

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
November 19 and 20, 2013
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 19th day of November, 2013.

The following Commission members were in attendance: Chair Roger Enzor, Vice-Chair Poul Hornsleth, Claude "Chip" Boring, III, Richard DeNapoli 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; Josh Kendrick and Jennifer Blakeman, Assistant General Counsels; Sean Anderson, Christine Arzillo, Daniel Brackett, Al Cheneler, Daniel David, David Folley, Anne Prescott and Susan Williams, Assistant General Counsels appeared via video conference; Sara Kimmig, Bureau Chief of Enforcement; Jenny Schwartz, ULA Supervisor; Jocelyn Pomales, Operation Management Consultant II; 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 DeNapoli to approve the Minutes of the October 15 and 16, 2013, 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.

Financial Reports Ending June 30, 2013 (amended)

Director Watkins presented the Financial Reports ending June 30, 2013, as amended. Director Watkins explained that the amendments are due to end of fiscal year adjustments.

Financial Reports Ending September 30, 2013

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

Monthly Exam Performance Summary Report

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

Report Regarding Application and License Count Reports

Director Watkins presented the License Count Report and addressed questions and comments from the Commission. Ms. Pomales presented the Application Count Report and addressed questions and comments from the Commission. The Commission commented that the Application Count report was very informative and requested to receive it monthly.

Quarterly Education and Foundation Scholarship Report

Deputy Director Johnson presented a report regarding the Education Foundation Scholarship. She also announced that six Florida Colleges and Universities will be benefiting from the Commission's contribution to the scholarship funds. Ms. Johnson addressed questions and comments from the Commission.

Mr. Dick Fryer, Vice Chairman for the Education Foundation's Board of Trustees, provided an update of the Florida Realtors Scholarship program and addressed questions 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. Director Watkins also addressed questions and comments 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.

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Al Cheneler presented 11 Escrow Disbursement Orders and 5 Orders for the Commission's consideration. Vice-Chair Hornsleth moved to accept the 11 Escrow Disbursement Orders, amending a scrivener's error relating to Tab D, and 5 Orders. Commissioner Furst seconded the motion. The motion passed without dissent. The Commission requested that the Escrow Disbursement Orders state which contract was used. The Commission received comments from Margy Grant, Vice-President and General Counsel and Donna Ryan, of the Florida Realtors Association.

Legal Agenda Schedule

Tab S – Morris Jaime Godur, SLBK 3166580, Case No. 2012003290 – Settlement Stipulation

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

Ms. Prescott represented the department and presented the case to the Commission. The Commission entered into discussion. The Department dismissed Count I of the Administrative Complaint. Respondent neither admits nor denies the factual allegations contained in the Administrative Complaint relating to violation of Count II. Commissioner Furst moved; seconded by Commissioner DeNapoli to accept the Stipulated Settlement. The motion passed without dissent.

Penalty imposed: \$1,000.00 fine; investigative costs; 1 complete FREC general meeting; 20-hours of FREC-approved continuing education. **Violation(s):** Section 475.25(1)(e) Florida Statutes when Respondent violated a rule made or issued under the provisions of Chapter 475 or Chapter 455 by being registered as an officer or director of Godur Group.

Action taken: Settlement Stipulation accepted.

Tab X – Christopher White, BK 698876, Case No. 2012044522 – Settlement Stipulation

Respondent was present and was represented by Leila Chacko, Esquire, also present. Commissioner Furst was recused due to participation on the probable cause panel.

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner DeNapoli moved; seconded by Commissioner Boring to accept the Stipulated Settlement. Respondent neither admits nor denies the factual allegations in the Administrative Complaint. The motion passed without dissent.

Penalty imposed: \$1,500.00 fine; investigative costs; attend 1 complete FREC general meeting; complete a 4-hour escrow management course. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), F.A.C., when he failed to immediately deposit Buyer's check into an escrow or trust account; Rule 61J2-14.012 by failing to reconcile his trust account monthly.

Action taken: Settlement Stipulation accepted.

Tab M – Robert S. Wayne, P.A., BL 542018, Case No. 2013010268 – Petitioner's Motion for Informal Hearing, and if Granted, Conduct an Informal Hearing

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

Mr. Kendrick represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Vice-Chair Hornsleth moved, seconded by Commissioner Furst; motion carried unanimously to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Furst moved, seconded by Vice-Chair Hornsleth; motion passed 3 to 1 to impose the following sanctions:

Action taken: Suspension for 1 year; \$1,000.00; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being found guilty in the United States District Court, Southern District of Florida, of False Statement in Application for U.S. Passport.

Tab V – Maurice Lepine, BL 412288, Case No. 2012041043 – Settlement Stipulation

Respondent was present and was represented by John Sherrard, Esquire; Daniel Villazon, Esquire, appeared on behalf of Mr. Sherrard. Chair Enzor was recused due to participation on the probable cause panel.

