

**Ken Lawson, Secretary**

**Rick Scott, Governor**

**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
May 20 and 21, 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 20<sup>th</sup> day of May, 2014.

The following Commission members were in attendance: Chair Roger Enzor, Vice-Chair Poul Hornsleth, Claude “Chip” Boring, III, Elias Chotas, Dick Fryer and Darla Furst. Commissioner Podolsky was excused and not in attendance. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; 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; Debora Spady, Licensing Supervisor; 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 Fryer to approve the Minutes of the April 15 and 16, 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**

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

## **Financial Reports Ending March 31, 2014**

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

## **Report Regarding Application and License Count Reports**

Ms. Pomaes presented the Application and License Count Reports 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. 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 5 Orders for the Commission's consideration. Mr. Cheneler advised the Commission that Case No. 2014009550 was being recommended for an interpleader and an Order was prepared in lieu of an Escrow Disbursement Order. Mr. Cheneler addressed comments from the Commission. Vice-Chair Hornsleth moved to accept 10 Escrow Disbursement Orders and 5 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 – Suzanne Lloyd and Mark Saracino v. Heriberto Alonso, PA, DBPR Case No. 2011-002439**

Mr. Brackett presented this matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Brackett 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 Fryer moved to approve the Final Order denying the claim. Commissioner Furst seconded the motion. The motion passed without dissent.

### **Tab B – Jim Moore v. Donna M. Blackstone, DBPR Case No. 2011-032781**

Mr. Cheneler presented this matter to the Commission. Neither the Claimant nor the Licensee was 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. Vice-Chair Hornsleth moved to approve the Final Order denying the claim. Commissioner Fryer seconded the motion. The motion passed without dissent.

**Tab C – Dulce Vazquez and Ulysses Vazquez v. Marisela Gamez, DBPR Case No. 2012-043188**

Mr. Cheneler presented this matter to the Commission. Neither the Claimant nor the Licensee was 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 Fryer moved to approve the Final Order denying the claim. Commissioner Furst seconded the motion. The motion passed without dissent.

**Tab D – Mendy Holdings, LLC v. John R. Goss, PA, DBPR Case No. 2009-053299**

Mr. Brackett presented this matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Brackett 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 Final Order denying the claim. Commissioner Fryer seconded the motion. The motion passed without dissent.

**Tab E – Steven Lane v. Anne M. Woodward, DBPR Case No. 2011-010139**

Mr. Cheneler presented this matter to the Commission. Neither the Claimant nor the Licensee was 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 Fryer moved to approve the Final Order denying the claim. Vice-Chair Hornsleth seconded the motion. The motion passed without dissent.

**Tab F – Eleanor Medina v. Arif Zaheer, DBPR Case No. 2011-027607**

Mr. Cheneler presented this matter to the Commission. Neither the Claimant nor the Licensee was 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 Chotas moved to approve the Final Order denying the claim. Vice-Chair Hornsleth seconded the motion. The motion passed without dissent.

**Legal Appearance Docket**

**Tab F – Pam M. Oakley, BK 3055562, Case No. 2013046178 – Respondent’s Request for an Informal Hearing**

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

Mr. Anderson represented the department and presented the case to the Commission. Mr. Schwartz requested a continuance until July. The Commission entered into discussion. Commissioner Furst moved, seconded by Vice-Chair Hornsleth; motion passed without dissent to continue the case until July 2014.

**Action taken:** Case continued until July 2014.

**Tab O and P – Victoria P. Phillips, BK 3090042, Case Nos. 2013011936 and 2013024548– Settlement Stipulation**

Respondent was present and was represented by Steven Johnson, Esquire, also present. Chair Enzor was recused due to participation on the probable cause panel in Case No. 2013-001936. Vice-Chair Hornsleth was recused due to participation on the probable cause panel in Case No. 2013-024548.

Ms. Williams and Ms. Prescott represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Fryer moved; seconded by Commissioner Chotas to accept the Stipulated Settlement as amended. The motion passed without dissent.

**Penalty imposed:** Suspension for 6 months; \$5,000.00 fine, investigative costs; complete a 28-hour reactivation course; attend 2 complete FREC General meetings; Respondent shall not hold escrow for 5 years. **Violation(s):** Section 475.25(1)(e), Florida Statutes by violating Rule 61J2-14.010(1), Florida Administrative Code, when she failed to immediately deposit Buyer's check into an escrow account in Case No. 2013011936; Section 475.25(1)(b), Florida Statutes, when Respondent misrepresented that she continued to hold Buyer's escrow deposit in her Account; Section 475.25(1)(d)1, Florida Statutes, when Respondent failed to account for Buyer's escrow deposit; Section 475.25(1)(k), Florida Statutes, when Respondent failed to keep these funds until disbursement was properly authorized; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.012(2), Florida Administrative Code, when Respondent failed to properly reconcile her account by failing to explain and/or identify shortages as set forth above; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.012(3), Florida Administrative Code, when Respondent failed to properly reconcile her account by failing to explain and/or identify shortages as set forth above in Case No. 2013024548.

**Action taken:** Settlement Stipulation accepted as amended.

**Tab R – James U. Rose, BK 3251159 and 3093960, Case No. 2013-010378 – Settlement Stipulation**

Respondent was not present; Respondent was represented by Steven W. Johnson, Esquire, present. Commissioner Podolsky served on probable cause. Commissioner Podolsky was excused and was not present.

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

**Penalty:** \$1,000.00 fine; investigative costs; attend 1 complete FREC general meeting; complete a 4-hour escrow management course; attend 2 complete FREC general meetings. **Violation(s):** Respondent neither admits nor denies violating Section 472.25(1)(d)1, Florida Statutes, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft.

**Action taken:** Settlement Stipulation accepted.

**Tab E – Robert Edward Mulready, SL, Case No. 2013025017 – Petitioner’s Motion for an Informal Hearing**

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

Ms. Arzillo represented the department and presented the case to the Commission. The Commission 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 Furst; motion passed 3 to 2 to impose the following sanctions:

**Action taken:** Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2012), when Respondent pled guilty to Conspiracy to Manufacture and Distribute Marijuana, a crime of moral turpitude.

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

Respondent was present and was represented by David Barksdale, Esquire, also present. Chair Enzor was recused due to participation on the probable cause panel.

Ms. Schwartz 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 Chotas; motion passed 4 to 1 to impose the following sanctions:

**Action taken:** Suspension for 30 days; \$500.00 fine; investigative costs; attend 1 complete FREC meeting; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2012), when Respondent pled guilty to and was adjudicated guilty of embezzlement of United States Dependency & Indemnity Compensation benefits.

**Tab J – Carl H. Charles, BK 3136903, Case No. 2011025302 – Respondent’s Motion to Modify Final Order**

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire, present. Vice-Chair Hornsleth 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 Boring; motion passed without dissent to modify the Final Order education requirement to a 3-hour ethics course.

**Action taken:** Final Order modified to accept a completion of a 3-hour ethics course.

**Tab M – John S. Dahin, SL 3229434, Case No. 2012051093 – Settlement Stipulation**

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire, present. Commissioner Podolsky served on probable cause. Commissioner Podolsky was excused and was not present.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Boring to accept the Stipulated Settlement as amended. The motion passed without dissent.

**Penalty:** Suspension for 30 days; \$1,000.00 fine; investigative costs; complete an ethics course within 1 year. **Violation(s):** Respondent neither admits nor denies violating Section 475.25(1)(b), Florida Statutes, when Respondent fraudulently represented to Seller, in signing Complainant's name, that Complainant had agreed to the terms of the Contact and misrepresented to Seller that Complainant's signature was that of Complainant's.

**Action taken:** Settlement Stipulation accepted.

**Tab I – Maria Elena Silverio, SL 3120685, Case No. 2012038523 – Respondent's Request for an Informal Hearing**

Respondent was not present; Respondent was represented by Pedro Rodriguez, Esquire, present. Commissioner Podolsky served on probable cause. Commissioner Podolsky was excused and was not present.

Mr. Brackett represented the department and presented the case to the Commission. Mr. Rodriguez requested a continuance until June 2014. The Commission entered into discussion. Vice-Chair Hornsleth moved, seconded by Commissioner Fryer; motion passed without dissent to continue the case until June 2014.

**Action taken:** Case continued until June 2014.

**Tab Q – John Grant Powell, SL 631499, Case No. 2012042224 – Settlement Stipulation**

Respondent was present; Respondent was represented by Robert Hoskins, III, Esquire, not present. 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. Commissioner Furst moved; seconded by Commissioner Fryer to accept the Stipulated Settlement. The motion passed 3 to 2.

**Penalty:** \$1,500.00 fine; investigative costs; attend 2 complete FREC general meetings; complete an ethics course. **Violation(s):** Respondent neither admits nor denies violating Section 475.25(1)(f), Florida Statutes (2011), by pleading guilty to and being adjudicated guilty of Sale and/or Delivery of Oxycodone.

**Action taken:** Settlement Stipulation accepted.

**Tab S – Andrew Christopher Williams, SL 3267614, Case No. 2013045274 – Settlement Stipulation**

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 entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to accept the Stipulated Settlement. The motion passed without dissent.

**Penalty:** \$250.00 fine; investigative costs; attend 1 complete FREC general meeting. **Violation(s):** Respondent neither admits nor denies violating Section 475.25(1)(e), Florida Statutes by violating Section 475.42(1)(a), Florida Statutes (2013), when Respondent operated as a sales associate without holding a current active license.

**Action taken:** Settlement Stipulation accepted.

**Tab A – Alfonso Miranda, SL 3101946, Case No. 2012014294 – Recommended Order with Exceptions**

Respondent was not present and was represented by Samuel B. Reiner, II, Esquire, also not 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. Mr. Reiner filed Exceptions to the Recommended Order. Mr. Brackett filed a Response to the Exceptions. The Commission entered into discussion. Commissioner Fryer moved, seconded by Commissioner Furst; the motion passed without dissent to deny Respondent's Exceptions 1 and 2; seconded by Commissioner Furst; the motion passed without dissent. Commissioner Fryer moved to adopt the Administrative Law Judge's Findings of Fact and Conclusions of Law and accept the Recommended Order imposing the following sanctions:

**Penalty imposed:** Suspension for 2 years; \$6,000.00 fine. **Violation(s):** Section 475.42(1)(b), Florida Statutes (2011), when Respondent operated as a broker and not under the direction, control or management of his broker; Section 475.42(1)(d), Florida Statutes (2011), when Respondent collected money in connection with a real estate brokerage transaction as a deposit, not in the name of his employer and without the express consent of his employer; Section 475.25(1)(e), Florida Statutes (2011), by violating Rule 61J2-14.009, Florida Administrative Code (2011), when Respondent collected a payment connected to a real estate transaction and failed to deliver the payment to Respondent's employer by the end of the next business day following receipt of the payment.

**Action taken:** Adopted Recommended Order.

**Tab B – Robert Benton Ellis, BK 3032786, Case No. 2012049560 – Petitioner's Motion for an Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was not present; Respondent was represented by Nancy Holliday-Fields, Esquire, also not 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. 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 Boring; motion passed without dissent to impose the following sanctions:

**Action taken:** Suspension for 90 days; \$500.00 fine; investigative costs. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by pleading nolo contendere to Violating the Florida Pawnbroking Act and Fraud Entry and failing to report his plea to the DBPR within 30 days of his conviction.

**Tab C – 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. The Commission granted the informal 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 3 to 2 to impose the following sanctions:

**Action taken:** \$1,000.00 fine; investigative costs. **Violation(s):** Section 472.25(1)(f), Florida Statutes, by pleading nolo contendere to Uttering.

**Tab D – Melissa Tara Iaria, SL 3193728, Case No. 2013021906 – Respondent’s Request for an Informal Hearing**

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

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

**Action taken:** Revocation. **Violation(s):** Section 472.25(1)(f), Florida Statutes (2012), when Respondent plead guilty to Conspiracy to Commit Mail and Wire Fraud, a crime of moral turpitude.

**Tab H – Misty L. Rudd, SL 3034022, Case No. 2013-023726 – 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. Brackett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. The Respondent’s husband requested to appear via telephone. The Commission did not approve the telephonic appearance. 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)(f), Florida Statutes, by entering a plea of guilty to and being convicted or found guilty of Wire Fraud affecting a financial institution.

**Tab K – Elizabeth Seither, BK 311552, Case No. 2008030550 – Respondent’s Request for an Extension**

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



Mr. Cunningham represented the department and presented the case to the Commission. Commissioner Chotas moved; seconded by Commissioner Furst to deny the Respondent's request to modify the Final Order and to deny the Respondent's request for an extension of time to comply with the Final Order. The motion passed without dissent.

**Action taken:** Requests for modification of Final Order or extension of time to comply with the Final Order denied.

**Tab L – Luiz Araujo, SL 3030165, Case No. 2013039531 – Settlement Stipulation**

Respondent was not present and was not represented by counsel. Commissioner Fryer 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. Vice-Chair Hornsleth moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed 4 to 1.

**Penalty:** \$1,000.00 fine; investigative costs; complete a 28-hour reactivation course; attend 1 complete FREC general meeting. **Violation(s):** Respondent neither admits nor denies violating Section 475.42(1)(b), Florida Statutes, when Respondent operated as a broker or operated as a sales associate for any person not registered as his or her employer; Section 475.25 (1)(d)1, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft.

**Action taken:** Settlement Stipulation accepted.

**Tab N – Olga Kaiser, SL 492522, Case No. 2012051144 – Settlement Stipulation**

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

Ms. Arzillo represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Chotas to reject the Stipulated Settlement. The motion passed 4 to 1.

**Action taken:** Settlement Stipulation rejected.

**Tab T – Lee A. Garell, BK 3098276, Case No. 2014008837 – Voluntary Relinquishment of License for Permanent Revocation**

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

Ms. Prescott represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Furst moved, seconded by Vice-Chair Hornsleth 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 U – Carrie Luft, SL 3013804, Case No. 2013017999 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order**

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

Ms. Arzillo 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 Vice-Chair Hornsleth; motion passed without dissent to impose the following sanctions:

**Action Taken:** Revocation; investigative costs. **Violation(s):** Section 475.25(1)(b), Florida Statutes (2012), by assisting Complainant in the purchase of Subject Property, moving into Subject Property prior to closing, and subsequently failing to vacate Subject Property upon Complainant’s demand as owner of Subject Property.

**Tab V – Jamie Ann Williams, BK 404031, Case No. 2013013185 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order**

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

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

**Action Taken:** Revocation. **Violation(s):** Section 475.25(1)(e), Florida Statutes by failing to comply with a lawful order made or issued under the provisions of Chapter 475, Florida Statutes.

**General Business continued**

**Rule Development**

61J2-10.038 – Mailing Address

Director Watkins presented this rule for the Commission’s review. FREC Counsel Barnhart stated that Commissioner Fryer suggested that the rule should be consistent with Section 455.275, Florida Statute. The Commission entered into discussion. After discussion the Commission agreed to continue this matter to a future meeting.

**Rule Discussion**

61J2-20.054 – Public Comment

Director Watkins presented this rule for the Commission’s review. FREC Counsel Barnhart presented a draft of the rule together with the Statement of Estimated Regulatory Cost checklist for its consideration; Mr. Barnhart also provided copies of the governing statute and examples of public comment rules promulgated by

other agencies. The Commission entered into discussion. After discussion, Commissioner Chotas moved; seconded by Commission Boring; motion passed without dissent to approve the language as presented, move forward with rulemaking and amend the rule as follows:

#### 61J2-20.054 – Public Comment

The Florida Real Estate Commission invites and encourages all members of the public to provide comment on matters or propositions before the Commission or a committee of the Commission. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Commission after an agenda item is introduced at a properly noticed Commission meeting.

(2) Members of the public shall be limited to three (3) minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Commission members, staff or Commission counsel. The chair of the Commission may extend the time to provide comment if time permits.

(3) Members of the public shall notify Commission staff in writing of their interest to be heard on a proposition or matter before the Commission. The notification shall identify the person or entity, indicate its support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons.

Rulemaking Authority: 286.0114 FS.

Law Implemented: 286.0114 FS.

History -- New

Director Watkins presented the Statement of Regulatory Costs checklist to the Commission for its consideration. After discussion, Commissioner Chotas moved; seconded by Vice-Chair Hornsleth; motion carried unanimously to accept the Department's proposed determination that there is no impact on small businesses.

#### 61J2-24.005 – Revocation

Director Watkins presented this rule for the Commission's discussion. FREC Counsel Barnhart explained that Ms. Campiglia brought this to the Commission's attention relating to the First District Court of Appeal opinion in the matter of *Sloban v. Florida Board of Pharmacy*. Mr. Barnhart suggested that in light of the DCA ruling the Commission may need to discuss whether or not they wish to amend or repeal this rule. Commissioner Hornsleth moved to table this discussion to the July 2014 FREC meeting; Commissioner Chotas seconded the motion; the motion passed without dissent.

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

**Tab D – *National USPAP Update Equivalent* – New Course (7 hours Specialty CE; Specialty – Class Room) – Application No. 20413 – Jackie Vincent, McKissock, LP**

Ms. Vincent was not present. The Commission entered into discussion. Commissioner Furst moved to deny the continuing education course listed above; Vice-Chair Hornsleth seconded the motion. The motion passed without dissent.

**Tab E – *Secondary Market Appraisal Guidelines* – New Course (6 hours Specialty CE; Specialty – Class Room) – Application No. 20646 – Jackie Vincent, McKissock, LP**

Ms. Vincent was not present. The Commission entered into discussion. Commissioner Fryer moved to deny the continuing education course; Commissioner Furst seconded the motion. The motion passed without dissent.

**Tab F** – *Property Management* – New Course (60 hours Broker Post-Licensure; Other – Video-streaming) – Application No. 20423 – Frank Cooke, Jr., Cooke Real Estate School Headquarters, Inc.

Mr. Cooke withdrew the application.

**Tab G** – *Personnel Planning and Relations Advance (for Office Managers and CEO's)* – Course withdrawn from docket.

**Tab H** – *Personnel Planning and Relations Advance* – Course withdrawn from docket.

**Tab I** – *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 approve the continuing education course listed above; Commissioner Boring seconded the motion. The motion passed without dissent.

### **Special Agenda**

#### **Review of the Sales Associate Syllabus Update Draft**

Director Watkins offered the Sales Associate update draft resulting from the workshops held in September, 2013, January and April 2014 to the Commission for their consideration. Ms. Watkins stated that Commissioner Furst and Commissioner Fryer were present at the workshops. Ms. Watkins also thanked the following individuals for their contributions with this task: Kathleen Barnard, Jolita Brazano, Nancy Campiglia, Linda Crawford, Peter Fleeman, Jim Greer, John Greer, Wayne Hasse, Manuela Hendrickson, Bob Hogue, Lori Rodgers and Donna Ryan.

Commissioner Furst reported that this was a huge undertaking and thanked everyone's for their significant contributions was proud of what everyone accomplished. Commissioner Fryer stated that he was only able to attend the third session. He commented that this is a fairly comprehensive change and believes that the end product is going to make for a much better course.

Director Watkins requested the Commission review two recommendations received from Ms. Linda Crawford and one submission from Ms. Donna Ryan. The Commission entered into discussion. Commissioner Fryer moved that in addition to the changes that have been made to the syllabus that the submissions received from Ms. Linda Crawford and Ms. Ryan also be incorporated in the updated syllabus. Commissioner Furst seconded the motion; the motion passed without dissent.

Ms. Watkins reported that the Bureau of Education and Testing (BET) informed her that its consultants began the review process today to document the approved changes in order to make the necessary adjustments to the test items. Ms. Watkins stated that BET requested the Commission provide a date as to when the updated syllabus is to become effective. After discussion, Commissioner Fryer moved to adopt the syllabus to be effective January 1, 2015. Commissioner Furst seconded the motion; the motion carried without dissent.

#### **Request to Reinstate License of Jean Max Marcelus**

Attorney Rosalind R. Griffie, requested a continuance on behalf of Mr. Marcelus.

## Consent Agendas

### Agenda A

The Commission considered 155 applicants from the Consent Agenda A; Vice-Chair Hornsleth moved; seconded by Commission Boring to approve 115 applicants and require 40 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

|                           |                      |                    |
|---------------------------|----------------------|--------------------|
| Addison, Rena             | Ferretti, Anthony    | Murray, Greg       |
| Alicea Otalora, Clemencia | Fogg, Milton III     | Nguyen, Sang       |
| Alvarez, Ismael           | Fortson, Francis Jr. | Ordaz, Carolina    |
| Arcos, Rodit              | Frye, Tiffany        | Phillips, Todd     |
| Baker, Sandon             | Garcia, Nicole       | Prater, Adam       |
| Balsamo, Joseph Jr.       | Gonzalez, Pedro      | Randazzo, Louise   |
| Banchi, Andrea Jr.        | Gary, Arlexie        | Reina, Niuber      |
| Barrilleaux, Kyle         | Gregory, Jeffrey     | Robertson, Taylor  |
| Bates, Catherine          | Grosjean, Marrano    | Rodriguez, Helen   |
| Bates, Robert             | Gueits, Carlos       | Rushing, Robert    |
| Berrios, Heather          | Guterrez, Rafael     | Salazar, Gloria    |
| Blydenstein, Sara         | Harkness, John       | Scopelli, Lesa     |
| Bonneau, Bobby Jo         | Harris, Aljuwon      | Scott, Glen        |
| Butler, Christina         | Hayes, Jason         | Sherrard, Ryan     |
| Butler, George            | Hernandez, Christine | Shop, Jonathan     |
| Byers, Dustin             | Howell, Gary Jr.     | Sims, Steven       |
| Byrd, Bart                | Hughes, Stephen III  | Smith, Amy         |
| Carlisle, Eddie           | Johnson, Russell     | Smith, Gayla       |
| Carlo, Susi               | Joiner, Tracey       | Smith, Jonathan    |
| Carroll, Robert           | Jones, Jessica       | Sorrell, Quincy    |
| Castillo, Carlos          | Jones, Robert        | Sosa, Yajaira      |
| Castillo, Ofelia          | Jutras, Misti        | Sternthal, Jessica |
| Charters, Michael         | Kearney, Megan       | Swaney, Todd 100   |
| Chester, Kristen          | Kipnis, Kathryn      | Talbert, Kandis    |
| Clifford, John            | Lamb, John           | Tapia, Christopher |
| Cook, Terrence            | Lemke, Kimberly      | Thabuteau, Yves    |
| Crouse, Michael           | Lesney, Michael      | Tietz, Adam        |
| Cruz Tanco, Juan          | Liu, Xiaofeng        | Vidiella, Gladys   |
| De La Cruz, Luis          | Lluberes, Jonathan   | Vorac, Kristopher  |
| De La Pava, Jenny         | Lopez, Alexander     | Walker, Stephen    |
| Dean, Lori                | Martinez, Fernando   | Wallace, Vicent    |
| Dease, Cheryl             | McGee, Steven        | Walsh, Jessica     |
| Delouch, Willie Jr.       | McGlone, Mark        | Warren, Hudson III |
| Dubois, David             | Miller, Stephen      | Weaver, Gail       |
| Easterling, Travis        | Moore, Richard       | Whitehead, Edwin   |
| Fales, Christopher        | Morales, Judy        | Wood, Delbert      |
| Falkner, Eric             | Morrison, Susan      | Worrell, Edmund    |
| Farr, Debra               | Munoz, Arlene        | Yepes, Cathy       |
| Moskowitz, Gordon         |                      |                    |

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

|                    |                            |                     |
|--------------------|----------------------------|---------------------|
| Baez, Luisana      | Hernandez Vallejo, Gabriel | Pansky, Daniel      |
| Bottum, Douglas    | Jackson, Jorade Dion       | Petion, Amos        |
| Bowes, Meneisha    | Jean Mary, Stephen         | Piedra, Moises      |
| Cox, Eric Bartwell | Kerem, Ben                 | Podrizki, Alexander |
| Esponda, Juan      | Kitner, Stefanie           | Posavec, Miroslav   |
| Estela, Barbara PA | Knowles, Robert            | Powell, Anthony     |
| Fernandez, Wendy   | Levins, Jason              | Roche, Melchisedeck |
| Fournier, Cori     | Long, Bobby                | Ruz, David          |
| Garcia, Roger      | Luckey, Charmayne          | Silver, Clark       |
| Garrett, Jill      | Miller, Chera              | Smith, Roderick     |
| Goodman, Staci     | Mistretta, Micah           | York, David         |
| Grodots, Mindy     | Morelock, David            | Young, Chase        |
| Guess, Cristie     | Morrissey, William         | Ziane, Nawfal       |
| Herbeck, Cindy     |                            |                     |

### Agenda B

The Commission considered 96 applicants from the Consent Agenda B; Vice-Chair Hornsleth moved; seconded by Commissioner Chotas to approve 62 applicants and require 34 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

|                           |                   |                         |
|---------------------------|-------------------|-------------------------|
| Adhami, Sammy             | Fegan, Louis      | Naftzger, Darren        |
| Anderson, Nicole          | Fernandez, Raquel | Nguyen, Carol           |
| Aparicio, Beatrice        | Friend, Jeanette  | Osmanova, Elvira        |
| Arevalo, Eduardo          | Fuqua, Brian      | Pastrana, Alain         |
| Aroneck, Brett            | Garcia, David     | Peed, Vincent           |
| Baker, Brian              | Glunva, Devin     | Pew, Christina          |
| Batra, Kapil              | Griffin, Jeremy   | Ramsay, Cynthia         |
| Baxter, Shawn             | Guccione, Lindsey | Robelo Santana, Donaldo |
| Blum, Lori                | Honeycutt, Amber  | Rogers, Cedric          |
| Carr, Nathan              | Hurst, Jason      | Saade Garcia, Nazha     |
| Carter, Harriet           | Jansen, Candace   | Sheehy, Kevin           |
| Chambers, Deja            | Jimenez, Nicole   | Shelton, Michael        |
| Chappell-Goodwin, Tiffany | Koretzky, Gil     | Smith, James            |
| Clark, Carlos             | Kuziv, Michael    | Solis, Sarah            |
| Cohen Avital, Ayelet      | Lantz, Lauren     | Stevens, Kyle           |
| Cuadras, Sofia            | Lindsey, John     | Stone, Kamera           |
| DeBardleben; Helene       | Marre, Jason      | Tompkins, La Keshia     |
| Denton, Mark              | Marsden, Curtis   | Trotta, Lawrence        |
| Dixon, Matthew            | Matthews, Matthew | Watson, Steven          |
| Dos Santos Boemer, Mario  | Morales, Joseph   | Williams, Laci          |
| Fallas Calderon, Roy      | Muhammad, Jaabir  |                         |

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

|                         |                     |                          |
|-------------------------|---------------------|--------------------------|
| Baldasti, Frederick     | Jaquess, Jerry J.   | Oberlander, Amory Blaine |
| Brogley, Jamie Blessing | Johnson, Tichawonna | Olivella, Yunieth        |

Buchan, Robert Charles  
Calderon, Claudia Catherine  
Decker, Ryan Andrew  
Dorce, Menace J.  
Estelhomme, Cleveland  
Edwald, Stevens  
Figueroa, Marcelo  
Fraccola, Agostino  
Gillet, Francis  
Haitof, Amir

Kelley, Lawrence Jr.  
Larock, Sara Jane  
Lugo, Melissa Yvette  
Maier, Jennifer  
Martinez, Oscar Manuel  
McCellan, Victoria  
Morales, Vidal  
Morgan, Daniel Keith  
Morgenshteyn, Vyacheslav

Patterson, Layaschia Renee  
Pierson, Erika T.  
Plante, Jamie  
Prashad, Teeka R.  
Rigapoulus, Stephanie  
Roegiers, Caleb  
Salter, Ricardo Bernard  
Sinaeian, Shiva  
Wright, Steven Douglas

### **Commission Discussion**

Director Watkins reported that the Commission pulled 96 applicants and suggested the Commission discuss how they wish to handle the large number of applicants. The Commission discussed scheduling a third day to June's meeting. After discussion, Commissioner Furst moved to amend the schedule to include June 19, 2014, if needed to address the large number of applicants the Commission appeared be before them. Commissioner Fryer seconded the motion. The motion passed without dissent.

Commissioner Furst requested to address broker notification relating to suspensions of their sales associates for the purpose of determining if broker notification should be addressed in rule in response to the discussion request relating to possible rule changes for the Annual Regulatory Plan and Rules Review. Mr. Barnhart stated that he believed this would simply be a business process change and not a legal duty. Ms. Watkins agreed and stated that the Division would be open to changing its business process. Ms. Watkins and Mr. Barnhart addressed additional questions and comments from the Commission. Ms. Watkins stated she would discuss this with Department staff and report back to the Commission.

### **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.

### **May 21, 2014**

Chair Enzor reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 21<sup>st</sup> day of May, 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. Commissioner Podolsky was excused and not in attendance. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Patrick Cunningham, Chief Attorney; Jenny Schwartz, Assistant General Counsel; Jocelyn Pomales, Education Coordinator; Debora Spady, Licensing Supervisor; 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 63 Summary of Applicants requesting to sit for the real estate examination.

Tab AA – Maria M. Gil, present with interpreter – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab V – Augustus Doyle, present; was represented by Edwin Bayo, Esquire, also present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BJ – Lucretia Denise Wilson, not present; was represented by Stacy Robinson Nickerson, Esquire, present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Q – Kevin D. Collins, present; 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 without dissent.

Tab S – Jordan Hughes Diamond, present; was represented by Daniel Villazon, Esquire, also present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab Y – Ronald Fields, present; was represented by Daniel Villazon, Esquire, also present – Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the vote was 3 to 3. No action was taken.

Tab AT – Juan Carlos Orozco, present; was represented by Daniel Villazon, Esquire, also present – Commissioner Furst moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BG – Sabastian M. Walczak, present; was represented by Daniel Villazon, Esquire, also present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab B – Celia M. Duarte, not present; was represented by Nancy Campiglia, Esquire, present – informal hearing – The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent. Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AD – Edward T. Higgins, not present; was represented by Nancy Campiglia, Esquire, present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.



Tab BC – Amir Shadmani, present; was represented by Anthony Fouladi, Esquire, also present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab A – Christian Camilo, present – informal hearing – The Commission entered into discussion. Commissioner Fryer moved; seconded by Vice-Chair Hornsleth to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent. Commissioner Fryer moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed 5 to 1.

Tab C – Daniel Russell Martin, present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab E – Paul Schmittauer, present – informal hearing – The Commission entered into discussion. Commissioner Boring moved; seconded by Commissioner Fryer to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent. Commissioner Boring moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 2.

Tab F – Orlando Torres, present – informal hearing – Applicant withdrew the informal hearing request and the application. Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent.

Tab I – James Lee Allen, Jr., present – Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 2.

Tab J – Frederick Troy Alonzo, present – Commissioner Furst moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab K – Richard Anthony Badolato, present – Commissioner Fryer moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab L – C. Dan Benton, present – Applicant withdrew the application and waived the 90-day requirement.

Tab M – John William Brim, III, present – Applicant withdrew the application and waived the 90-day requirement.

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

Tab U – Moses Doeblin, present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Tab X – Juan Fernandez, present – Applicant withdrew the application and waived the 90-day requirement.

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

Tab AB – Jose Rafael Gonzalez, present – Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AC – Jorge Luis Guzman, present – Commissioner Boring moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed 4 to 2.

Tab AE – Luis David Inchaustegui, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AG – Cobb Whitner Kessler, present – Vice-Chair Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 2.

Tab AH – Edward Steven Lauer, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AI – Adam Leal, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AJ – Darryl Alonzo Lee, present – Applicant withdrew the application and waived the 90-day requirement.

### **General Discussion**

Chair Enzor requested the Commissioners revisit the 96 applications that they pulled yesterday from Consent Agendas A and B for appearance at the next meeting to determine if there were any that they would consider granting approval. Upon conclusion of discussion the Commissioners agreed, if time permits, to revisit the 96 application at the conclusion of the Summary of Applicants.

Chair Enzor was excused from the remainder of the meeting and was not present.

### **Summary of Applicants continued**

Tab AK – Andrea Lennon Zachary, present – Commissioner Chotas moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AM – Frank Luca, present – Commissioner Boring moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AO – Brad Ashley Moldt, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AP – Crystal Lynnette Morrison, present – Commissioner Boring moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 1.

Tab AQ – Wilfredo Nazario, present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AR – Floyd Scott Nelson, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AS – John Paul Nugent, Jr., present – Applicant withdrew the application and waived the 90-day requirement.

Tab AW – Robert Pitts, present – Applicant withdrew the application and waived the 90-day requirement.

Tab BA – Anjannette Ruiz, present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BD – George Smith, present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BF – Anthony Lee Turbeville, present – Commissioner Chotas moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab D – Sherri Kinard Rinker, not present – informal hearing – The applicant continued the application until June 2014.

Tab G – Carl Henry Alexander – not present – Applicant withdrew the application and waived the 90-day requirement.

Tab H – Nicole Algarin – not present – Commissioner Chotas moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent

Tab N – Ansen L. Brown, not present – Commissioner Fryer moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent

Tab O – Keiron Brown, not present – Commissioner Furst moved; seconded by Commissioner Boring to deny the application for sales associate with conditions; the motion passed without dissent.

Tab R – Joseph D. Czyzyk, not present – Commissioner Furst moved; seconded by Commissioner Chotas to deny the application for sales associate; the motion passed without dissent.

Tab T – Juan Diaz Rafael Estrada, not present – Commissioner Boring moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 1.

Tab W – Tammie Lee Durham, not present – Commissioner Furst moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Tab AF – Marcel Katz, not present – Applicant continued the application and waived the 90-day requirement.

Tab AL – Nick Raymond Lowell, not present – Commissioner Furst moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AN – Andres R. Mendoza, not present – Commissioner Boring moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AU – Brian Pierre, not present – Commissioner Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AV – Djenane C. Pierre, not present – Commissioner Boring moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 1.

Tab AX – Dean Post, not present – Commissioner Fryer moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab AY – Paulina Joy Radeka, not present – Commissioner Furst moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab AZ – Manuel Rodriguez, not present – Applicant continued the application and waived the 90-day requirement.

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

Tab BE – Alena Zoe St. Clair, not present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 4 to 1.

Tab BI – James Marcus Williams, not present – Applicant withdrew the application and waived the 90-day requirement.

Tab BK – Andres Felipe Zapata, not present – Applicant withdrew the application.

### **Public Comments**

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

The Commission released the members of the audience attending to comply with a Final Order disciplinary action.

### **Applicant Consent Agendas**

The Commissioners revisited the applicants from the Consent Agendas they required to be scheduled placed on the Summary of Applicant Agenda. After further review the Commissioners withdrew their request to schedule 22 of the 96 applicants they initially requested to appear before them. The results of this discussion are reflected under the Consent Agendas above, respectively. Upon conclusion of the review the Commission determined that a third day would not be needed.

### **Commission's Remarks**

Commissioner Furst reported that there is a 2 page article in Florida Trend Magazine written by the Department entitled “Smart Buyers and Sellers Know... using the services of a licensed real estate professional is a smart move.” and stated that is an incredible article and one of the best public announcements. She would like to encourage the Florida Realtors to embrace it. Commissioner Furst gave kudos to the Department.

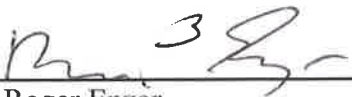
### **Director's Comments**

Director Watkins provided the following comments:

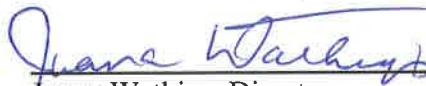
- The Instructor Continuing Education Seminars dates and locations are in the process of being finalized and will be posted on the Division's web page as soon possible. July 9<sup>th</sup> in Miami; July 25<sup>th</sup> in Tallahassee; and August 13<sup>th</sup> in Orlando.
- Ms. Watkins commended the Commission for an excellent job in reviewing over 300 applications this -month.

**Adjournment**

There being no further business and no objection, the Vice-Chair adjourned the meeting at approximately 4:20 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for June 17 and 18, 2014, in Orlando, Florida.



\_\_\_\_\_  
Chair Roger Enzor  
Florida Real Estate Commission



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