Informal Hearing

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

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

Action taken: Suspension for 30 days; \$250.00 fine, complete a 3-hour ethics course; probation for 6 months; attend 1 complete FREC general meeting. **Violation(s):** Section 475.25(1)(b), Florida Statutes, as to fraud, misrepresentation or breach of trust, by signing the names of her clients Joseph Neumann and Gertrude Neumann, without their permission or knowledge to the Uniform Borrower Assistance Form.

Tab K – Dennis Mauricio Meraz, BK 3251159, Case No. 2012001765 – Respondent’s Petition for Modification of Discipline, and if not Granted, Motion for Stay, Nunc Pro Tunc

Respondent was not present; Respondent was represented by Nancy Campiglia, Esquire, present. Chair Enzor was recused due to participation on the probable cause panel.

Mr. Brackett represented the department and presented the case to the Commission. Ms. Campiglia presented a Petition for Modification of Discipline. The Commission entered into discussion. Commissioner Chotas moved to deny the Petition for Modification of Discipline; seconded by Commissioner Podolsky; the motion passed without dissent. Commissioner Chotas moved to deny the Motion for Stay, Nunc Pro Tunc; seconded by Commissioner Podolsky; the motion passed without dissent.

Action taken: Petition for Modification of Discipline and Motion for Stay denied.

Tab B – Michael Anthony Del Duca, III, SL 678337, Case No. 2013041919 – Respondent’s Request for an Informal Hearing

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

Mr. Anderson 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 Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Vice-Chair Hornsleth; motion passed without dissent to impose the following sanctions:

Action taken: Suspension for 2 years; \$500.00 fine; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent pled guilty to 2 Counts of Battery on a Person 65 Years of Age or Older.

Tab A – Julie Anne Brown, SL 3148328, Case No. 2013003762 – Respondent’s Request for an Informal Hearing

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

Action taken: Suspension for 1 year; \$250.00 fine; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by entering a plea of nolo contendere to Theft of Sales Tax.

Tab Y – George Robert Stevenson, SL 492522, Case No. 2013016699 – Settlement Stipulation

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

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

Penalty: \$750.00 fine; investigative costs; attend 1 complete FREC general meeting. **Violation(s):** Respondent neither admits nor denies Section 472.25(1)(f), Florida Statutes, when Respondent pled nolo contendere to Possession of Cannabis with Intent to Sell or Deliver.

Action taken: Settlement Stipulation accepted.

Tab R and S – John Earles, IV, SL 3045494, Case Nos. 2011053266 and 2011061023 – Settlement Stipulation

Respondent was present; Respondent was represented by Steven Bauman, Esquire, not present. Chair Enzor was recused due to participation on the probable cause panel.

Mr. David represented the department and presented the case to the Commission. The Commission entered into discussion. After discussion Commissioner Podolsky moved to continue the matter until May 20, 2014; seconded by Commissioner Fryer. The motion passed without dissent.

Action taken: Case continued until May 20, 2014.

Special Agenda

Communication from Pimkina Elena Sergeeva

Deputy Director Johnson presented communication received from Ms. Sergeeva providing a suggestion that may reduce unlicensed activity. Ms. Sergeeva was present to present her suggestions. The Commission entered into discussion. Ms. Sergeeva responded to questions and comments from the Commission. After discussion, the Commissioners commented that they thought her idea was commendable, however stated that it not within the Commission's authority. The Commission thanked Ms. Sergeeva for her presentation and appreciated her attendance.

General Business continued

Review and Consideration of the Real Estate Education Courses

Tab I – *F.R.E.C. Course I Pre-License Course for Sales Associates* – New Course (63 hours pre-licensing – Distance Online) – Application No. 20612 – Perry Johannesburg, PFJ Holdings, Inc. D/B/A Nationwide Real Estate School

Mr. Johannesburg was present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the pre-licensing education course; Commissioner Furst seconded the motion. The motion passed without dissent.

Tab J – *F.R.E.C. Course I Pre-License Course for Sales Associates* – New Course (63 hours pre-licensing – Class Room) – Application No. 20613 – Perry Johannesburg, PFJ Holdings, Inc. D/B/A Nationwide Real Estate School

Mr. Johannesburg was present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the pre-licensing education course; Commissioner Furst seconded the motion. The motion passed without dissent.

Legal Docket continued

Tab F – Curt Douglas Francis, BK 3017470, Case No. 2013016701 – Petitioner’s Motion for Informal Hearing

Case continued.

Tab G – Jared J. Hatcher, SL 3193594, Case No. 2013042467 – Respondent’s Request for an Informal Hearing

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

Mr. Anderson represented the department and presented the case to the Commission. Mr. Anderson stated that Respondent requested an extension until May 20, 2014. The Commission entered into discussion. Commissioner Podolsky moved, seconded by Commissioner Furst; motion passed without dissent to continue the case until May 20, 2014; motion passed without dissent.

Action taken: Case continued to May 20, 2014.

Tab J – Obnes Latigue, SL 3183147, Case No. 2013023491 – Petitioner’s Motion for an Informal Hearing, and if Granted, Conduct an Informal Hearing

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

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

Action taken: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading guilty to and being found guilty of willfully aiding and assisting in the filing of false tax returns.

Tab M – John R. Reynolds, BK 145593, Case No. 2012045237 – Petitioner’s Motion for Informal Hearing

Case continued.

Tab N – Misty L. Rudd, SL 3034022, Case No. 2013023726 – Petitioner’s Motion for Informal Hearing

Case continued.

Tab O – Joanne E. Fitzgerald, BK 81489, Case No. 2008052882 – Respondent’s Third Request for an Extension of Time to Comply with a Final Order

Respondent was not present and was not represented by counsel. No current members 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. Commissioner Podolsky moved; seconded by Commissioner Furst; motion passed without dissent to deny the request for an extension.

Action Taken: Extension denied.

Tab P – William D. Stackpoole, BK 338907, Case No. 2012044765 – Respondent’s Request to Modify Final Order

Respondent was not present and was not represented by counsel. Chair Enzor was 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 Fryer moved; seconded by Commissioner Furst to grant an extension for 6 months to comply with the Final Order. The motion passed 5 to 1.

Action taken: Extension granted for 6 months.

Commission Discussion

Commissioner Fryer requested to address the language in stipulations specifically paragraph 4, wherein the Respondent neither admits nor denies that the allegations. Commissioner Fryer commented that personally he would prefer to see the stipulations reflect an admission of guilt. Chief Attorney Cunningham directed the Commission to paragraph toward the end of the stipulation which states that the Respondent agrees that DBPR and the FREC may consider this Stipulation in connection with any future disciplinary proceeding. Mr. Cunningham stated that allowing the Respondent to neither admit nor deny makes it easier to settle cases, and the Respondents are willing to comply with the penalties, but they just do not want to admit guilt. FREC Counsel Barnhart suggested that when applicable the stipulations reflect that the Respondent has had prior discipline. Mr. Cunningham agreed and stated that they would tighten up the language. Commissioner Fryer requested that the attorneys tighten up the language. Mr. Cunningham responded affirmatively.

Public Comments

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

Recess

There being no objection, the Chair recessed the meeting at approximately 5:05 p.m. until 8:30 a.m. tomorrow. All remaining agenda items the FREC did not address will be addressed tomorrow.

April 16, 2014

Chair Enzor reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 16th day of April, 2014.

The following Commission members were in attendance: Chair Roger Enzor, Vice-Chair Poul Hornsleth, Claude “Chip” Boring, III, Elias Chotas, Dick Fryer, Darla Furst and Josh Podolsky. 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: Denise Johnson, Deputy Director; Patrick Cunningham, Chief Attorney; Jenny Schwartz, Assistant General Counsel; Jocelyn Pomales, Education Coordinator; Jeannie Adkinson, Regulatory Specialist III; Johanne Knudson, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

OMC II Jocelyn Pomales presented 39 Summary of Applicants requesting to sit for the real estate examination.

Tab AB – Alexander J. Rill, present and was represented by Randy Schwartz, Esquire, also present – present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 6 to 1.

Tab U – Justin M. Long, present and was represented by Michele Diglio-Benkiran, Esquire, also present – Applicant withdrew the application and waived the 90-day requirement.

Tab Y – David J. Naman, present and was represented by Stacy Robinson Nickerson, Esquire, also present – Commissioner Podolsky moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab G – Arnold A. Daoud, not present; was represented by Nancy Campiglia, Esquire, present – Commissioner Fryer moved; seconded by Vice-Chair Hornsleth to approve the application for broker; the motion passed without dissent.

Tab AC – Margarita M. Rojas, not present; was represented by Nancy Campiglia, Esquire, present – Applicant requested a continuance.

Tab J – Ronald L. Fields, not present; was represented by Daniel Villazon, Esquire, present – Mr. Villazon requested a continuance and waived the 90-day requirement.

Tab N – Kenneth R. Harris, present and was represented by Daniel Villazon, Esquire, also present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 6 to 1.

Tab X – Jose Mesa, present and was represented by Daniel Villazon, Esquire, also present – Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 3.

Tab A – Uberti Gutierrez, present – informal hearing – The Commission entered into discussion. Commissioner Furst moved; seconded by Vice-Chair Hornsleth to vacate the Notice of Intent to Deny the Commission previously entered and approve the application for sales associate; the motion passed without dissent.

Tab C – Johanna Salas, present – informal hearing – The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Fryer to vacate the Notice of Intent to Deny the Commission previously entered and approve the application for sales associate; the motion passed without dissent.

Tab D – Bonet Berry, present – informal hearing – The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Boring to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent. Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 5 to 2.

Tab F – Kayla Jane Boyd, present – Commissioner Podolsky moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab H – Willie E. Dublin, Jr. – present – Applicant withdrew the application and waived the 90-day requirement.

Tab I – Baktash Fatahi, present – Commissioner Fryer moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed 6 to 1.

Tab K – Ronald Gardinski, II, present – Applicant withdrew the application and waived the 90-day requirement.

Tab L – Jeannette K. Gordon – present – Applicant withdrew the application and waived the 90-day requirement.

Tab P – Tanya Johnson – present – Applicant withdrew the application and waived the 90-day requirement.

Tab R – Keith W. Kalina – present – Vice-Chairman Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab W – Sheldon C. Martin – present – Commissioner Podolsky moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed 6 to 1.

Tab Z – Sherona N. Nandram – present – Commissioner Fryer moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 5 to 2.

Tab AD – Albert Rosalas – present – Commissioner Boring moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed 5 to 2.

Tab AJ – Lloyd B. Sokolow – present – Commissioner Podolsky moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AL – Eliahoud Villar – present – Applicant withdrew the application and waived the 90-day requirement.

Tab AH – Kevin A. Simpson – present – Commissioner Podolsky moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AG – Brian J. Sieg – present – Commissioner Podolsky moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AI – Shiva Sinaecian – present – Applicant withdrew the application and waived the 90-day requirement.

Tab B – Sherri K. Rinker, not present – informal hearing – The applicant continued the application and waived the 90-day requirement.

Tab E – Briton Peter Bochenski, not present – Commissioner Podolsky moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab M – Haileigh Grow – not present – Vice-Chair Hornsleth moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.

Tab O – Jazmin Hernandez – not present – Commissioner Fryer moved; seconded by Commissioner Podolsky to deny the application for sales associate with conditions; the motion passed without dissent.

Tab Q – Vernon R. Jones, Jr. – not present – Commissioner Podolsky moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Tab S – Lawrence Kelley, Jr. – not present – Commissioner Fryer moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

Tab T – Michael S. Latterman – not present – Commissioner Furst moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Tab V – Anthony Manaia – not present – Commissioner Podolsky moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab AA – Terry Lee Pepper – not present – Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 6 to 1.

Tab AE – Kimberly J. Schneider – not present – Vice-Chair Hornsleth moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.

Tab AF – Danielle M. Sequino – not present – Commissioner Podolsky moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AK – Charles C. Stella – not present – Commissioner Podolsky moved; seconded by Vice-Chair Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AM – Derrick Whittier – not present – Commissioner Podolsky moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Chair Enzor was excused for the remainder of the meeting.

Legal Docket continued

Tab T – Harold Glenn Goff, P.A., BK 493207, Case No. 2012050207 – Settlement Stipulation

Respondent was not present; Respondent was represented by James Hickman, Esquire, not present. Commissioner Podolsky was recused due to participation on the probable cause panel.

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Fryer to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$500.00 fine; investigative costs; complete a 4-hour escrow management course. **Violation(s):** Respondent neither admits nor denies violating Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), F.A.C., when he failed to immediately deposit rental monies into an escrow or trust account.

Action taken: Settlement Stipulation accepted.

Tab U – Victor Pichs, SL 633831, Case No. 2013024573 – Settlement Stipulation

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

Mr. Anderson represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved; seconded by Commissioner Furst to deny the Stipulated Settlement. The motion passed without dissent.

Action taken: Settlement Stipulation denied.

Tab V – Victor William Post, SL 3093106, Case No. 2013025748 – Settlement Stipulation

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

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved; seconded by Commissioner Furst to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$1,000.00 fine; investigative costs; complete a 14-hour continuing education course; attend 3 complete FREC general meetings. **Violation(s):** Respondent neither admits nor denies violating Sections 475.25(1)(b) and (1)(m), Florida Statutes, when he had his Assistant complete a 14 hour CE for him.

Action taken: Settlement Stipulation accepted.

Tab Z – Crispian N. Burlew, BK 666179, Case No. 2013028703 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Respondent was not present and was not represented by counsel. Vice-Chair Hornsleth was recused due to participation on probable cause.

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

Action Taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(d)(1), Florida Statutes by failing to deliver Security and/or Pet Deposits to broker Busam; Section 475.25(1)(v), Florida Statutes by failing to either have an escrow account or not having reconciled or managed the escrow account; Section 475.25(1)(b), Florida Statutes by taking or keeping money he was not entitled to for personal use.

Tab AA – Carlos Jose Del Busto, SL 591283, Case No. 2013001184 – 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 probable cause.

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

Action Taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by obtaining a \$3,500 service fee for financial and bankruptcy advice in conjunction with the sale of complainant’s property and delivering neither services for this fee nor a refund for failing to deliver them.

Tab AB – Odalis Freixa, BK 700348, Case No. 2012032596 – Respondent’s Request for Final Order

Respondent was not present and was not represented by counsel. Vice-Chairman Hornsleth was recused due to participation on probable cause.

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

Action Taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2013), by being convicted of grand theft.

Tab AC – Alexei S. Gomez, SL 3178942, Case No. 2013030120 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Respondent was not present and was not represented by counsel. Vice-Chair Hornsleth was recused due to participation on probable cause.

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

Action Taken: Revocation; investigative costs. **Violation(s):** Section 475.42(1)(b), Florida Statutes by operating as a broker while licensed as a sales associate and not under the management, direction, or control of his broker and, therefore, violated Section 475.25(1)(e), Florida Statutes; Section 475.42(1)(d), Florida Statutes, by collecting a deposit not in the name of his employer and without the express consent of his employer and, therefore, violated Section 475.25(1)(e), Florida Statutes; Rule 61J2-14.009, Florida Administrative Code, by failing to deliver a deposit to his employer and, therefore, violated Section 475.25(1)(e), Florida Statutes; Section 475.25(1)(b), Florida Statutes, when he concealed his representation of Buyers in the purchase of real

property from his broker; concealed his collection of a deposit from Buyers from his broker; failed to present the purchase offer from Buyers; and failed to return the deposit to Buyers.

Tab AD – Progressive Real Estate 2000, Inc., CQ 1034964, Case No. 2013035561 – 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.

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(k), Florida Statutes by failing to place an escrow deposit into a trust or escrow account; Section 475.25(1)(d), Florida Statutes, by failing to timely return a deposit upon demand.

Tab AE – Renter’s Magic, CQ 1028014, Case No. 2013033626 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott 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 Boring; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action taken: Revocation. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter.

Tab AK – Donna Louise Rosellini, BK 3190662 and 3087576, Case No. 2013026567 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott 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 carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Commissioner Fryer; motion passed without dissent to impose the following sanctions:

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter.

Tab AF – Renter’s Magic, CQ 1028014, Case No. 2013033982

Tab AM – Donna Louise Rosellini, BK 3190662 and 3087576, Case No. 2013033979 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott 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 Boring; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action taken: Revocation. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter.

Tab AG – Renter’s Magic, CQ 1028014, Case No. 2013035555

Tab AN – Donna Louise Rosellini, BK 3190662 and 3087576, Case No. 2013035549 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott 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 Boring; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Commissioner Fryer; motion passed without dissent to impose the following sanctions:

Action taken: Revocation. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter.

Tab AH – Renter’s Magic, CQ 1028014, Case No. 2013035687

Tab AO – Donna Louise Rosellini, BK 3190662 and 3087576, Case No. 2013035685 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action taken: Revocation; investigative costs (Rosellini). **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter; Rule 61J2-14.012(1), Florida Administrative Code, when Respondent failed to provide such records to the Department for inspection at attempted audits on May 10, 2013, and on September 6, 2013; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-10.038, Florida Administrative Code, when

Respondent failed to notify the DBPR of a change in her current mailing address within 10 days after the change.

Tab AI – Renter’s Magic, CQ 1028014, Case No. 2013036222

Tab AP – Donna Louise Rosellini, BK 3190662 and 3087576, Case No. 2013036210 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott 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 Fryer; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action taken: Revocation. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter.

Tab AJ – Renter’s Magic, CQ 1028014, Case No. 2013036435

Tab AL – Donna Louise Rosellini, BK 3190662 and 3087576, Case No. 2013032899 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott 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 carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Commissioner Chotas; motion passed without dissent to impose the following sanctions:

Action taken: Revocation; investigative costs (Rosellini). **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for or deliver Complainant’s deposit upon request or at any time thereafter.

General Business continued

Quarterly Education and Foundation Scholarship Report

Deputy Director Johnson presented a report regarding the Education Foundation Scholarship. Ms. Johnson reported that the Department requested that the Commission provide authorization that any used administrative fees be applied toward scholarships. Commissioner Furst moved that any unused administrative fees be applied to the scholarship program; seconded by Commissioner Fryer; the motion passed without dissent. Ms. Johnson addressed additional questions and comments from the Commission.

Rule Discussion

61J2-10.038 – Mailing Address

Deputy Director Johnson presented this rule for the Commission’s review. FREC Counsel Barnhart stated that Commissioner Fryer made note that the rule should be consistent with Section 455.275, Florida Statute, and requested that the Commission open the rule for development. After discussion, Commissioner Fryer moved to open the rule for development; Commissioner Boring seconded the motion; the motion carried unanimously.

Rule Development

61J2-1.011 License Fees and Examination Fees

Deputy Director Johnson presented this rule and Statement of Estimated Regulatory Cost checklist for the Commission’s review. FREC Counsel Barnhart requested the Commission approve the final language. The Commission entered into discussion. Commissioner Podolsky moved; seconded by Commissioner Boring; motion carried unanimously to accept the Department’s proposed determination that there is no impact on small businesses, move forward with the rule making process and amend the rule as follows:

(1) Every person, partnership, limited liability partnership, corporation or limited liability company deemed and held to be a licensee under Chapter 475, F.S., must register with the Florida Real Estate Commission (Commission) and must secure a license for each license period.

(2) The application fee for licensure shall be as follows:

Initial application

Broker	\$20.00
Sales Associate	\$20.00

(3) Effective July 1, 2014, ~~t~~The biennial license fee for an active licensee shall be:

Broker	\$72.00 90.00
Sales Associate	\$64.00 80.00
Branch office for Broker	\$64.00 80.00

(4) The fee and the time of payment for inactive license shall be the same as for an active license, as set forth in paragraph (3) of this rule; however, there is no inactive branch office.

(5) The following fees shall be charged for the following purposes:

(a) Change of Individual License to Professional Association or Professional Association to Individual License	\$30.00
(b) Checks returned due to insufficient funds or account closed:	
face value does not exceed \$50.00	\$25.00
face value exceeds \$50.00 but does not exceed \$300.00	\$30.00
face value exceeds \$300.00 (Section 68.065, F.S.)	\$40.00
	or an amount up to 5% of the face amount of the check, whichever is greater

(c) Late fee	\$45.00
(d) Duplicate License	\$25.00

(6) The license fee for school related categories shall be as follows:

(a) Application for School Instructor	\$20.00
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(b) Effective July 1, 2014, ~~t~~The biennial Permit Fees shall be:

School Permitholder	\$ 104.00 <u>130.00</u>
Additional Location for Permitholder	\$45.00
School Instructor	\$ 64.00 <u>80.00</u>

(7) Entity, sponsor, organization and individual equivalent education course offering:

For each application for approval of education offering \$80.00

For each biennial education course offering renewal \$80.00

(8) Effective July 1, 2014, ~~t~~The initial application for registration of a corporation, partnership, limited liability company or limited liability partnership is:

Corporation, partnership, limited liability company or limited liability partnership \$~~72.00~~90.00

Branch office for a corporation, partnership, limited liability company or limited liability partnership \$~~64.00~~80.00

(9) Effective July 1, 2014, ~~t~~The biennial renewal of a corporation, partnership, limited liability company or limited liability partnership registration fee shall be:

Corporation, partnership, limited liability company or limited liability partnership \$~~72.00~~90.00

Branch office for a corporation, partnership, limited liability company or limited liability partnership \$~~64.00~~80.00

(10) The fee for request for a change of examination date, which must be in writing, shall be:

(a) Requests received by the examination vendor 3 or more days prior to the scheduled date no fee

(b) Requests received by the examination vendor less than 3 days prior to the scheduled date \$45.00

61J2-20.054 – Public Comment

Deputy Director Johnson presented this rule for the Commission's review. FREC Counsel Barnhart stated the purpose this workshop is to review the proposed language and Statement of Estimated Regulatory Cost checklist for approval. The Commission entered into discussion. After discussion, Commissioner Podolsky moved to continue the discussion until May 20, 2014; Commissioner Fryer seconded; the motion passed without dissent.

61J2-24.005 – Revocation

FREC Counsel Barnhart requested to open Rule 61J2- 24.005 for rule development so that the Commission may discuss whether the rule should be repealed or amended after reviewing the First District Court of Appeal opinion in the matter *Sloban v. Florida Board of Pharmacy*. Commissioner Chotas moved to open the rule for development for May 2014; Commission Furst seconded the motion; the motion passed without dissent.

Review and Consideration of the Real Estate Education Courses

Tab D – Florida Real Estate Law Update – New Course (14 hours Specialty CE – classroom) – Application No. 19826 – Maryglenn Blanks, Moseley Real Estate Schools, Inc.

Ms. Blanks was not present. The Commission entered into discussion. Commissioner Fryer moved to continue the matter to have the third revision to the evaluator for review and comments; Commissioner Boring seconded the motion. The motion passed without dissent.

Tab E – *BE R.E.A.L. Safe 2: Self Defense Training For Women Real Estate Professionals* – (New Course (3 hours Specialty CE – Class Room) – Application No. 20088 – Larry Shealy, Jacksonville Brazilian Jiu-Jitsu DBA Total Defense & Fitness

Mr. Shealy was not present. The Commission entered into discussion. Commissioner Podolsky moved to approve the continuing education course; Commissioner Chotas seconded the motion. The motion passed without 5 to 1.

Tab F – *Eminent Domain From Start to Finish* – New Course (7 hours Specialty CE; Law – Class Room) – Application No. 20191 – Cassi Gruber, NBI, Inc. DBA National Business Institute

Ms. Gruber was not present. The Commission entered into discussion. Commissioner Fryer moved to approve the continuing education course listed above for 6 hours; Commissioner Boring seconded the motion. The motion passed without dissent.

Tab G – *Home Energy Score for Real Estate Professionals* – New Course (3 hours Specialty CE – Distance) – Application No. 20207 – Benjamin Gromicko, InterNACHI

Mr. Gromicko was not present. The Commission entered into discussion. Commissioner Podolsky moved to approve the continuing education course; Commissioner Fryer seconded the motion. The motion passed without dissent.

Tab H – *The Closing Process* – New Course (3 hours Specialty CE – Class Room) – Application No. 20400 – Susan Pelham, Westcor Land Title Insurance Company

Ms. Pelham was not present, however, provided additional information in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the continuing education course acknowledging the changes being made per the evaluator; Commissioner Podolsky seconded the motion. The motion passed without dissent.

Consent Agendas

Agenda A

The Commission considered 163 applicants from the Consent Agenda A; Vice-Chair Hornsleth moved; seconded by Commission Boring to approve 112 applicants and require 51 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Abraham, Anna
Adams, Jerome
Andujar Collazo, Juan
Anzueto, Oscar
Barnes, Justin
Benites, Jose
Bever, Dotti
Bezaire, Lauren
Bogacki, Charles
Bone, Bridd

Fowler, Lakesha
Germescheid, Charles
Gilbert, Ryan
Gladstone, Cliff
Gonzalez, Michael
Hart, Alison
Hipple, Nicholas
Hunt, Ian
Huttson, Corey
Iliev, Yoan

Parker, David
Paul, Denise
Pemberton, May
Perez, Milton Jr.
Perry, Alwayne Jr.
Pugh, Jacob
Raigoza, Edward
Ramirez, Eder
Randazzo, Rhonda
Rankin, Kenneth

Bourne, Nathan
Bowersox, Bonnie
Briscoe, Venesia
Brock McDowell, Tysina
Brooks, Elliot
Brown, Jeffrey
Caicedo, Claudia
Calo, Jeremie
Cantiello, Danielle
Carson, Christopher
Casanueva, Carlos
Caviola, Annette
Cayce, John
Clark, Lauren
Coker, Angela
Coleff, Lisa
Coleman, Malendaz
Cornell, Alexis
Deakins, James
Dixon, Opal
Dominique, Ernst
Douglas Walcott, Noreen
Estremera, Marisol
Evans, Nathaniel Jr.
Feliz, Antonio
Fernandez, Helene
Flanery, Chirstopher
Foster, Thomas

Izzo, Daniel
Junstrom, Lawrence
Kazakis, Stephen
Keating, Christy
Keel, Mary
Kiah, McQuay
Knickerlbein, Laura
Kramer, David
Krauss, Carl
Labadie, Randall PA
LeConte Dash, Kathia
Lee, Paul
Lundell, Ernst
Mackay, Thomas
Manic, Avesh
Manos, Patrick
Maser, Walther III
Mashkala, Volha
Mathewson, Cheryl
Mayor, Bernardo
McLean, Lorelei
Morriss, Debra Jean
Mower, Sarah
Myara, Alain
O'Neill, Rachel
Paquin, John
Paquin, John

Riordan, Nathaniel
Rodriguez, Kilvio
Rodriguez, Ruben
Romero, Paul
Ruiz, Sanrda
Ruiz, Wilmer
Salgado, Danielle
Samuels, Juline
Schoonmaker, Robb
Sierra, Paulette
Slivka, Daniel
Smith, Christopher
Stokes, Justin
Stone, Richard
Theofilos, Christina
Tijerina, Jessica
Tudor, Landon
Valenti, Jeannine
Valluzzi, Valerie
Vaz, Christopher
Velez, Raymond
Weigel, Peggy Sue
Weinberg, Adam
West, Kelly
Wisdo, Cole
Wright, Ryan
Yeje, Juan

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

Algarin, Nicole
Allen, James Jr.
Alonzo, Frederick
Benton, C. Dan
Brim, John III
Brown, Ansen
Brown, Keiron
Cahill, Catherine
Czyzyk, Joseph
Diamond, Jordan
Diaz Estrada, Juan
Dobelin, Moises
Doyle, Augustus
Fernandez, Juan
Garcia, Shantanette
Gil, Maria
Gonzalez, Jose

Guzman, Jorge
Higgins, Edward
Inchaustegui, Luis
Kessler, Cobb
Lauer, Edward
Leal, Adam
Lee, Darryl
Lennon, Andrea
Lowell, Nick
Luca, Frank
Martin, Daniel
Mendoza, Andres
Moldt, Brad
Morrison, Crystal
Nazario, Wilfredo
Nelson, Floyd
Nugent, John Jr.

Orozco, Juan
Pierre, Denane
Pitts, Robert
Post, Dean
Radeka, Paulina
Rodriguez, Manuel
Rodriguez, Nestor
Ruiz, Anjannette
Saporta, Jonathan
Scoca, Benny
Shadmani, Amir
Smith, George
St Clair, Alena
Walker, Darla
Williams, James
Wilson, Lucretia
Zapata, Andres

Agenda B

The Commission considered 31 applicants from the Consent Agenda B; Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve 23 applicants and require 8 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Benton, Jennifer	Lindsay, Janice	Rollins, Curtis
Blanc, Murielle	Makhoul, Ibrahim	Samess, Kyle
Boulanov, Serguei	Matias, David	Schaffner Rodriguez, Christine
Brady, Christopher	Nestor, Clifford	Scrivano, Katharine
Elias, Erika	Postill, Jason	Simao, Luis
Gold, Michael	Puccio, Luis	Soles, David
Hameroff, Marc	Reinhart, James	Soto, Sasha
Howell, Eric	Richmond, Steven	

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

Alexander, Carl	Collins, Kevin	Turbeville, Anthony
Badolato, Richard	Durham, Tammie	Walczak, Sabastian
Campobasso, Robert	Pierre, Brian	

Director's Comments

Deputy Director Johnson provided the following comments:

- The Division is tracking a few bills; however, the Division of Real Estate does not have any specific bills pending before the Legislature.
- The Instructor Continuing Education Seminars dates and locations are in the process of being finalized and will be posted on the Division's web page as soon possible.
- The continued review of the Sales Associate Syllabus Review is scheduled for April 17, 2014. Commissioners Furst and Fryer will be in attendance.

Commission's Remarks

Commissioner Furst reported that on June 20, 2014, both she and Director Watkins will be speaking at the District 13 Realtor Conference in Punta Gorda.

Chair Hornsleth recognized Attorney Donna Ryan from Florida Realtors. Ms. Ryan introduced Attorney Megan Marshall also from Florida Realtors.

Public Comments

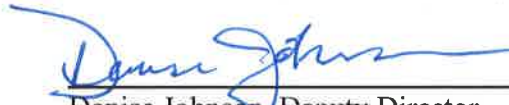
The Commission invited but did not receive comments from the audience.

Adjournment

There being no further business and no objection, the Vice-Chair adjourned the meeting at approximately 3:30 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for May 20 and 21, 2014, in Orlando, Florida.



Chair Roger Enzor
Florida Real Estate Commission



Denise Johnson, Deputy Director
Florida Real Estate Commission