Ms. Wright represented the department and presented the case to the Commission. The Commission entered into discussion. Respondent neither admits nor denies the factual allegations in the Administrative Complaint. Commissioner Furst moved; seconded by Commissioner DeNapoli to accept the Stipulated Settlement. The motion passed without dissent.

Penalty imposed: \$2,500.00 fine; investigative costs; complete a 4-hour escrow management course. **Violation(s):** Section 475.25(1)(v), Florida Statutes, by failing to properly review the brokerage's trust accounting procedures for the period of January through August 2012, in order to ensure compliance with this chapter; Rule 61J2 14.012(2), Florida Administrative Code by failing to properly follow reconciliation-statement procedures for the period of January through August 2012 to ensure compliance with this rule; Rule 61J2 14.012(3), Florida Administrative Code, by failing to properly follow reconciliation-statement procedures for the period of January through August 2012 to ensure compliance with this rule; Section 475.25(1)(b), by failing to properly follow reconciliation-statement procedures for the period of January through August 2012.

Action taken: Settlement Stipulation accepted.

Tab U – Mark S. Koert, BK 412288, Case No. 2012041043 – Settlement Stipulation

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

Mr. Cunningham represented the department and presented the case to the Commission. The Commission entered into discussion. Respondent neither admits nor denies the factual allegations in the Administrative Complaint. Commissioner Furst moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed without dissent.

Violation: \$1,500.00 fine; investigative costs; must attend 2 complete FREC general meetings. **Neither admits nor denies the following violation(s):** Section 475.25(1)(f), Florida Statutes, by having been adjudicated guilty of a crime in any jurisdiction with directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

Action taken: Settlement Stipulation accepted.

Tab AR – Seth M. Sklarey, BK 81489, Case No. 2012046331 – Petitioner's Motion for Waiver Hearing

Respondent was present and was not represented by counsel. 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 granted the waiver hearing and entered into discussion. Commissioner Furst moved; seconded by Commissioner DeNapoli to continue the case until December 17, 2013. The motion passed without dissent.

Action Taken: Case continued until December 17, 2013.

Tab AA – Denise Marie Goss, SL 3036900, Case No. 2012039530 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

Respondent was present and was not represented by counsel. Chair Enzor 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 waiver hearing and entered into discussion. Commissioner Furst moved; seconded by Commissioner Boring to continue the case until December 17, 2013. The motion passed without dissent.

Action Taken: Case continued until December 17, 2013.

Tab C – Thomas Breese Brown, Jr., BK 539345, Case No. 2013003761 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing

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

Mr. Cunningham represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Vice-Chair Hornsleth moved, seconded by Commissioner Furst; 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 nolo contendere to Theft of State Sales Tax and by entering a plea of nolo contendere to Obtaining Property in Return for Worthless Check (\$150 or more); Section 455.227(1)(t), Florida Statutes, by failing to notify DBPR that he entered a plea of nolo contendere to Theft of State Sales Tax within 30 days and by failing to notify DBPR that he was adjudicated guilty of Driving While License was Suspended or Revoked within 30 days.

Tab I – Patricia Danielle LeBron, SL 3211957, Case No. 2013013501 – Respondent’s Request for an Informal Hearing

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

Mr. Cunningham represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Furst moved, seconded by Commissioner DeNapoli; motion passed without dissent 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 being found guilty of Conspiracy to Commit Wire Fraud and guilty of Wire Fraud Affecting a Financial Institution; Section 455.227(1)(t), Florida Statutes, failing to notify DBPR in writing within 30 days that she was found guilty of Conspiracy to Commit Wire Fraud and guilty of Wire Fraud Affecting a Financial Institution.

Tab A – Dennis Mauricio Meraz, BK 694234, Case No. 2012001765 – Recommended Order with Respondent’s Exceptions

Case continued.

Tab D – Barbara M. Diaz, BK 3147709, Case No. 2012029008 – Respondent’s Request for an Informal Hearing

Case continued.

Tab E – Dean C. Dollar, BK 593354, Case No. 2012039954 – Respondent’s Request for an Informal Hearing

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

Action taken: \$1,500.00; investigative costs; must complete a 4-hour escrow management course; must attend 2 complete FREC general meetings; probation for 6 months. **Violation(s):** Respondent violated Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), Florida Administrative Code, when he failed to immediately deposit Buyer’s check into an escrow or trust account

Tab F – Randall Lawrence Gilbert, SL 3142968, Case No. 2011044311 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Prescott and Mr. Cheneler 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 Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

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

Tab B – Simone Marie Baillergeon, BK 555014, Case No. 2013005181 – Respondent’s Request for an Informal Hearing

Case continued.

Agenda B, Tab A, Agenda A, Tab J – Teresa A. Hudson-Smelser, SL 693947, Case No. 2011045458 – Respondent’s Request for Reconsideration

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

Ms. Prescott represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner DeNapoli moved; seconded by Vice-Chair Hornsleth to grant the reconsideration request. Commissioner DeNapoli moved; seconded by Vice-Chair Hornsleth to acknowledge an error on page 1, paragraph 4 of the Administrative Complaint and to maintain the revocation; the motion passed without dissent.

Action Taken: Maintain the revocation penalty as rendered in the Final Order filed on October 15, 2013.

Tab H – Christopher Mark Kenmay, SL 3230715, Case No. 2013004991 – 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.

Ms. Prescott represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Furst moved, seconded by Commissioner 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: \$500.00 fine; investigative costs; attend 1 complete FREC general meeting; probation for 3 months. **Violation(s):** Respondent violated Section 475.25(1)(e), Florida Statutes, by failing to pay a citation issued by the BPR under the provisions of Chapter 475 and/or Chapter 455, Florida Statutes.

Tab J – Frank Michael Monte, BK 686638, Case No. 2013020650 – Petitioner’s Motion for an Informal Hearing, and if Granted, Conduct an Informal Hearing

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2012), when Respondent was found guilty of aggravated stalking – a crime of moral turpitude; Section 475.25(1)(p), Florida Statutes, when Respondent failed to report a felony conviction to the Department within 30 days.

Tab K – Bruno Edward Skoczynski, SL 3058052, Case No. 2012049964 – Respondent’s Request for an Informal Hearing

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent pled guilty to Conspiracy to Defraud the United States through Wire Fraud and Mail Fraud.

Tab L – William D. Stackpoole, BK 338907, Case No. 2012044765 – Respondent’s Request for an Informal Hearing

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

Mr. Cunningham represented the department and presented the case to the Commission. The Commission 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. After hearing compelling mitigation, Commissioner Furst moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action taken: \$1,000.00 fine; investigative costs; attend 1 complete FREC general meeting; probation for 90 days. **Violation(s):** Section 455.225 (1)(t), Florida Statutes, when Respondent failed to report to the Department, in writing, of 6 pleas or convictions occurring between 1993 and 2012.

Tab N – Patricia H. Wilson, BK 306636, Case No. 2013037647 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. There was no probable cause panel.

Mr. Folley represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Furst 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 O – Sally Ann Wilson, SL 511357, Case No. 2013024914 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. There was no probable cause panel.

Mr. Folley represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Hornsleth moved, seconded by Commissioner DeNapoli 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 P – Mark Kenneth Kleinsorge, SL 3228593, Case No. 2013034828 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. There was no probable cause panel.

Mr. Cunningham represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli 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 Q – Gretell E. Perez, SL 3175877, Case No. 2012012230 – Request for an Extension of Time to Comply with a Final Order

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

Mr. Cunningham represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Furst to grant an extension of time to complete the requirements of the Final Order filed November 26, 2012; the motion passed without dissent.

Action taken: Extension granted for 6 months.

Tab R – Tony Persaud, BK 3136903, Case No. 2011025302 – Settlement Stipulation

Case withdrawn.

Tab T – Victor Hugo Hernandez, BL 3202750, Case No. 2011032360 – Settlement Stipulation

Respondent was not present; Respondent was represented by Nicole Ruesca, Esquire, also not present. Commissioner Furst 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. Respondent denies the factual allegations in the Administrative Complaint. Vice-Chair Hornsleth moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed without dissent.

Violation: \$5,000.00 fine; investigative costs; must attend 3 complete FREC general meetings. **Violation(s):** Violated Section 475.25(1)(b), Florida Statutes, by forging Arbelaez's signature on a Power of Attorney granting authority to sell her property.

Action taken: Settlement Stipulation accepted.

Tab W – Gabriel Valenca Souza, BK 3104515, Case No. 2012018782 – Settlement Stipulation

Respondent was not present and was not represented by counsel. Commissioner Furst 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. Respondent neither admits nor denies the factual allegations in the Administrative Complaint. Commissioner DeNapoli moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed without dissent.

Violation: \$250.00 fine; investigative costs; must attend 1 complete FREC general meeting. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with FREC's final ruling in case numbers 2008053953 and 2008046501 by failing to pay a \$2,000 administrative fine, \$702.90 in administrative costs, and attend one 2-day FREC meeting.

Action taken: Settlement Stipulation accepted.

Tab Y – Beau Richard Boshers, BK 601558, Case No. 2011058188 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action Taken: Revocation, investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being found guilty in the United States District Court for the Southern District of Florida of Conspiracy to Commit Money Laundering.

Tab Z – Jennifer Rebecca Briceno, BK 3211443, Case No. 2012028340 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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 granted the waiver hearing and entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Boring; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Hornsleth moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action Taken: Revocation. **Violation(s):** Section 475.25 (1)(d)1, 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; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.010(1), Florida Administrative Code, by failing to place an escrow deposit into an escrow or trust account immediately.

Tab AB – Pamela L. Hammock, SL 3092563, Case No. 2012016683 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Action Taken: Revocation, investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading nolo contendere to Grand Theft; Section 475.25(1)(p), Florida Statutes, by failing to inform the Commission in writing within 30 days after pleading nolo contendere to Grand Theft.

Tab AC – Key Rentals, LLC, CQ 1039980, Case No. 2012041799 – Petitioner’s Motion for Waiver Hearing

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

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

Action Taken: Revocation. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme, or device, culpable negligence, or breach of trust in any business transaction in this state or any other state; Section 475.25(1)(d)1., Florida Statutes, by failing to timely account for or deliver an escrow deposit, commingling the escrow deposit with the operating funds, by misrepresenting that the escrow would be properly disbursed in accordance with the lease contract, by engaging in dishonest dealings by trick, scheme, or device by misappropriating the funds and failing to repay them upon demand; breaching the trust of his employer and the owner by commingling the funds, misappropriating them, and failing to return them upon demand and by acting with culpable negligence by allowing the funds to be commingled, and allowing the deposit funds to be dissipated and not timely returned; Section 475.25(1)(k), Florida Statutes, by failing to place any money to be escrowed with their registered employer.

Tab AD – Key Rentals, LLC, CQ 1039980, Case No. 2012041801 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action Taken: Revocation. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme, or device, culpable negligence, or breach of trust in any business transaction in this state or any other state; Section 475.25(1)(d)1., Florida Statutes, by failing to timely account for or deliver an escrow deposit, commingling the escrow deposit with the operating funds, by misrepresenting that the escrow would be properly disbursed in accordance with the lease contract, by engaging in dishonest dealings by trick, scheme, or device by misappropriating the funds and failing to repay them upon demand; breaching the trust of his employer and the owner by commingling the funds, misappropriating them, and failing to return them upon demand and by acting with culpable negligence by allowing the funds to be commingled, and allowing the deposit funds to be dissipated and not timely returned; Section 475.25(1)(k), Florida Statutes, by failing to place any money to be escrowed with their registered employer.

Tab AE – Shari Anique Linton, SL 3098437, Case No. 2012040903 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Case withdrawn.

Tab AF – Deano Victor McCalla, SL 3066697, Case No. 2013004772 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. There was no probable cause panel.

Ms. Williams represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Hornsleth moved, seconded by Commissioner Furst 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 AG – Pierre Perdreau, SL 3235943, Case No. 2013004623 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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 granted the waiver hearing and entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Boring; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Hornsleth moved, seconded by Commissioner Boring; motion passed without dissent to impose the following sanctions:

Action Taken: Revocation. **Violation(s):** Section 475.25(1)(b), Florida Statutes (2011), when Respondent made misrepresentations to Complainant concerning his purchase of Subject Property, breached Complainant’s trust in facilitating his purchase of Subject Property and concealed from Broker Respondent’s representation of Complainant in the purchase of Subject Property; Section 475.42(1)(n), Florida Statutes (2011), when Respondent disseminated false or misleading information to induce the purchase of property in the state to a person; Section 475.42(1)(b), Florida Statutes (2011), when Respondent, as a sales associate, operated as a broker.

Tab AH – Pierre Perdreau, SL 3235943, Case No. 2013005157 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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 granted the waiver hearing and entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Hornsleth moved, seconded by Commissioner DeNapoli; motion passed without dissent to impose the following sanctions:

Action Taken: Revocation. **Violation(s):** Section 475.25(1)(b), Florida Statutes (2012), when Respondent made misrepresentations to Complainants concerning their purchase of Corporation, breached Complainant’s trust in facilitating their purchase of property and concealed Respondent’s representation of Complainant

from Broker; Section 475.42(1)(n), Florida Statutes (2012), when Respondent disseminated false or misleading information to induce the acquisition of title to real estate located in the state to a person; Section 475.42(1)(b), Florida Statutes (2012), when Respondent, as a sales associate, operated as a broker; Section 475.42(1)(b), Florida Statutes (2012), when Respondent collected real estate funds from Complainant related to the sale of property without the express consent of Broker; Section 475.25(1)(e), Florida Statutes (2012), by violating Rule 61J2-14.009, Florida Administrative Code (2012), 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.

Tab AI, AH and AK – Thomas Grantley Prince, SL 702658, Case Nos. 2013000678; 2013002500; 2013004820– Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. There was no probable cause panel.

Ms. Williams represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli 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 AL – Jon D. Rashotsky, P.A., SL 3174102, Case No. 2012011481 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

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 granted the waiver hearing and entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Hornsleth moved, seconded by Commissioner DeNapoli; motion passed without dissent to impose the following sanctions:

Action Taken: Revocation. **Violation(s):** Section 475.25(1)(b), Florida Statutes (2010), when Respondent acted dishonestly or with culpable negligence in failing to deliver Escrow Deposit to Complainants, and when Respondent concealed from Broker his representation of Complainants and the collection of escrow funds; Section 475.42(1)(b), Florida Statutes (2010), when Respondent, a licensed Real Estate Sales Associate, operated as a broker; Section 475.42(1)(d), Florida Statutes (2010), when Respondent, without the express consent of his employer, directed a deposit be paid to an escrow agent; Section 475.25(1)(e), Florida Statutes (2010), by violating Rule 61J2-14.009, Florida Administrative Code (2010), when Respondent failed to deliver a deposit to his employer.

Tab AM – Richard Rodgers, SL 3238591, Case No. 2012035042 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

Case continued.

Tab AN – Donna Louise Rosellini, BK 3087576, Case No. 2012022228 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

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

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

Action Taken: Investigative costs, 28-hour reactivation CE course, probation for 6 months. **Violation(s):** Rule 61J2-5.019(1) when Respondent failed to ensure that a sales associate was properly registered with A List Realty at the time the sales associate executed a brokerage agreement on behalf of that corporation.

Tab AO – Donna Louise Rosellini, BK 3087576, Case No. 2010042427 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action Taken: Revocation, investigative costs. **Violation(s):** Section 475.5015, Florida Statutes, by failing to keep and make available to the department such records from accounts with Eastern Financial Credit Union, Citi Bank, and any other trust accounts Respondent may have, as would enable the department to determine Respondent is in compliance with the provisions of Chapter 475, Florida Statutes (2011); Rule 61J2-14.012(1) Florida Administrative Code by failing to keep an accurate account of each deposit transaction and each separate bank account wherein funds were deposited, including but not limited to the aforementioned accounts with Eastern Financial Credit Union and Citi Bank and by failing to keep an accurate account of each deposit transaction and each separate bank account wherein funds were deposited, including but not limited to the aforementioned accounts with Eastern Financial Credit Union and Citi Bank; Rule 61J2-14.012(2) by failing to properly reconcile trust account with Citi Bank ending in -2793 for months including but not limited to the following: May through August 2010 and by failing to properly reconcile trust account with Eastern Financial Credit Union ending in -3754 for months including but not limited to the following: April 2009 through March 2010; Rule 61J2-14.012(3) when Respondent failed to explain shortages and/or overages on reconciliation statements for trust account with Citi Bank ending in -2793 for months including but not limited to the following: May through July 2010 and when Respondent failed to explain shortages and/or overages on reconciliation statements for account with Eastern Financial Credit Union ending in -3754 for months including but not limited to the following: April 2009 through March 2010.

Tab AP – Donna Louise Rosellini, BK 3087576, Case No. 2013018663 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott represented the department and presented the case to the Commission. The Commission granted the waiver hearing and entered into discussion. Vice-Chair 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 Boring; motion passed without dissent to impose the following sanctions:

Action Taken: Revocation, investigative costs. **Violation(s):** Section 475.25(1)(e), Florida Statutes (2012), by violating Section 475.5015, Florida Statutes (2012), by failing make available to the Department the noticed past six months of banking records and monthly reconciliation statements, and by failing to maintain Respondent's other relevant brokerage files in such a manner so as to be suitable for inspection to ensure compliance with the provisions of Chapter 475, Florida Statutes; Section 475.25(1)(a), Florida Statutes (2012), by violating Section 475.42(1)(h), Florida Statutes (2012), when Respondent hindered the Department investigator's lawful duty to inspect and audit Respondent's brokerage files.

Tab AQ – Kamal S. Salim, SL 3100213, Case No. 2013006207 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

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 granted the waiver hearing and entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner Furst; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Hornsleth moved, seconded by Commissioner Furst; motion passed without dissent to impose the following sanctions:

Action Taken: Revocation. **Violation(s):** Section 475.25(1)(e), Florida Statutes (2012), when Respondent failed to comply with a lawful order issued under the provisions of Chapter 475 and 455, Florida Statutes.

Tab AS – Craig John Tomlin, SL 3069006, Case No. 2011047957 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

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

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

Action Taken: Revocation, investigative costs. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by violating a Final Order issued under the provision of Chapter 475 or Chapter 455, Florida Statutes, when he did not comply with a Final Order.

Tab AT – Darin D. Vaughan, SL 3062854, Case No. 2013006210 – Petitioner's Motion for Waiver Hearing and Enter a Final Order

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

Ms. Prescott represented the department and presented the case to the Commission. The Commission granted the waiver hearing and entered into discussion. Commissioner Furst moved; seconded by Commissioner Boring; motion passed without dissent 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, investigative costs. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by violating a Final Order issued under the provision of Chapter 475 or Chapter 455, Florida Statutes, when he did not comply with said Final Order.

Tab AU – Shelia F. Whitehead, BK 3120377, Case No. 2012046816 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Case continued.

General Business continued

Petition for Waiver or Variance of Rule 61J2-10.030, Florida Administrative Code

FREC Counsel Tom Barnhart presented the Request for Appeal of the Final Order Denying Petition filed August 19, 2013, received from Roslyn J. Chancey. Ms. Chancey was not present. Mr. Barnhart read Section 120.542 (2), Florida Statutes, to the Commission in order to provide the standards that must be considered for the ruling. The Commission entered into discussion. Commissioner Furst moved to deny the Petition for Variance or Waiver based upon the previously mentioned statute; Commissioner Boring seconded the motion. The motion passed without dissent.

Public Comments

Chair Boring recognized Mr. Robert Goldstein and requested that his public comments be heard prior to moving on with the next agenda item. Mr. Goldstein addressed the Commission regarding clarification of 475.25 (1)(r), Florida Statutes. Mr. Goldstein suggested, due to the changes and trends in the real estate industry, that the rule be clarified to include any buyer/brokerage agreements in addition to listing agreements. Vice-Chair Enzor stated that this topic should be brought up at the Florida Realtors Legislative Committee meeting coming up, as it may need to be a new statute to address the issue.

Mr. Goldstein brought up one other issue relating to banks garnishing brokers trust accounts to pay outstanding debt under a courts order. Mr. Goldstein stated perhaps a statute be created making real estate trust accounts sacrosanct. Mr. Goldstein thanked the Commission for their time.

Review and Consideration of the Real Estate Continuing Education Courses

Deputy Director Johnson presented the following continuing education courses for the Commission’s consideration:

Title Law in Florida – New Course (7 hours Specialty CE; Law – classroom) – Application No. 19031 – Cassi Gruber, NBI, Inc. DBA National Business Institute

Ms. Gruber was not present in support of the application. The Commission entered into discussion. Commissioner Furst moved to deny the continuing education course listed above as it does not meet the requirements set forth in Section 475.182(1), Florida Statutes; Commissioner Boring seconded the motion. The motion passed without dissent.

Consent Agendas

Agenda A

The Commission considered 107 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commission DeNapoli to approve 85 applicants and require 22 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Agabiti, Orsolya	Ganuza, Mario	Newton, Shion
Al Jazra, Jamal	Garcia Rodriguez, Vivian	Norbeck, Michele R
Allen, Richard	Genovese, Anthony	Novenson, April Leah
Andersen, Janice	Gerry, Derek	Oberholtzer, John William IV
Andromidas, George	Grazer, Alicia	Obin, Leonard R
Asencio, John	Gurgel, Jully C	Odonnell, Christopher Brian
Banasiak, Michael	Hanlon, Joseph Patrick	Petitfour, Carlos Emilio
Beamenderfer, Mark	Hernandez, Charles	Pino, Raul Eduardo
Bounsanga, Phousompasong	Hernandez, Rolando Lazaro	Renta, Dane K Sr.
Braga, Venancio	Hopkins, Nicole Celeste	Reyes, Samuel
Brooks, Virginia	Jaus, James E	Rhodes, Judy L
Cacciatore, Elena	Kisch, Julia Ivana	Roberts, Diallo
Cales, Randall	Knight, Terry	Sabbia, Sean
Capuccio, Jeremy	Labrake, Ian Edward Louis	Schauble, William Patrick
Chodyla, Lukasz	Lamon, Clarence David	Sejour, Emmanuel Charles Sr.
Christianson, Scott	Lawrie, Travis	Sosa, Ana Aurora
Collado, Orlando	Lee, Luis	Stalls, Joseph Backus
Consolo, Matthew	Leon, Nicole	Sylvestre, Jesse
Cooper, James	Lopez Leiva, Elder L	Taggart, Edward William
Cornelius, Dale Jr.	Maguire, Robert John	Vacula, Marie Muller
Craig, Carol	Marcellus, Douglas Raymond	Vasquez, Leslie Pamela
Criollo, Juan	McBride, Corey Jason	Waller, Travis Glen
Deregibus, Robert	McNamara, Zachary	West, Kevin Lee
Do Valle, Higor	Mitchell, Horace	Wheeler, Lori Renee
Dombrowski, Deanna	Mizell, Cameron Le Roy	White, Philip
Donahoe, Kathleen	Mota, Michael Anthony	White, Ronald Eugene
Escobar, William	Murphy, Bryan Charles	Williams, Matthew Bryant
Fealy, Dustin	Myara, Jordan	Zahedi, Arya John
Fenton, Nancy	Newton, Shion	

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

Alvarez, Javier	Fox, Montgomery	Navarrete, Romina
Ashdji, Nabil	Hughes, Holly	Nielson, Angela
Badamo, David	Laster, Latavian	Nova, Alfred III
Bailey, Melissa	Mann, Michael	Randall, Michael
Bates, Kerri	McDaniel, Danielle	Rojas, Benigno
Boucher, Neil Jr.	Mikasser, Hicham	Wilson, Evan
Caldwell, Joshua	Miller, Michael	Wright, Robert
Carlisle, Eddie		

Agenda B

The Commission considered 39 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Boring to approve 30 applicants and require 9 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Anderson, Kyle	Lee, Shelley Ann	Rowan, Charles Andrew
Arce, Alden	Morgan, Bonnie	Sierra Guerra, Jose Manuel
Barrera, Eric	Munday, Melissa	Souwed, Hassan
Bradley, Mark	Nashed, Sam	Spear, Carol Ann
Burkhart, Corey	O'Brien, John	Spencer, Augusta Anthony
Carter, Tracy	Patterson, Laurie	Tejeda, Jose Enrique
Claros, Shawn	Perez, Luis Jr.	Vazquez, Rafael
Cox, Justin	Pohrer, Gary Jr.	Wesley, Brandon Clint
DeJesus, Elaine	Ramirez, Jose	Womack, Frank Eugene III
Diaz, Sandra	Renta, Dane Sr.	Young, Gregory Allen

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

Bowes, Lana	Johnson, Derek	Melhado, Eduardo
Casanueva, Carlos	Knowles, Robert	Torres, Heriberto Jr.
Deyoung, Hans	Kratz, Laverne	Wilson, Shawn

Agenda C

The Commission considered 93 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Boring to approve 67 applicants and require 26 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Abaunza, Ivonne	Hardy, Andre	Ragali, David
Burruss, Elijah	Harris, Melissa	Robinson, James
Butler, Charlie	Hayden, Amy	Samaha, Steven
Callea, Gaetano John	Jones, Benjamin	Schaffer, Zachary
Casimir, Carl Jr.	Jones, Cynthia Denise	Shaw, Franke
Denny, Jennifer	Kulp, Anthony	Simon, Karl W
Egnaczyk, Kevin	Kupec, Steven	Small, Danielle
Espinosa, Giancarlo	Linn, John	Somers, Robert
Feinsod, Mitchell	Martin, Corey	Threadgill, Jack III
Finkelman, Mark	McNearney, Gerard III	Tucker, Brindley
Fox, Brian	Miles, Jonathon	Tweten, Phillip
Guerrier, Leah	Patel, Amish	Zequiera, Jose
Hadley, Jason	Pezzolla, Angela	

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

Andrews, Sheri	Goodson, Ronny	Olivier, Jose
Diaz, Alejandro	Johnson, Stephen	Roman, Jorge Jr.
Duarte, Celia	Krell, Travis	Rosso, Deborah
Fleming, Sean	Lucroy, Charles	Salas, Johanna

Agenda D

The Commission considered 2 applicants from the Consent Agenda D; Commissioner Hornsleth moved; seconded by Commissioner DeNapoli to approve 2 applicants; the motion passed without dissent.

The following applicants were approved:

Geri, Jason
Perk, Aaron

Public Comments

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

Recess

There being no further business and no objection, the Chair recessed the meeting at approximately 5:00 p.m. until 8:30 a.m. tomorrow.

November 20, 2013

Chair Roger Enzor reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 20th day of November, 2013.

The following Commission members were in attendance: Chair Roger Enzor, Vice-Chair Poul Hornsleth, Claude “Chip” Boring, Jr., Richard DeNapoli and Darla Furst. Commissioner Josh Podolsky 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: Denise Johnson, Deputy Director; Patrick Cunningham, Chief Attorney; Jocelyn Pomaes, Operations Management Consultant II; JoEllen Peacock, Education Coordinator; Jeannie Adkinson, Regulatory Specialist III; Johanne Knudson, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Special Agenda

Application for a multiple broker license

Tab E – Daniel Gallien, not present; was represented by James Harwood, Esquire, not present – Applicant withdrew the application.

Summary of Applicants

OMC II Jocelyn Pomaes presented 60 Summary of Applicants requesting to sit for the real estate examination.

Tab AN – Patricia Ann Long, present and was represented by Adam Gressa, Esquire, also present – Applicant withdrew the application and waived the 90-day requirement.

Tab AO – Richard Manos, present and was represented by Jerry Kahn, Esquire, also present – Applicant withdrew the application and waived the 90-day requirement.

Tab F – Mauricio Arias, not present; Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab H – Bailey Baillargeon, present; was represented by Daniel Villazon, Esquire, also present – Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli to approve the application for sales associate; the motion passed without dissent.

Tab R – Gabor J. Devenyi, not present; Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab W – Rodney Gabriel, not present; Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab Z – Lauren L. Graham, present; was represented by Daniel Villazon, Esquire, present – Commissioner Furst moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AH – Peter Kanevsky, not present; Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab AI – Norman B. Kluge, not present; Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab AW – Mario F. Restrepo, not present – Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab BA – Irvan R. Scott, not present; Daniel Villazon, Esquire, appeared on behalf of James Harwood, Esquire – Applicant withdrew the application and waived the 90-day requirement.

Tab B – Jorge A. Coello, present – informal hearing – The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent. Applicant withdrew the application and waived the 90-day requirement.

Tab C – George Riggs, III, present – informal hearing – The Commission entered into discussion. Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli to vacate the Notice of Intent to Deny the Commission previously entered; the motion passed without dissent. Commissioner Boring moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab G – Paris A. Artis, present – Commissioner Furst moved; seconded by Vice-Chair Hornsleth to approve the application for broker; the motion passed without dissent.

Tab J – Margaret Bloomfield, present – Commissioner Furst moved; seconded by Commissioner DeNapoli to approve the application for sales associate; the motion passed without dissent.

Tab K – Alison Cannon, present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab L – Christopher Carson, present – Applicant withdrew the application and waived the 90-day requirement.

Tab M – Tracy Collins, present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

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

Tab O – Nicholas Curley, present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab Q – Luis A. De La Cruz, present – Applicant withdrew the application and waived the 90-day requirement.

Tab S – Jennifer L. Dunphy, present – Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 4 to 1.

Tab U – Carlos Escalante, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AA – David A. Gray, present – Applicant withdrew the application and waived the 90-day requirement.

Tab V – Jacob Falk, present – Commissioner Furst moved; seconded by Commissioner DeNapoli to approve the application for sales associate; the motion passed without dissent.

Tab AC – Tyler Singh Hari, present – Commissioner Furst moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AD – Jon C. Hurm, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AE – Christopher B. Irwin, present – Commissioner Boring moved; seconded by Vice-Chair Hornsleth to approve the application for sales associate; the motion passed without 4 to 1.

Tab AF – Richard Johns, present – Applicant withdrew the application and waived the 90-day requirement.

Tab AG – Philip Kallberg, present – Commissioner Furst moved; seconded by Vice-Chair Hornsleth to approve the application for broker; the motion passed without dissent.

Tab AJ – James T. Laing, present – Commissioner Furst moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AM – Robert P. Lipp, present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

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

Tab AT – Evan T. Patterson, present – Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 4 to 1.

Tab AU – David A. Quarles, present – Commissioner Boring moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 3 to 2.

Tab AV – Roberto M. Rameriz, present – Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 2.

Tab BB – Darron Shipe, present – Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 2.

Tab AZ – Robin M. Schofield, present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 3 to 2.

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

Tab BE – Yamil Tapia, present – Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 4 to 1.

Tab BH – Roy Wells, present – Vice-Chair Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 2.

Tab A – Allen E. William, not present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab D – Haben Abraha, not present – Applicant requested a continuance waived the 90-day requirement.

Tab E – Sammy Adhami, not present – Commissioner Furst moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab I – Eric Bloom, not present – Applicant requested a continuance waived the 90-day requirement.

Tab P – Jovany Felipe Dalama, not present – Commissioner Hornsleth moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab T – Logan M. Eastham, not present – Applicant requested a continuance waived the 90-day requirement.

Tab X – Juilian Gallego, not present – Vice-Chair Hornsleth moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab Y – Susan L. Giordano, not present – Commissioner Furst moved; seconded by Commissioner DeNapoli to approve the application for broker; the motion passed without dissent.

Tab AB – Jarod Grob, not present – Commissioner Furst moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab AK – Jay T. Le, not present – Vice-Chair Hornsleth moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AL – Denise Leon Paulina, not present – Commissioner Furst moved; seconded by Commissioner DeNapoli to deny the application for sales associate; the motion passed without dissent.

Tab AQ – Lisa S. Odom, not present – Commissioner DeNapoli moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab AR – William Otero, not present – Commissioner DeNapoli moved; seconded by Vice-Chair Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AS – Asa T. Pardee, not present – Commissioner DeNapoli moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Tab AX – Nadine Rhodes, not present – Applicant requested a continuance waived the 90-day requirement.

Tab AY – Vanessa Sarracino, not present – Applicant withdrew the application and waived the 90-day requirement.

Tab BD – Kamera Stone, not present – Applicant withdrew the application and waived the 90-day requirement.

Tab BF – Rommel Torres, not present – Applicant withdrew the application and waived the 90-day requirement.

Tab BG – Dung Ho Phuong Vu, not present – Commissioner DeNapoli moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Director's Comments

Deputy Director Johnson reported that the Certifications of License History are now available through the internet. There have been no technical issues reported to the Department and there have been licensees that have already taken advantage of the new resource.

Commission's Remarks

The Commission recognized Commissioner DeNapoli for his service and wished him well. Vice-Chair Hornsleth congratulated Chair Enzor on a well-run meeting and Chair Enzor thanked the Department for all the hard work that goes into preparing the Commission meetings.

Public Comments

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

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 1:40 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for December 17 and 18, 2013, in Orlando, Florida.



Roger Enzor, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission