

Ken Lawson, Secretary

Rick Scott, Governor

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

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

The following Commission members were in attendance: Chair Dick Fryer, Patricia Fitzgerald, Darla Furst, Poul Hornsleth and Thomas Luzier. Commissioner Luzier was delayed and arrived at 10:00 a.m. Commissioner Furst was excused and not present. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Sara Kimmig, Bureau Chief of Enforcement; Josh Kendrick, Chief Attorney; James Whealdon, Assistant General Counsel; Appearing via teleconference: Alicia Bhambhani, Daniel David, Brande Miller, Megan Silver, Crystal Stephens and William Vogel, Assistant General Counsels; Jocelyn Pomales, Education Coordinator; Mike Davis, Regulatory Specialist III. American Court Reporting, Inc. (407) 896-1813 provided court services.

Approval of the Minutes

The Minutes of the July 19 and 20, 2016, General Meeting, are deferred to September 20, 2016.

Reports

Enforcement Trends and Escrow Audits Reports

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

Unlicensed Activity Report

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

Monthly Exam Performance Summary Report

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

Application and License Count Reports

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

Legal Case Activity Report

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

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Whealdon presented 7 Escrow Disbursement Orders and 2 Orders for the Commission's consideration. The Commission entered into discussion. Commissioner Hornsleth moved to accept 7 Escrow Disbursement Orders and 2 Orders. Commissioner Furst seconded the motion; the motion passed without dissent.

Legal Appearance Docket

Tab C – Jarryd Chloupek, SL 3237289; Case No. 2015053276 – Respondent's Request for Informal Hearing

Respondent was present; Respondent was represented by Carol Chloupek, Esquire, present. Vice-Chair Boring was recused due to participation on the probable cause panel.

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

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2015), when he pled guilty to and was adjudicated guilty of Video Voyeurism on a Child <16; Section 475.25(1)(p), Florida Statutes (2015), when he failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

Tab G – Sonya Hall, BK 646487; Case No. 2015046824 – Respondent's Request for Informal Hearing

Respondent was present; Respondent was represented by Kristy Harrington, Esquire, present. Commissioner Furst was recused due to participation on the probable cause panel.

Mr. Vogel represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Boring moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; motion passed 4 to 1. Vice-Chair Boring moved; seconded by Commissioner Hornsleth motion passed without dissent to impose the following sanctions:

Penalty: Fine of \$750.00; investigative costs of \$478.50; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2015), when Respondent was convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

Tab B – Deronda Suzzette Bartlett, SL 3029519; Case No. 2015051181 – Respondent's Request for Informal Hearing

Respondent was present; Respondent was represented by Thomas B. Luka, Esquire, present. Commissioner Furst was recused due to participation on the probable cause panel.

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

Penalty: Administrative fine of \$500.00; investigative costs of \$532.00; attend 1 complete FREC general meeting(s); probation for 6 months. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to inform the Commission in writing after pleading nolo contendere to and being adjudicated guilty of one count of DUI Impairment – Property Damage, one count of Possession of Cannabis – 20 Grams or Less, and one count of Possession of Paraphernalia.

Tab A – Kim Amkraut, BK 649472; Case No. 2015029297 – Petitioner's Motion for Informal Hearing

Respondent was present; Respondent was represented by Nancy Campiglia, Esquire, present. Commissioner Hornsleth was recused due to participation on the probable cause panel.

Mr. Vogel represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Furst moved; seconded by Vice-Chair Boring to find the Respondent guilty as charged in the Administrative Complaint; the motion passed 4 to 1. Commissioner Furst moved; seconded by Commissioner Luzier; the motion passed 4 to 1 to impose the following sanctions:

Penalty: Suspension for 6 months; investigative costs of \$1,006.50; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2014), when Respondent was pled guilty to and was adjudicated guilty of Making False Statements, Representations, and False Writings and Documents to a Federal Agency.

Tab J – Lourdes Giuliana Ocampo, SL 3303277; Case No. 2015033156 – Respondent’s Request for Informal Hearing

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

Ms. Bhambhani represented the department. Mr. Villazon requested a continuance. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; motion passed without dissent to continue the matter.

Action Taken: Case continued until September 2016.

Tab K – Gholamreza Tadaiyon, SL 3205225; Case No. 2015045502 – Respondent’s Request for Informal Hearing

Respondent was present; Respondent was represented by Danny Villazon, Esquire, present. Vice-Chair Boring was recused due to participation on the probable cause panel.

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

Penalty: Suspension for 6 months; investigative costs of \$82.50; attend 1 complete FREC meeting; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when he was convicted of conspiracy to commit wire fraud and contraband cigarette trafficking, a crime involving fraudulent or dishonest dealing; Section 475.25(1)(p), Florida Statutes, by failing to inform the commission of his conspiracy to commit wire fraud and contraband cigarette trafficking conviction within 30 days of the conviction.

Tab O – Daniel Johnson, SL 305339; Case No. 2014045611 – Settlement Stipulation

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

Mr. Whealdon represented the department and presented the case to the Commission. The Commission entered into discussion.

Action Taken: Case continued until September 2016

Tab P – Jonathan Schmucke, SL 3295877; Case No. 2015039346 – Settlement Stipulation

Respondent was present; Respondent was represented by Danny Villazon, Esquire, present. Commissioner Furst served on the probable cause panel.

Ms. Bhambhani represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Luzier; the motion passed without dissent to accept the stipulation agreement.

Penalty: Administrative fine of \$750.00; investigative costs of \$231.00; attend 1 complete FREC general meeting(s); probation for 12 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by entering a guilty plea for one count of “Conspiracy to Deliver Cannabis.”

Action taken: Settlement Stipulation accepted.

Tab D – Walner Gerard Gachette, BK 3152573; Case No. 2015038473 – Petitioner’s Motion for Informal Hearing

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

Ms. Bhambhani represented the department and presented the case to the Commission. Counsel for Respondent objected to the informal hearing. Upon conclusion of discussion, Commissioner Hornsleth moved; seconded by Commissioner Furst to refer case to DOAH. The motion passed without dissent.

Action taken: Refer case to Division of Administrative Hearings (DOAH).

Tab F – Andric Gutierrez, SL 3034155; Case No. 2015055321 – Respondent’s Request for Informal Hearing

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

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

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being adjudicated guilty of one count of “Conspiracy to Commit Bank and Wire Fraud”; Section 475(1)(n), by being confined in FCI Miami, a low security correctional institution.

Tab E – Gina R. Golub, SL 3231310; Case No. 2015037920 – Respondent’s Request for Informal Hearing

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

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

Penalty: Administrative fine of \$1,000.00; investigative costs of \$181.50; shall attend 1 complete FREC general meeting; 6 month probation. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to report her nolo contendere plea and conviction of driving under the influence to Petitioner within 30 days.

Tab H – Delma Feliz Koessler, BK 3154579; Case No. 2016015292 – Respondent’s Request for Informal Hearing

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

Mr. Whealdon represented the department. Respondent requested a continuance.

Action Taken: Case continued to September 2016.

Tab I – Patricia Louis, SL 3244297; Case No. 2015042212 – Respondent’s Request for Informal Hearing

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

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

Penalty: Administrative fine of \$1,000; investigative costs of \$412.50; attend 2 complete FREC meeting; suspension for 6 months; 1 year probation. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by misrepresenting the involvement of Avanti Realty in Lease and by misrepresenting her role as both the tenant and the cooperating sales agent; Section 475.25(1)(e), Florida Statutes, through a violation of 455.275(1), Florida Statutes, by failing to provide the department with a current mailing address, defined as a residential address in Rule 61J2-10.038(1), Florida Administrative Code.

Tab L – David Wayne Turner, SL 3057756; Case No. 2016012067 – Respondent’s Request for Informal Hearing

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

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

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being adjudicated guilty of one (1) count of “Leaving the Scene of a Crash Involving Death”; Section 475.25(1)(n), Florida Statutes, by being confined in the Northwest Florida Reception Center; Section 475.25(1)(a), Florida Statutes, by failing to submit a written report to the Department within thirty (30) days of being convicted of one (1) count of “Leaving the Scene of a Crash Involving Death.”

Tab M – Reynaldo Valls, SL 3191195; Case No. 2015028696 – Petitioner’s Motion for Informal Hearing

Respondent was not present; Respondent was represented by Joseph W. Gibson, Esquire, not present. Vice-Chair Boring was recused due to participation on the probable cause panel.

Chief Attorney Kendrick requested to defer the informal hearing later today. Ms. Bhambhani represented the Department and requested to orally amend Count II of the Administrative Complaint. The Commission accepted the oral amendment.

Tab N – Crystal Lynnette McGriff, SL 3346853; Case No. 2015014867 – Respondent’s Request to enter a Final Order

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

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

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2014), when Respondent pled nolo contendere to Leaving the Scene of an Accident with Injuries; Section 475.25(1)(p), Florida Statutes (2014), when Respondent failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

Tab Q – AAA Realty LLC, CQ 1027671; Case Nos. 2016000786 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Stephens represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner 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 R– AAA Realty LLC, CQ 1027671; Case No. 2016016276 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Stephens represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald 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 S – Dean C. Dollar, BK 593354; Case No. 2016002260 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Stephens represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; 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

Tabs T and U– Tammy J. Rodriguez, BK 3123755; Case Nos. 2015054114 and 2016011104 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Stephens represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Luzier; 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 V – Daniel Anglade, SL 3199112; Case No. 2015035839 – Petitioner’s Motion for Entry of Final Order of Waiver

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

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

Penalty: Revocation. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to account or deliver to Mr. Antoine his earnest money initial deposit totaling \$5,000.00 in relation to Mr. Antoine’s potential purchase of the residential property; Rule 61J2-14.009, Florida Administrative Code, when he failed to deliver Mr. Antoine’s earnest money initial deposit in the amount of \$5,000.00 for the potential purchase of the residential property, to his registered brokerage no later than the end of the next business day following receipt.

Tab W – Patricia Delgardio, SL 3290020; Case No. 2014043470 – Petitioner’s Motion for Entry of Final Order of Waiver

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

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

Penalty: Revocation; investigative costs of \$165.00. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to timely deliver the entire Escrow Deposit upon demand; Section 475.25(1)(b), Florida Statutes, when she breached Torres's trust by failing to timely remit the entire Escrow Deposit upon demand.

Tab X – Charlotte G. Durante, BK 144545; Case No. 2015042182 – Petitioner's Motion for Entry of Final Order of Waiver

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

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

Penalty: Revocation; investigative costs of \$135.30. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2012), when she was convicted or found guilty of, or entered a plea of nolo contendere to one count of Organized Fraud > \$50,000, and one count of Money Laundering > \$100,000, both first-degree felonies; Section 475.25(1)(p), Florida Statutes (2012), when she failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

Tab Y – Flocar Investment Group Corp, CQ 1033806; Case No. 2015042376 – Petitioner's Motion for Entry of Final Order of Waiver

Case continued to September 2016.

Tab Z – Aleida Fontao, P.A., SL 674162; Case No. 2015034959 – Petitioner's Motion for Entry of Final Order of Waiver

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

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

Penalty: Revocation; investigative costs of \$338.25. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted of one count of "Conspiracy to Commit Wire Fraud Affecting a Financial Institution," in the U.S. District Court, Southern District of Florida; Section 475.25(1)(n), Florida Statutes, by being confined in FCI Coleman Medium, a medium security correctional institution.

Tab AA – Delma Feliz Koessler, BK 3154579; Case No. 205042372 – Petitioner's Motion for Entry of Final Order of Waiver

Case continued to September 2016.

Tab AB – Newton Smith, CQ 1046071; Case No. 2015017137 – Petitioner's Motion for Entry of Final Order of Waiver

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

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

Action Taken: No penalty; Respondent revoked in another case.

Tab AC – Venegas International Group LLC, CQ 1039977; Case No. 2015034694 – Petitioner’s Motion for Entry of Final Order of Waiver

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

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

Penalty: Suspension for 1 year; investigative costs of \$891.00; probation for 1 year. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to timely remit the funds to the Owner upon demand; Section 475.23, Florida Statutes, by failing to notify the commission of its change of address within 10 days after the address changed.

Tab AD – Monica A. Venegas, BK 615819; Case No. 2015028694 – Petitioner’s Motion for Entry of Final Order of Waiver

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

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

Penalty: Suspension for 1 year; investigative costs of \$1,072.50; complete a 4-hour escrow management course; probation for 1 year. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to timely remit the funds to the Owner upon demand. Section 475.23, Florida Statutes, by failing to notify the commission of the change of address for the Brokerage within 10 days after the address changed and Rule 61J2-10.038(2), Florida Administrative Code, by failing to notify the Department of her change of address within 10 days after her address changed.

Tab AE – Kathya M. Vilchez, SL 3191462; Case No. 2015040418 – Petitioner’s Motion for Entry of Final Order of Waiver

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

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

Penalty: Administrative fine \$1,500.00; investigative costs \$412.50; attend 2 complete FREC meetings; probation for 9 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2013), when Respondent pled guilty to and was adjudicated guilty of one count of Controlled Substance/Possession of Place Where Manufacturing Occurs/Minor Present; Section 475.25(1)(p), Florida Statutes (2013), when he failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

Tab M – Reynaldo Valls, SL 3191195; Case No. 2015028696 – Petitioner’s Motion for Informal Hearing

Respondent was not present; Respondent was represented by Joseph W. Gibson, Esquire, not present. Vice-Chair Boring was recused due to participation on the probable cause panel.

Ms. Bhambhani represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Furst moved; seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty of Count II as charged in the Administrative Complaint. Commissioner Furst moved; seconded by Commissioner Hornsleth; motion passed 4 to 1 to impose the following sanctions:

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading guilty to one count of “Trafficking Cannabis/25-2000LBS.”

General Session continued

Rules Report

FREC Counsel Barnhart did not have anything new to report.

Education Courses for Approval or Denial

Online Ed, Inc. – Application No. 27217 – Florida Sales Associate License Training

Education Coordinator, Ms. Pomales presented the course. The Commission entered into discussion. Chairman Fryer moved; seconded by Commissioner Hornsleth; motion passed without dissent to deny the course.

Special Agenda

Discussion Regarding Earnest Money Guidelines

Commission, Counsel Barnhart, Chief Attorney Kendrick, and Bureau Chief Kimmig entered into discussion about earnest money guidelines concerning who should hold funds.

Request for Multiple Broker License from Robbert Gaarlandt

Mr. Gaarlandt was present. Commissioner Furst moved; seconded by Vice-Chair Boring to deny the application number 4367523 for a multiple broker license based upon Section s 455.213(3) and 475.215, Florida Statutes; the motion passed without dissent.

Summary of Applicants – Agenda B

Licensing Supervisor Warren Sanger presented 11 Summary of Applicants requesting to sit for the real estate examination.

Tab A – Gabriel Camacho Delgado, present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Boring moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 4 to 2.

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

Tab C – Richard Alexis Aybar, not present; was represented by Nancy Campiglia, Esquire, present – Vice-Chair Boring moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5 to 1.

Tab J – Carolina Visbal, present; was represented by Nancy Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab F – Juan R. Gonzalez, present; was represented by Nancy Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 5 to 1.

No Tab – Joaquin Lora, present; was represented by Nancy Campiglia, Esquire, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab D – Daniel Brewer, present – Commissioner Fitzgerald moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab E – Larousse Charlot, not present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5 to 1.

Agenda A, Tab AV – Thomas Patrick Fox, not present; was represented by Nancy Campiglia, Esquire, present – Applicant requested a continuance and waived the 90-day requirement.

Tab H – Liset Peguero, not present – Commissioner Furst moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed 5 to 1.

Tab G – Deserae Erin Sanchez, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab I – Leyma M. Sosa, not present – Continued to Wednesday August 17.

Consent Agenda A

The Commission considered 21 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commissioner Furst to approve 13 applicants and require 8 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Babich, Paula Antonia	Lopez, Antonio Juan Jr.	Palmer, Karolina
Githler, Charlie	Massey, Dion	Perez, Carlos
Griffin, Hope Gabrielle	Mekhirunsiri, Mark	Rodriguez, Eric
Letendre, Jacqueline J	Oliver, Remecia	Vo, Son Hai
Yi, Luis		

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

Bass, Morgan	Hasting, Melissa.	Romano, Nicholas
Cruz, Harold S	Leone, Judith A	Zervos, Nicholas John
Elliott, Roger Hal	Peatfield, Mackenzie Raven	

Consent Agenda B

The Commission considered 29 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve 22 applicants and require 7 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Bivona, Michael	Houghton, Sandra M	Pantoja, Paul Richard
Brinkman, Tia Nicole	Jackson, Christopher Frank	Penetra, Mucha
Custodio, Angelica	Lupole, Robin Lynn	Ramsay, Mackenzie Ryan
Douglas, Tiffany	Mabry, Paula Marie	Shaud, Ramsey Coy
Dubois, David George II	Matute, Jerson	Spera, Raymond Alfred Jr.
Gaines, Ryan Mitchell	Newsom, Edward	Suarez, Jennifer
Garvin, Patrick	Osborne, Matthew Steven	Tackett, Tiffany Michelle
Hachey, Spenser		

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

Adu Poku, Angela Darlene	Morris, Joshua	Rivera, Edwin Rafael Jr.
Gallagher, Julia	Perdomo, Alan Paul	Sigmon, Chad

Lopez, Osleidys

Public Comments

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

Recess

There being no objection, the Chair recessed the meeting at approximately 4.13 p.m. until 8:30 a.m. tomorrow.

August 17, 2016

Chair Fryer reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 20th day of July, 2016.

The following Commission members were in attendance: Chair Dick Fryer, Vice-Chair Chip Boring, Patricia Fitzgerald, Poul Hornsleth and Thomas Luzier. Commissioner Darla Furst was excused and not present. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Josh Kendrick, Chief Attorney; Jake Whealdon, Assistant General Counsel; Warren Sanger, Licensing Supervisor; Mike Davis, Regulatory Specialist III; Jeannie Adkinson, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

Licensing Supervisor Warren Sanger presented 91 Summary of Applicants requesting to sit for the real estate examination.

Tab BK – Terrence Rice, present; was represented by Nancy Campiglia, Esquire, present – Applicant requested a continuance and waived the 90-day requirement.

Tab BX – Jason T. Swint, present; was represented by Nancy Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AU – Derek Lopez, present; was represented by Steven Johnson, Esquire, present – Commissioner Furst moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab C – Melissa L. Shipp, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab D – Kamal Abdel Suarez, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 4 to 2.

Tab AE– Thomas Robert Gutzler, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AQ – Ilya Levitis, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5 to 1.

Tab J – Collette Maria Burke, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve, with conditions, the application for sales associate; the motion passed 4 to 2.

Tab BO – Dawn A. Rucando, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab A – Aston George Mattis Jr., present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 5 to 1.

Tab H – Crystal Alexander, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 4 to 2.

Tab F – Mariano Arceo Jr., present – Application has been withdrawn

Tab G – Raymond Arias, present – Application has been withdrawn

Tab BT – Michael A. Smith, Jr., present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 5 to 1.

Tab H – Hugo R. Barbieri, present – Vice-Chair Boring moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed 4 to 2.

Tab I – Diego Emiliano Borges Jr., present – Commissioner Luzier moved; seconded by Commissioner Hornsleth to approve the application with conditions for sales associate; the motion passed without dissent.

Tab M – Richard G. Christo, present – Commissioner Luzier moved; seconded by Commissioner Furst to approve the application with conditions for sales associate; the motion passed without dissent.

Tab N – Michael L. Cua, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5 to 1.

Tab O – Michael Peter Cudlipp, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab Q – Jeffrey Allen Deville, present – Commissioner Fitzgerald moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed 4 to 2.

Tab R – Kathleen S. Diaz, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab T – Roni Leser Dreszer, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without 5 to 1.

Tab V – Griffin Findlay, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab Y – Halla Daniel S. Gibson, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab Z – Craig John Giordano, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AA – Richard Michael Golfman, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed 4 to 2.

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

Tab AC – William Thomas Grazier IV, present – Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AF – Clifton Haynes, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AG – Chris M. Hicks, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve, with conditions, the application for sales associate; the motion passed without dissent.

Tab AH – John Hill, present – Commissioner Furst moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AI – James Patrick Hope, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AN – Conrad Christopher King, present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AM – Marino Lee Pierre Kelsie, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 5 to 1.

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

Tab AR – Mark Howard Lippert, present – Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 5 to 1.

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

Tab AT – William Long, present – Applicant withdrew the application.

Tab BK – Terrence Rice, present; was represented by Nancy Campiglia, Esquire, present – This matter was presented earlier in the day and continued. Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application with conditions for sales associate; the motion passed without dissent.

Tab AP – Scott Lehr, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab AY – Adrienne Marks, present – Commissioner Furst moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AX – Gregory Jay MacKay, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab BA – Lorna Beatriz Martinez, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BB – Kevin Charles Meara, present – Jeanne Miller, present – Commissioner Furst; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab BD – Brian B. Mikosz, present – Commissioner Furst moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed dissent.

Tab BE – Jeanne Miller, present – Commissioner Furst; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab BH – Sarah Pflug, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BL – Wayne Allen Ritenour, Jr., present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Agenda B, Tab I – Leyma M. Sosa, present; was represented by Francisco Marty, Esquire, present – Applicant withdrew the application.

Tab BM – Rayliris Rivera, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab CF – Kevin Angelo Vaughan, Jr., present – Applicant requested a continuance and waived the 90-day requirement.

Tab BN – Alex Menahem Roth, present – Applicant requested a continuance and waived the 90-day requirement.

Tab BR – Robert Leonard Saunders, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab BS – Donald Vernon Scott, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab BU – Landon Troy Snider, present – Commissioner Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab BV – Brandon Solomon, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab BY – R. Scott Taylor, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab BZ – Randy Taylor, present – Vice-Chair Boring moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 5 to 1.

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

Tab CB – Oscar Ignacio Tobon, present – Vice-Chair Boring moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab CC – Daniel Noel Torres, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab CG – Nathan Ward, present – Commissioner Furst; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab CJ – Wei Ween Yang Victorino, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab CE – Dyango Valladares, present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab B – Adriana Catherine, not present – informal – Commissioner Furst moved; seconded by Commissioner Luzier to uphold the denial; the motion passed without dissent.

Tab K – Angela Renee Burton, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab L – Jeff Caniff, not present – Commissioner Furst moved; seconded by Commissioner Luzier to approve the application with conditions for sales associate; the motion passed without dissent.

Tab P – Eric Donnell Davis, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab S – Donna Renee Douglas, not present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab U – Cortney Whestley Dryden, present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to deny the application for sales associate; the motion passed without dissent.

Tab X – Mark Galler, not present – Commissioner Furst moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed 5 to 1.

Tab AD – Scott Green, not present – Commissioner Furst moved; seconded by Commissioner Luzier to approve the application for sales associate; the motion passed without dissent.

Tab AJ – Jonathan Avery Ilarraza, not present – Commissioner Furst moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed without dissent.

Tab AL – Samuel Bernanrd Irving, Jr., not present – Commissioner Luzier moved; seconded by Commissioner Fitzgerald to deny the application for sales associate; the motion passed without dissent.

Tab AK – Channing Mercer Jackson, not present – Commissioner Furst moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed without dissent.

Tab AW – Gordon Mack, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab AZ – Anastasia Maria Martin, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to deny the application for sales associate; the motion passed without dissent.

Tab BC – Janet Medrano, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab BF – Thomas Moore, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab BG – Janet MacDonald Nolen, not present – Commissioner Furst moved; seconded by Commissioner Fitzgerald to deny the application for sales associate; the motion passed without dissent.

Tab BI – Angela Raybourn, no present– Vice-Chair Boring moved; seconded by Commissioner Luzier to deny the application for sales associate; the motion passed without dissent.

Tab BJ – Jose Rolando Reyes, Jr., not present – Commissioner Fitzgerald moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab BP – Pete Russo, not present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

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

Tab BW – Ryan Darren Steinbach, present – Commissioner Luzier moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab CD – Darryl Quin Tower, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab CH – Jennive Ellison Webb, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Boring to approve the application for broker; the motion passed without dissent.

Tab CI – Brandon Williams, not present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab CK – Dania Zeron, not present – Commissioner Furst moved; seconded by Vice-Chair Boring to approve the application for sales associate; the motion passed without dissent.

Tab CL – Francis Zipeto, not present – Commissioner Furst moved; seconded by Commissioner Hornsleth to deny the application for broker; the motion passed without dissent.

Director's Comments

Director Watkins thanked the Commission for their time today and wished them safe travels.

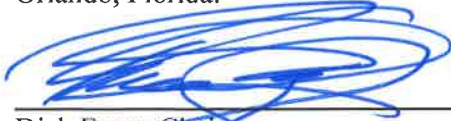
Director Watkins stated that she did not have any updates relating to Legislative items. Ms. Watkins also reported that the Florida Realtor Convention is next week.

Public Comments

The Commission addressed comments from members of the audience.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 4:46 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for September 20 and 21, 2016, in Orlando, Florida.



Dick Fryer, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission