

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
April 14 and 15, 2015
General Meeting**

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 14th day of April, 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; Andrew Fier, Chief Attorney; Allison McDonald, Deputy Chief Attorney; Al Cheneler and Jennie Schwartz, Assistant General Counsels; Appearing via teleconference: Daniel David, James Fortunas, Josh Kendrick, Brande Miller, Alison Parker and Crystal Stephens, Assistant General Counsels; Sara Kimmig, Bureau Chief of Enforcement; 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

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

Reports

Monthly Exam Performance Summary Report

Director Watkins presented the monthly Exam Performance Summary Report 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 14 Escrow Disbursement Orders and 5 Orders for the Commission's consideration. Mr. Cheneler advised the Commission that Tab H settled and is being pulled. The Commission entered into discussion. Commissioner Hornsleth moved to accept 12 Escrow Disbursement Orders as recommended; accept 1 Escrow Disbursement Order as amended; and accept 5 Orders as recommended. Commissioner Boring seconded the motion; the motion passed without dissent.

Recovery Fund Cases

Tab C – Paola Reed v. Mitch Harris, DBPR Case No. 2015-002995

Mr. David presented the above matter to the Commission. Mr. Thomas E. Doss, III, Esquire, appeared on behalf of Claimant Ms. Reed, also present. 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. Vice-Chair Fryer moved to approve the Final Order Granting the Recovery Fund Claim in the amount of \$2,500.00. Commissioner Chotas seconded the motion. The motion passed without dissent.

Tab D – Nick Baldassarre v. Mitch Harris, DBPR Case No. 2014-051178

Mr. David presented the above matter to the Commission. Claimant Baldassarree appeared in support of the claim. 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. Vice-Chair Fryer moved to approve the Final Order Granting the Recovery Fund Claim in the amount of \$34,195.00. Commissioner Chotas seconded the motion. The motion passed 5 to 1.

Tab A – Victor and Gina Thorne v. Luis Antonio Bido, DBPR Case No. 2013-028472

Mr. David presented the above matter to the Commission. There were no appearances on behalf of the Claimants or Respondents. 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 Final Order Granting the Recovery Fund Claim in the amount of \$12,565.00. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab B – Victor and Gina Thorne v. Mayelin Celeste Castillo, DBPR Case No. 2013-028475

Mr. David presented the above matter to the Commission. There were no appearances on behalf of the Claimants or Respondents. 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 Final Order Granting the Recovery Fund Claim in the amount of \$12,565.00. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

General Session continued
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.

Legal Agenda Schedule continued
Legal Appearance Docket

Tab N – Otto Fabricio Rivera, BK 690281; Case No. 2014043454 – Petitioner’s Motion for Informal Hearing and Enter a Final Order

Respondent was present; Respondent was represented by Nancy Campiglia, Esquire, also present. Commissioner Enzor served on probable cause. Commissioner Enzor was excused and not present.

Mr. David represented the department and presented the case to the Commission. Ms. Campiglia requested a continuance on behalf of the Respondent. The Commission considered the Respondent’s request and entered into discussion. Commissioner Chotas moved to deny the request for continuance. Commissioner Boring seconded the motion; the motion passed 5 to 1. 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 Vice-Chair Fryer; motion passed without dissent to impose the following sanctions:

Action taken: Revocation; investigative costs of \$150.15. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by having been found guilty of the felony of Conspiracy to Commit Wire Fraud.

Tab G – Aswinder Suri PA, SL 3130858, Case No. 2014037915 – Respondent’s Request for Informal Hearing

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

Ms. Stephens represented the department and presented the case to the Commission. Vice-Chair Fryer moved, seconded by Commission Chotas; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed 4 to 1 to impose the following sanctions:

Penalty: Investigative costs of \$486.75. **Violation(s):** Section 455.227(1)(t), Florida Statutes, when Respondent failed to report in writing to the Petitioner of having pled no contest to reckless driving on or about October 13, 2009.

Tab F – William Edward Roe, BK 470684; Case No. 2014030206 – Respondent’s Request for Informal Hearing

Respondent was not present and was not represented by counsel. Commissioner Enzor served on probable cause. Commissioner Enzor was excused and not present.

Mr. Whealdon 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 5 to 1 to impose the following sanctions:

Penalty: Administrative fine of \$250.00; investigative costs of \$33.00. **Violation(s):** Section 475.227(1)(j), Florida Statutes, by submitting an unlicensed employee's name to be published in printed advertisement bearing the name of Respondent's licensed brokerage.

Tab B – Judith Belinda Cole, SL 3204487; Case No. 2013047407 – Petitioner's Motion for Informal Hearing

Respondent was not present and was not represented by counsel. Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not in attendance for this case.

Ms. Stephens represented the department and presented the case to the Commission. The Commission granted the informal 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 Hornsleth; motion passed without dissent to impose the following sanctions:

Penalty: Suspension for 30 days; administrative fine of \$2,500.00; investigative costs of \$881.10; complete 4-hour escrow management course; complete a 28-hour reactivation course; probation for 1 year. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, by failing to deliver funds owed to the title company when due at the time of closing; Section 475.25(1)(k), Florida Statutes, by failing to keep escrow funds in an escrow account until disbursement was properly authorized; Section 475.25(1)(e), Florida Statutes, through violating Rule 61J2-5.019, Florida Administrative Code, when Respondent allowed J.C. Enterprises to go into inactive status with the state of Florida.

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

Respondent was not present and was not represented by counsel. Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not in attendance for this case.

Ms. Stephens represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Boring; 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:

Penalty: Administrative fine of \$500.00. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, by failing to deliver funds owed to the title company when due at the time of closing; Section 475.25(1)(k), Florida Statutes, by failing to keep escrow funds in an escrow account until disbursement was properly authorized; Section 475.42(1)(j), Florida Statutes, by operating as a broker corporation without being the holder of a valid current registration.

General Session continued

Petition for Declaratory Statement regarding Rule 61J2-3.008(8), Florida Administrative Code – DS 2015-035

The Commission considered the petition received from Aaron F. Miller, Esquire, present. The Commission entered into discussion. Vice-Chair Fryer moved that the Commission deny the request for a Declaratory Statement. Commissioner Chotas seconded the motion; the motion passed without dissent.

Petition for Variance or Waiver regarding Rule 61J2-3.008, Florida Administrative Code – VW 2015-075

The Commission considered the petition received from Aaron F. Miller, Esquire, present. The Commission entered into discussion. Vice-Chair Fryer moved that the Commission to deny the Petition for Variance or Waiver from Rule 61J2-3.008, Florida Administrative Code. Commissioner Chotas seconded the motion; the motion passed without dissent.

Review and Consideration of the Real Estate Education Courses

Tab J – *Closing More Sales Through Credit Education* – New Course (4-hour Specialty CE; classroom) – Application No. 22991 – Gene Broome, Credit Confidant LLC

Mr. Broome appeared in support of the application. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 4 hours of Specialty CE; Commissioner Luzier seconded the motion. The motion passed without dissent.

Tab K – *Building Trust Subtle Strategies that Make a Big Difference* – New Course (3-hour Specialty CE; classroom) – Application No. 23026 – Lori J. Rodgers, Bert Rodgers Schools of Real Estate, Inc.

Ms. Rodgers appeared in support of the application. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course; Commissioner Luzier seconded the motion. The motion passed without dissent.

Special Agenda

Communication from Pedro Arellano Lamar

Education Coordinator Pomales presented correspondence received from Pedro Arellano Lamar requesting the Commission to reinstate his null and void broker license under the hardship provisions in Florida Statutes and Florida Administrative Code. Ms. Lamar appeared in support of his request. The Commission entered into discussion. Vice-Chair Fryer moved to deny the extension request. Commissioner Boring seconded the motion; the motion passed without dissent.

Review and Consideration of the Real Estate Education Courses continued

Tab C – *Exceeding the Expectations of the Seller* – New Course (6-hour Specialty CE; Classroom) – Application No. 22325 – Leticia Oliver, South Florida Real Estate School

Ms. Oliver was not present. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course with conditions for 6 hours of Specialty CE with; Commissioner Luzier seconded the motion. The motion passed without dissent.

Tab D – *Eminent Domain* – New Course (12-hour Law CE; Classroom) – Application No. 22682 – Mark Rackley, CLE International

Mr. Rackley was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 12 hours of Law CE; Commissioner Luzier seconded the motion. The motion passed 5 to 1.

Tab E – *Discovering Commercial Real Estate* – New Course (6-hour Specialty CE; Classroom) – Application No. 22711 – Dan E. Tracy, The CE Shop, Inc.

Mr. Tracy was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 6 hours of Specialty CE; Commissioner Boring seconded the motion. The motion passed without dissent.

Tab F – *Homeowner’s Flood Insurance – Gulf of Mexico Region Specific* – New Course (4-hour Specialty CE; Distance Ed) – Application No. 22870 – Nichole M. Fetzcek, McKissock, LP

Ms. Fetzcek was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 4 hours of Specialty CE; Commissioner Boring seconded the motion. The motion passed without dissent.

Tab G – *Homeowner’s Flood Insurance – Coastal Region Specific* – New Course (4-hour Specialty CE; Distance Ed) – Application No. 22871 – Nichole M. Fetzcek, McKissock, LP

Ms. Fetzcek was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 4 hours of Specialty CE; Commissioner Boring seconded the motion. The motion passed without dissent.

Tab H – *Foreign Investment in US Real Estate* – New Course (5-hour Specialty CE; Distance Ed) – Application No. 22874 – Nichole M. Fetzcek, McKissock, LP

Ms. Fetzcek was not present. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course with conditions for 5 hours of Specialty CE; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab I – *14-hr FL CE Renewal Course* – New Course (14-hour Combination Law and Specialty CE; Distance Ed) – Application No. 22982– Denise DeWoskin, McKissock, LP

Ms. DeWoskin was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course for 14 hours of Combination Law and Specialty CE; Commissioner Boring seconded the motion. The motion passed without dissent.

Legal Agenda Schedule continued

Tab A – Kris Baksh, BK 3207272; Case No. 2014015376 – Respondent’s Request for Informal Hearing

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

Mr. Kendrick 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 as amended. Vice-Chair Fryer moved, seconded by Commissioner Luzier; motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine of \$1,000.00; investigative costs of \$280.50; attend one complete FREC meeting; probation for 90 days. **Violation(s):** Section 455.227(1)(t), Florida Statutes, when Respondent failed to report in writing to the Petitioner of having pled no contest to Driving Under the Influence and Resisting an Officer without Violence on or about September 19, 2012, and having pled no contest to Possession of Marijuana (Less than 20 Grams) and Possession of Drug Paraphernalia on or about December 27, 2013.

Tab C – Manuel Alberto Delafuente, SL 571270; Case No. 2014019782 – Petitioner’s Motion for Informal Hearing

Case continued.

Tab E – Juan C. Murillo, SL 3223844; Case No. 2013027724 – Petitioner’s Motion for Informal Hearing

Case continued.

Tab H – Cory Austin Levy, SL 3212872; Case No. 2011013762 – Respondent’s Motion for Reconsideration

Case continued.

Tab I – Cory Austin Levy, SL 3212872; Case No. 2013007218 – Respondent’s Motion for Reconsideration

Case continued.

Tab J – Valerie Rita Galsky, SL 3241542; Case No. 2014018229 – Settlement Stipulation

Respondent was not present; Respondent was represented by Victor Rones, Esquire, not present. Commissioner Enzor served on probable cause. Commissioner Enzor was excused and not present.

Ms. Parker 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 \$750.00; investigative costs of \$16.50; complete a 3-hour ethics CE course.

Violation(s): Section 475.25(1)(c), Florida Statutes, by advertising services in such a way as to intimate that she had a broker license when she did not.

Action taken: Settlement Stipulation accepted.

Tab K – Marlene J. Sanchez, SL 3187179; Case No. 2013050620 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present; Respondent was represented by Eyal Friedman, Esquire, not present. Chair Furst 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 Hornsleth moved, seconded by Commissioner Chotas to accept the Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

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

Tab L – Michael Bukowski, SL 3218393; Case No. 2014032024 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Respondent was not present and was not represented by counsel. Commissioner Enzor served on probable cause. Commissioner Enzor was excused and not present.

Mr. David represented the department and presented the case to the Commission. The Commission granted the waiver 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 without dissent to impose the following sanctions:

Action taken: Revocation; investigative costs of \$181.50. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by violating a lawful order issued under the provisions of Chapter 455 or 475, Florida Statutes.

Tab M – Paulina O. Fajeraizen AkA Paulina O. Lam, SL 3169193; Case No. 2013047132 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Action taken: Revocation; investigative costs of \$198.00. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with a lawful order issued under the provisions of Chapter 475, Florida Statutes.

Tab O – James Francis Slattery, II, SL 3215828; Case No. 2014017170 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Respondent was not present and was not represented by counsel. Commissioner Enzor served on probable cause. Commissioner Enzor was excused and not present.

Mr. David represented the department and presented the case to the Commission. The Commission granted the waiver 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 without dissent to impose the following sanctions:

Action taken: Suspension for 1 year; administrative fine of \$1,000.00; investigative costs of \$320.10. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to notify the Commission in writing within 30 days of being adjudicated guilty of DUI (2nd offense).

Special Agenda continued

Communication from Bernadette Nystrom

Education Coordinator Jocelyn Pomales presented communication received from Bernadette Nystrom, not present. Ms. Nystrom requested the Commission approve an extension to complete the required post-license education she began on March 5, 2015. Ms. Nystrom requested to complete the last 4 hours during the next available session beginning May 7 & 8, 2015, which exceeds the 30-day provision in Rule 61J2-3.008, Florida Administrative Code. The Commission entered into discussion. Vice-Chair Fryer moved to grant a 60-day extension to complete the course. Commissioner Hornsleth seconded the motion; the motion passed without dissent.

Consent Agenda A

The Commission considered 103 applicants from Consent Agenda A; Commissioner Hornsleth moved; seconded by Commissioner Chotas to approve 68 applicants and require 35 applicants to be placed on the Summary of Applicant Agenda; the motion passed without.

The following applicants were approved:

Almeida, Anthony Scott	Joyce, Paul Francis	Ramunno, Michael Jonathan
Alonso, Alina	Kasparov, Alexsandr	Riordan, Michael Patrick
Bibby, William Clark	Keenan, Thomas Stephen	Rivera, Alexander
Bosco, John Joseph	Kissane, Kyle Patrick	Rizza, Robert Anthony
Brown, Antonio F.	Labarre, Brittany	Robilio, Michele
Budd, Sandra Lin	Leonard, Timmy	Rogers, Everett David
Cane, Casey Lee	Lynch, Keegan	Royer, Roger E.
Carlin, Michael J.	Marcelin, Richard Oscar	Santos, Luis
Cruey, Cheryl	Massey, Chase Randolph	Sauer, Rick Allan
Dagostino, George	Mena, Patricia G.	Severe, Jhonson
Dorado, Victor Horacio	Monaghan, Michael	Smedley, Vernon II
Dousson, Nicolas M.	Moore, Susan Ann	Sparks, Lisa Mae
Draskovich, Matthew M.	Moran, John F.	Spaulding, Gary Kenneth
Estes, Lori	Moussa, Ahmed	Stefan, George
Feldman, Alexander	Niro, Donald	Strickland, Christopher A.
Fleming, Dionne	Owens, Brian	Struble, Eric Andre
Gallant, Nicholas	Patidar, Mann	Tebbe, Mason Connor
Galluzzo, Christopher T.	Pedroso, Tharsis	Thenor, Myrlene M. W.
Gardner, Dana	Pelletier, Kevin E. Sr.	Tirico, Frank Vincent
Gorut, Jason Alexander	Persaud, Mark Dushwan	Trimino, Jesus
Gregory, Adam	Peters, Jonathan	Wazyniak, Kenneth Joseph
Hernandez, Jose A.	Piccinini, Jonathan Dominic	Worachek, Angela J.
Hudgens, Steven Joseph	Puente, Alejandro Carlos	

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

Allen, Michelle Lynn	Hamilton, Devin	Outar, Derick Outar
Almodovar, Marc	Holmes, Tiwana D.	Rodriguez, Kaysha O.
Anglade, Roosevelt	Jackson, Shanika	Sproul, Nicholas Lee
Balaban, Bruce A.	Johnson, Gerald	Squitieri, Sandy Alan
Beck, Brian William	Julien, Emmanuel	Thornton, Tracy
Cherry, Richard George Jr.	Kahres, Shawn	Usher, James Allen
Cisneros, Jonath	Lacentra, Paul Alexander	Valdes, Magdalena Mirella
Datt, Amit	Liporacci, Gabriela	Walsh, Brandon
De Jesus Ramos, Ivonne	Mcgrath, Ryan Patrick	Welsh, Clay
Demsey, Lloyd Robert	Mendoza, Sabre	Williams, Elliot
Elliott, Nicholas Michael	Morris, Nicholas Dean	Zimmerman, Mark Christopher
Fernandez, Lindsey Nicole	Notbohm, Michael James	

Consent Agenda B

The Commission considered 9 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Boring to approve 4 applicants and require 5 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Buttke, Dennis James
Chang, Susan

Cline, David Russell

Palisano, Vincent Charles

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

Conley, Colleen Elizabeth
Dupuy, Scheinderley Eli

Girton, Virginia
Hernandez, Kieffer Ivan

Perry, Thomas Waters III

Public Comments

The Commission received a comment from David Alf, member of Flagler County Realtors, thanking the Commission for their service to the real estate industry. The Commission thanked Mr. Alf for his comments. The Commission acknowledged that several members of the Flagler County Association of Realtors, Greater Orlando Realtors Association and Daytona Beach Area Association of Realtors were present and thanked them for their attendance.

Recess

There being no objection, the Chair recessed the meeting at approximately 3:15 p.m. until 8:30 a.m. tomorrow.

April 15, 2015

Chair Furst reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 15th day of April, 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; Andrew Fier, Chief Attorney; Jocelyn Pomales, Education Coordinator; Susan Bailey, Administrative Assistant II; Warren Sanger, Acting Licensing Supervisor; Jeannie Adkinson, Regulatory Specialist III; 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.

Commissioner Chotas was delayed and not present.

Tab D – Fernando Alvarez, 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 P – Richard F. Candia, present; was represented by Daniel Villazon, Esquire, present – The applicant withdrew the application.

Tab E – Mirza A. Baig, 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.

Commissioner Chotas rejoined the meeting.

Tab V – Jason Font, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed without dissent.

Tab AA – Resty A. Gonzalez, present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BG – Keith Charles Salvato, present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 5 to 1.

Tab BM – Dennis Lynn Stewart, not present; was represented by Daniel Villazon, Esquire, present – Mr. Villazon requested to continue the application to May 2015 and waived the 90-day requirement.

Tab AV – Carlos A. Orozco, present; was represented by Nancy P. Campiglia, Esquire, present – Commissioner Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab BJ – Benito A. Sotelo, present; was represented by Nancy P. Campiglia, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AE – Robert C. Holmquist, not present; was represented by Nancy P. Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AN – Frank Miele, not present; was represented by Nancy P. Campiglia, Esquire, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

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

Tab G – Andres Barbeito, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 5 to 1.

Tab H – Joao C. Barroso, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab J – Neil R. Biswas, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

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

Tab L – Julianna R. Boutros, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for broker. The vote was 3 to 3 and no action was taken.

Tab O – Leighton Buckley, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Agenda B; Tab B – Reinhard M. Hack, present – informal – Commission Hornsleth moved; seconded by Commissioner Boring to vacate the Notice of Intent to Deny and approve the application for sales associate; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab Q – Erik G. Cavanagh, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for broker; the motion passed without dissent.

Tab R – Benjamin B. Celestin, present – Applicant withdrew the application.

Chair Furst was excused for the remainder of the meeting. Commissioner Hornsleth was delayed after the break and not present.

Tab S – Richard Cunningham, present – Commissioner Luzier moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab U – Amy Ferguson, present – Commissioner Luzier moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab X – Elizabeth Gebhard, present – Commissioner Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AB – Thomas Hammond, Jr., present – Commissioner Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AC – Tyler Harris, present – Commissioner Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AD – Brittany Haslett, present – Commissioner Chotas moved; seconded by Commissioner Boring to approve the application for sales associate with conditions; the motion passed without dissent.

Commissioner Hornsleth returned to the meeting.

Tab AF – Nick M. Hopkins, present – Commissioner Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AH – Joshua M. Kostic, present – Commissioner Boring moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AI – Steven J. Landreth, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AJ – Julio R. Lemus, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

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

Tab AL – Alphonso S. McKnight, present – Commissioner Boring moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab AM – Christopher P. Mesa, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AO – Gregory S. Mills, present – Commissioner Boring moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab AP – Patrick M. Murphy, Jr., present – Commissioner Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AQ – Hingo R. Nagel, present – Commissioner Boring moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed 4 to 1.

Tab AR – Joseph A. Naticchione, present – Commissioner Boring moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 3 to 2.

Tab AS – Charles B. Nay, present – Commissioner Luzier moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AT – Daniel J. O’Hanlon, present – Commissioner Chotas moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AW – Benjamin Parks, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AU – Peter A. Olacchea, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AX – Edwin Perez, Jr., present – Commissioner Boring moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab AY – Jessica Pesotsky, present – Commissioner Boring moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AZ – Nicholas E. Provanzana, present – Commissioner Chotas moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab BC – Christopher Ricks, present – Applicant withdrew the application.

Tab BD – Joshua Rodriguez, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BE – Michael A. Rogers, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab BF – Felicia L. Rouse, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BH – Noreen B. Sheehan, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab BI – Nicholas A. Shrouder, present – Commissioner Chotas moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BK – Joseph Stant, present – Commissioner Boring moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BL – Jennifer A. Stark, present – Commissioner Hornsleth moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab BN – Jessica C. Storey, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BP – Michael Tice, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BQ – Nicole A. Torres, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BR – Byron A. Turton, III, present – Commissioner Hornsleth moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab BS – Daniel Austin Welch, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

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

Agenda B; Tab A – Sergio Chanquet, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to vacate the Notice of Intent to Deny and approve the application for sales associate; the motion passed without dissent.

Agenda B; Tab C – Kevin McDonald, present – Applicant withdrew the application.

Agenda B; Tab D – Eldrick B. Walker, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 2.

Tab R – Benjamin B. Celestin, present – Commissioner Chotas moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab B – Fatimah F. Haq, not present – informal – Commissioner Boring moved; seconded by Commissioner Hornsleth to vacate the Notice of Intent to Deny and approve the application for sales associate; the motion passed without 4 to 1.

Tab C – William Morrissey, not present; was represented by James Harwood, Esquire, not present – Informal – Mr. Harwood requested to continue the application until May 2015.

Tab F – Carolos A. Banguera, not present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 4 to 1.

Tab M – Rebecca J. Braschos, not present – Commissioner Chotas moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab N – Brent C. Buchana, not present – Commissioner Boring moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab T – Jean A. De Queiroz, not present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 2.

Tab W – Jennifer E. Garcia, not present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab Y – Tonya M. Gerlach, not present – Commissioner Hornsleth moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab Z – Melody L. Ghostley, not present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for broker; the motion passed 4 to 1.

Tab AG – Neil C. Hyde, not present – Commissioner Chotas moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed without dissent.

Tab BA – Richard C. Proverb, Jr., not present – Commissioner Hornsleth moved; seconded by Commissioner Chotas to deny the application for sales associate; the motion passed without dissent.

Tab BB – Inxo Ramirez, not present – Commissioner Chotas moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab BO – Jaqualine Taylor, not present – Commissioner Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 4 to 1.

General Session continued

Tab C – *Exceeding the Expectations of the Seller* – New Course (6-hour Specialty CE; Classroom) – Application No. 22325 – Leticia Oliver, South Florida Real Estate School

Director Watkins explained that the above course was approved by the Commission; however, the course was previously issued a Notice of Intent to Deny. Ms. Watkins asked the Commission if it was the intent to set aside the denial. Vice-Chair Fryer moved to set aside the Notice of Intent to Deny. Commissioner Boring seconded the motion; the passed without dissent.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 5:05 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for May 19 and 20, 2015, in Orlando, Florida.



Darla Furst, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission