

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
November 18 and 19, 2014
General Meeting**

Chair Darla Furst, called the meeting of the Florida Real Estate Commission to order, at approximately 8:35 a.m., in Orlando, Florida, on this 18th day of November, 2014.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Dick Fryer, Chip Boring, Lee Chotas, Poul Hornsleth and Josh Podolsky. Commissioner Enzor had an excused absence. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Andrew Fier, Chief Attorney; Allison McDonald, Deputy Chief Attorney; Al Cheneler, Jennie Schwartz, Assistant General Counsels; Appearing via teleconference: Daniel Brackett, Daniel David, David Folley, Josh Kendrick, Alison Lamont, Brande Miller and Crystal Stephens, Assistant General Counsels; Brian McAvoy, ULA Investigator Supervisor; Jocelyn Pomales, Education Coordinator; Johanne Knudson, Government Analyst I; Nyasha Riley, Government Analyst I; Susan Bailey, Administrative Assistant II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

Approval of the Minutes

Commissioner Furst moved; seconded by Commissioner Fryer to approve the Minutes of the October 14 and 15, 2014, General Meeting, as written. The motion passed without dissent.

Reports

Enforcement Trends and Escrow Audits Reports

Director Watkins presented the report regarding Enforcement Trends and Escrow Audits Summary and addressed questions and comments from the Commission.

Unlicensed Activity Report

Director Watkins presented the Unlicensed Activity Report and addressed questions from the Commission.

Monthly Exam Performance Summary Report

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

Quarterly Education and Foundation Scholarship Report

Deputy Director Johnson presented the first quarter Education Foundation Scholarship report and provided a brief summary of the progress during this quarter. Vice-Chair Fryer reported that this is his last year on the Scholarship Committee and that he is in the process of evaluating the applications that he has received. Ms. Johnson addressed questions and comments from the Commission.

Financial Reports

Director Watkins presented the Financial Reports ending September 30, 2014 and addressed questions and comments from the Commission. Commissioner Chotas requested to include a 3-year total for future reports. Ms. Watkins responded affirmatively.

Application and License Count Reports

Deputy Director Johnson presented the Application and License Count Reports. Director Watkins and Ms. Johnson addressed questions and comments from the Commission.

Legal Case Activity Report

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

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Cheneler presented 6 Escrow Disbursement Orders and 4 Orders for the Commission's consideration.

Vice-Chair Fryer moved to accept 6 Escrow Disbursement Orders (Tabs A-G) and 3 Orders (Tabs I and J); Commissioner Hornsleth seconded the motion; the motion passed without dissent.

Vice-Chair Fryer moved to accept Order Tab H; Commissioner Hornsleth seconded the motion; the motion passed without dissent. Chair Furst recused herself from participation relating to Tab H due to conflict.

Recovery Fund Cases

Tab A – Barbara Sepulveda v. David Hernandez, DBPR Case No. 2014-041662

Mr. Folley presented this matter to the Commission. Neither the Claimant nor the Respondent was present. Mr. Folley advised that the Claimant qualifies statutorily to receive payment from the recovery fund and recommended the Commission approve the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Granting the Recovery Fund Claim in the amount of \$2,900.00. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab B – John P. McGroarty v. Amie Layne Bennis, DBPR Case No. 2012-051439

Ms. Megan Lloyd, Law Clerk, presented this matter under the guidance of Mr. Cheneler to the Commission. Neither the Claimant nor the Licensee was present. Ms. Lloyd advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Hornsleth moved to approve the Final Order Denying Recovery Fund Claim. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab C – Cherie David-Knowles & Lennox Knowles v. D. Keith Brown, DBPR Case No. 2013-030997

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Podolsky moved to approve the Final Order Denying Recovery Fund Claim. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab D – Lloyd A. Gould & Cameo Durrant-Gould v. D. Keith Brown, DBPR Case No. 2013-031088

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Boring seconded the motion. The motion passed without dissent.

Tab E – Jane Welsh v. Shaun L. Carcary, DBPR Case No. 2012-049633

Case continued.

Tab F – Frederic W. Wheeler v. Sandra A. Castagne, DBPR Case No. 2014-030302

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Boring moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab G – Derek & Melissa De Claire v. Scott C. Daniels, DBPR Case No. 2012-051541

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Podolsky moved to approve the Final Order Denying Recovery Fund Claim. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab H – Amelia Casagrande v. Gabriel Leite, DBPR Case No. 2013-045578

Mr. Fier presented this matter to the Commission. Mr. Steven Johnson, Esquire, attorney for the Respondent, was present in support of the claim. Mr. Carlos Bonilla, Esquire, attorney for the Claimant was also present. Mr. Johnson requested the Commission reconsider the Final Order Granting Recovery Fund Claim. The Commission entered into discussion. Mr. Bonilla presented testimony in support of the Recovery Fund Final Order. After conclusion of discussion, Commissioner Podolsky moved to deny

the reconsideration request; Commissioner Hornsleth seconded the motion; the motion carried unanimously.

Tab I – Ron Mastrodonato v. Renee Dawn Manning, DBPR Case No. 2011-020122

Case continued.

Tab J – Jane Welsh v. Gary Richard Prescott, DBPR Case No. 2012-049631

Case continued.

Tab K – Bernadette Bonanno v. Lewis John Reale, DBPR Case No. 2014-030205

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Podolsky seconded the motion. The motion passed without dissent.

Tab L – Jacqueline Bardach v. David L. Rhoten II, DBPR Case No. 2009-043885

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Podolsky moved to approve the Final Order Denying Recovery Fund Claim. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab M – Yahjaira Rodriguez v. Constance Wilhelm, DBPR Case No. 2011-032770

Mr. Fier presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Fier advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Podolsky moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Boring seconded the motion. The motion passed without dissent.

Tab N – Sofiya Zekirosika v. Arif Zaheer, DBPR Case No. 2014-004917

Case withdrawn.

Legal Appearance Docket

Tab K – Christopher Louis Faytis, SL 3061845; Case No. 2014003283 – Settlement Stipulation

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

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

Penalty: \$1,500.00 fine; investigative costs; \$3,000.00 restitution. **Violation(s):** Respondent neither admits nor denies allegedly violating the following: Section 455.227(1)(t), Florida Statutes, by failing to timely notify DBPR that Respondent was adjudicated guilty of Larceny-Petit theft, Offense Statute Number Florida Statute 812.014(2)(e), a first degree misdemeanor.

Action taken: Settlement Stipulation accepted.

Tab P – Gary J. Goldberg, SL 707565; Case No. 2013005541 – Voluntary Relinquishment of License for Permanent Revocation

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

Mr. Cheneler represented the department and presented the cases to the Commission. The Commission entered into discussion. Vice-Chair Fryer 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 R – Gary Lee Budek, SL 691145; Case No. 2013000120 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being adjudicated guilty of Lewd/Lasc Molestation of child Def 18 & Vic 12 but less T/16, a felony; Section 455.227(1)(t), Florida Statutes, by failing to timely notify DBPR that Respondent was adjudicated guilty of Lewd/Lasc Molestation of child Def 18 & Vic 12 but less T/16, a felony.

Tab M – Julian I. Rice, BK 250443; Case No. 2014012787 – Settlement Stipulation

Respondent was present; Respondent was Daniel Villazon, Esquire, also present. Commissioner Hornsleth and Commissioner Chotas were recused due to participation on the probable cause panel.

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

Penalty: \$1,000.00 fine; investigative costs; probation for 1 year; complete an escrow management course; attend 1 complete FREC meeting. **Violation(s):** Respondent neither admits nor denies that he allegedly violated the following: Section 475.25(1)(v), Florida Statutes by not reconciling his escrow account, by commingling operating and escrow account monies and by having a \$510.00 shortage in his

escrow account as revealed by a Department audit; Rule 61J2-14.012(2) and thus Section 475.25(1)(e), Florida Statutes when Subject admitted he was not reconciling his escrow account.

Action taken: Settlement Stipulation accepted.

Tab G – Charles Seymour Smith, BK 3231843, Case No. 2013002503 – Respondent’s Request for Final Order

Respondent was present; Respondent was represented by James Harwood, Esquire, also present. Commissioner Podolsky was recused due to participation on the probable cause panel.

Mr. David represented the department and presented the case to the Commission. The Commission found the Respondent guilty as charged in the Administrative Complaint on July 15, 2014. The Commission entered into discussion for consideration of penalties. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

Action taken: Suspension for 5 years. **Violation(s):** Section 475.25(1)(u), Florida Statutes, by failing to direct, control or manage Deano McCalla during the time McCalla was defrauding client Tan-Hamblin, by failing to maintain adequate telephone and/or personal contact with McCalla to properly supervise him, and by not directing, controlling or managing McCalla when Respondent was still receiving monthly broker commissions after being told there was no real estate business being generated.

Tab J – Michael John Carulli, BK 3266150 and 326977; Case No. 2013007634 – Settlement Stipulation

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

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

Penalty: \$1,000.00 fine; investigative costs; attend 2 complete FREC meetings; other conditions. **Violation(s):** Section 475.5015, Florida Statutes, by failing to make available upon a request by the Investigator, the requested records (when Respondent was broker of record for Ikon Realty); Section 475.42(1)(h), Florida Statutes, as he obstructed and hindered Petitioner’s investigation by failing to answer letters and calls from the department and failing to show up for the Investigation and Audit.

Action taken: Settlement Stipulation accepted.

Tab F – Juan C. Murillo, SL 3223844, Case No. 2013023706 – Petitioner’s Motion for Informal Hearing

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

Ms. Miller represented the department and presented the case to the Commission. Commissioner Podolsky moved, seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty

as charged in the Administrative Complaint. Commissioner Podolsky moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

Action taken: \$1,000.00 fine; investigative costs; probation for 6 months; complete a 3-hour ethics course. **Violation(s):** Section 475.42(1)(b), Florida Statutes, when he advertised Subject Property 1 and Subject Property 2 for sale through REIO; Rule 61J2-10.025(1), Florida Administrative Code, by failing to include the licensed name of the brokerage firm in his real estate advertisements and, therefore, violated Section 475.25(1)(e), Florida Statutes.

Tab I – Darrell E. M. Braddy, BK 3001557; Case No. 2014014061 – Settlement Stipulation

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

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

Penalty: \$1,000.00 fine; investigative costs; probation for 1 year; 10 hours CE to include a 4-hour escrow management course with the remaining 6 hours in the field of real estate practice generally or real estate office management. **Violation(s):** Respondent neither admits nor denies that he allegedly violated the following: Section 475.25(1)(v), Florida Statutes, by not reconciling his Wells Fargo Rental Escrow Account ending in 5503 for a period of approximately three years prior to the first DBPR audit and by not providing any information in the Corrective Action Taken section of the Monthly Reconciliation Statement Real Estate Trust Account for Respondent's Wells Fargo Rental Escrow Account ending in account number 5503 for the months of September 2012 through February 2013; Rule 61J2-14.012(2) and thus Section 475.25(1)(e), Florida Statutes, when Subject admitted he did not reconcile his escrow account for a period of approximately three years preceding the first DBPR audit; Rule 61J2-14.012(3), Florida Administrative Code, by not providing any information in the Corrective Action Taken section of the Monthly Reconciliation Statement Real Estate Trust Account for Respondent's Wells Fargo Rental Escrow Account ending in account number 5503 for the months of September 2012 through February 2013.

Action taken: Settlement Stipulation accepted.

Special Agenda

Communication Received from Neal Lewis

Education Coordinator Jocelyn Pomales presented correspondence received from Neal Lewis requesting an exemption from the pre-licensure course. Additionally, the Education Section researched the status of Mr. Lewis' Florida Bar license and requested the Commission review his real estate sales associate application. Mr. Lewis was present and was represented by Thomas Murphy, Esquire, also present. Mr. Murphy and Mr. Lewis provided testimony in support of the application. The Commission entered into discussion. The Commission requested that Mr. Lewis complete the pre-licensure course and submit a clean application. Mr. Lewis withdrew his request for waiver of pre-license education and withdrew his application.

General Business continued

Review and Consideration of the Real Estate Education Courses

Tab B – *How to Sell New Homes “The Secrets that work”* – New Course (12 hours Specialty CE) No. 21636 – Ronald Nairnsey

Mr. Nairnsey was present in support of the application. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course for 11 hours of Specialty CE; Commissioner Boring seconded the motion. The motion passed without dissent.

Legal Appearance Docket continued

Tab A – **Ruth C. Amen, SL 617379; Case No. 2013013503 – Respondent’s Request for Informal Hearing**

Respondent was present; Respondent was represented by James Harwood, Esquire, present. Vice-Chair Fryer was recused due to participation on the probable cause panel.

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

Penalty: Suspension for 10 years; \$1,000.00 fine; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by entering a plea of no contest to and by being convicted or found guilty of Scheme to Defraud.

Special Agenda continued

Electronic Licensing

Director Watkins introduced Deputy Secretary Tim Vaccaro and Director George Ayrish, Division of Service Operations. Director Ayrish provided a brief summary of the services DSO provides and a summary the current licensing process. Mr. Ayrish reported that the Department has been looking into a paperless licensing program and explained the benefits of instituting this process. Mr. Ayrish assured the Commission that the Department will diligently test the program prior to implementation and requested that the Commission provide approval for the Department to implement electronic licensing for real estate licensees. Mr. Ayrish addressed additional questions and comments from the Commission. Upon conclusion of discussion, Commissioner Chotas moved to express the support of the Commission and as a part of that support requests the Department provide periodic reports to the Executive Director; Vice-Chair Fryer seconded the motion; the motion passed without dissent.

Director Watkins stated that Deputy Secretary Vaccaro and Director Ayrish were also here to address the application process relating to applicants with undisclosed criminal history and amending applications. Deputy Secretary Vaccaro reported that other professions have given the Department the authority to contact the applicant and request them to amend the application when there are discrepancies between the original application and the criminal history report. Mr. Vaccaro asked the Commission if they would consider allowing the Department to contact the applicant to amend their application provided the criminal history falls

within the approvable guidelines. Mr. Vaccaro and Mr. Ayrish addressed questions and comments. Vice-Chair Fryer moved to approve streamlining the application process and allow the applicant to amend the application and not forward the application to the Commission provided the application falls within the approvable guidelines; Commissioner Podolsky seconded the motion; the motion passed without dissent.

The Commission thanked Deputy Secretary Vaccaro and Director Ayrish for attending the meeting.

Legal Appearance Docket continued

Tab B – Bonnie Michelle Denning Royal, SL 614508; Case No. 2014018712 – Respondent’s Request for Informal Hearing

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

Penalty: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading nolo contendere and being convicted of first degree grand theft.

Tab C – Clarisa Ferro, SL 3252398, Case No. 2014014065 – Respondent’s Request for Informal Hearing

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

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

Penalty: Suspension for 4 months; \$1,000.00; investigative costs; probation for 4 months concurrent with suspension; complete a 3-hour ethics course; attend 1 complete FREC general meeting. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2013), when Respondent pled guilty to one count of Possession of Marijuana with Intent to Sell.

Tab D – Elizabeth Barrett Funk, SL 3173219, Case No. 2014013286 – Respondent’s Request for Informal Hearing

Respondent was not present and was represented by counsel. Commissioner 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 granted the informal hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the

Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:

Penalty: \$250.00 fine; investigative costs; probation for 6 months; attend 1 complete FREC general meeting. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by pleading nolo contendere and being adjudicated guilty of driving under the influence.

Tab E – Rodger Jaskolka, SL 3264995; Case No. 2014008830 – Respondent’s Request for Informal Hearing

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

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

Penalty: Suspension for 1 year; \$1,000.00 fine; investigative costs; attend 1 complete FREC general meeting; probation for 1 year. **Violation(s):** Section 472.25(1)(f), Florida Statutes, when Respondent was found guilty of Leaving the Scene of a Crash Involving Injury and DUI Causing Injury to Person or Property, which are crimes of moral turpitude.

Tab H – Courtney Jane Campbell, SL 302938; Case No. 2014011956 – Respondent’s Request for Final Order

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

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

Action taken: Suspension until January 31, 2017; \$500.00 fine; investigative costs; probation until January 31, 2017. **Violation(s):** Section 455.277(1)(t), Florida Statutes, by failing to timely self-report her DUI convictions and other driving offenses.

Tab L – Thomas William Mattio, SL 637993; Case No. 2014010000 – Settlement Stipulation

Respondent was not present; Respondent was represented by Tim Atkinson, Esquire, present. Vice-Chair Fryer was 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 Commissioner Podolsky to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$250.00 fine; investigative costs. **Violation(s):** Respondent neither admits nor denies that he allegedly violated the following: Section 455.227(1)(t), Florida Statutes, when Respondent failed to report in writing to the Commission within 30 days after he was found guilty of a crime.

Action taken: Settlement Stipulation accepted.

Tab N – David Richard Drumm, SL 3216911; Case No. 2013015140 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Schwartz represented the department and presented the cases to the Commission. The Commission entered into discussion. Vice-Chair Fryer 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 O – David Richard Drumm, SL 3216911; Case No. 2013022971 – Voluntary Relinquishment of License for Permanent Revocation

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

Mr. Brackett represented the department and presented the cases to the Commission. The Commission entered into discussion. Vice-Chair Fryer 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 Q – Martin Robert Beck, Jr., BK 3071793; Case No. 2014019779 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to timely comply with a Final Order.

Tab S – Michael P. Carleton, SL 3068971; Case No. 2013045196 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Respondent violated Section 475.42(1)(b), Florida Statutes, when Respondent operated as a broker and not under the direction, control or management of his broker; 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 475.42(1)(d), Florida Statutes, when Respondent collected money in connection with a real estate brokerage transaction as a deposit, not in the name of his employer and the without the express consent of his employer; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.009, Florida Administrative Code, when Respondent collected payments connected to a real estate transaction and failed to deliver the payments to Respondent’s employer by the end of the next business day following receipt of the payment; Section 475.25(1)(a), Florida Statutes, by violating Section 455.227(1)(j), Florida Statutes, when Respondent listed Coast Line Realtors as the cooperating brokerage on the Buyer’s offer for the Subject Property.

Tab T – Michael P. Carleton, SL 3068971; Case No. 2013045551 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.42(1)(b), Florida Statutes, when Respondent operated as a broker and not under the direction, control or management of his broker; 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 475.42(1)(d), Florida Statutes, when Respondent collected money in connection with a real estate brokerage transaction as a deposit, not in the name of his employer and the without the express consent of his employer; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.009, Florida Administrative Code, 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 U – Michael P. Carleton, SL 3068971; Case No. 2014011642 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with FREC’s final ruling in case number 2011049896 by failing to pay a \$1,000.00 administrative fine, \$1,082.40 in administrative costs, and attend two 2-day FREC meetings all within 12 months of the final order.

Tab V – Judith Philippe Gabriel, SL 3188030; Case No. 2013049500 – Respondent’s Request for Final Order

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

Action taken: \$250.00 fine; investigative costs. **Violation(s):** Section 475.25(1)(e), Florida Statutes (2012) by failing to timely update her address of record with the Department.

Tab W – Randy L. Goffe, SL 202730; Case No. 2014002195 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

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

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

Action taken: Revocation; investigative costs. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent was found guilty of Driving Under the Influence – Third violation, Possession of a Controlled Substance and Driving with License Suspended/Revoked – Third violation, which are crimes of moral turpitude; Section 455.227(1)(t), Florida Statutes, when Respondent failed to report in writing to the Commission within 30 days after he was found guilty of a crime.

Review and Consideration of the Real Estate Education Courses continued

Tab C – *Real Estate Sales Agent* – New Course (63 hours – classroom; Sales Associate Pre-Licensure) – Application No. 21690 – David Schleiden, Miami-Dade County Public Schools

Mr. Schleiden was not present. The Commission entered into discussion. Commissioner Podolsky moved to deny the course; Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab D – *The Real Estate Agent's Guide to Bankruptcy* – New Course (3 hours – classroom; CE – Specialty) – Application No. 21736 – Lauren Prysbylkowski, Title Resources Guaranty Company

Ms. Prysbylkowski was not present. The Commission entered into discussion. Vice-Chair Fryer moved to deny the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab E – *The US Financial System* – New Course (3 hours – distance; CE – Specialty) – Application No. 21776 – Amy Zanzinger, RealEstate.com

Ms. Zanzinger was not present. The Commission entered into discussion. Commissioner Fryer moved to deny the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab F – *Applied Forest Finance* – New Course (3 hours – classroom; CE – Specialty) – Application No. 22135 – Heather Clark, Forisk Consulting, LLC

Ms. Clark was not present. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course; Commissioner Podolsky seconded the motion. The motion passed 5 to 1.

General Business continued

Rules Report

FREC Counsel Barnhart reported on the status of the rules currently open for discussion, workshop or rulemaking. Mr. Barnhart stated that the repeal of Rule 61J2-24.005 – Revocation should be effective on December 21, 2014, provided JACP does not have any objections. Mr. Barnhart addressed questions and comments from the Commission.

Rule Discussion

61J2-10.025 – Advertising

FREC Counsel Barnhart presented Rule 61J2- 10.025 for discussion at the request of the Commission. Vice-Chair Fryer expressed concerns the issue of teams and advertisement, specifically relating to the visibility of reference to the broker or brokerage. The Commission entered into discussion. Director Watkins stated that the Commission has the authority to prosecute a licensee for misleading advertisement regardless of any size requirements. Vice-Chair Fryer agreed that the best thing is to leave the language as is for now. Mr. Barnhart inquired if the Division would research what some of the other states are doing. Deputy Director Johnson reported that she has gathered available information from other states and requested to provide a summary in January, 2015. The Chair responded affirmatively.

Consent Agendas

Agenda A

The Commission considered 113 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commission Boring to approve 60 applicants and require 53 applicants to be placed on the Summary of Applicant Agenda; the motion passed 5 to 1.

The following applicants were approved:

Abele, Dawn Nicole	Flynn, Erika Eva	Roberson, Gregory K.
Abele, Jordan	Gash, Chris	Rogers, Charles Owen
Arnoux, Sydney Alphonse	Grala, Michael	Russell, Glenda Cook
Ash, Cieara	Guiffrida, Kristin Ann	Sangouthai, Risala
Bain, David Michael	Huezo, Jose R.	Schmidt, Joseph
Barbosa, Candido	Jones, Scott	Shiflette, John
Binder, Scott Daryl	Kelly, Nicholas	Sitko, Erich Karol
Bland, Kimberly Paige	McDowell, Teon Detrest	Smith, Lawrence W.
Brown, Adam Josef	McLaughlin, Clint	Svaldi, Michael Jason
Cid, Princess Jacquelines	Moses, Paul II	Tamarit, Kelvin George
Cook, Daniel	Nicewonder, Dianna Kay	Tamme, Michael
Cuber, Michael John	O' Connor, Marjorie Ann	Tejada, Dario
Cutchens, Cameron Michael	Pena, Erica Katasha	Tomlin, Herman
Daniels, Tori Michelle	Perez, Silvia	Veras, Daniel Enrique
De Pinedo, Viviana	Peterson, Roberta Carol	Vieux, Natasha
Demott, Amber Leigh	Plautz, James Richard	Weseman, Samantha Dee
Distefano, Anthony	Quddus, Maria	Whiteside, Cody
Doris, Nicholas James	Reeves, Jamie Elizabeth	Willoughby, Michelle N.
Douglas, Christopher Dale	Restrepo, Jose Alejandro	Withers, Timothy Ray
Finneran, Megan	Rich, Brandon Edward	Wright, Latasha

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

Allen, Tyler Brandon	Fisher, Michael	Meekison, Margaret Dorene
Arqimandriti, Olsi	Fleming, Maurice	Monn, Colleen Sullivan
Baines, Leroy Lascelles Jr.	Gonzalez, Carlos G.	Naviwala, Raheel Ashraf
Bean, Larry	Harmon, Thomas Monroe II	Orlando, Michael Christian
Bennington, Brandon W.	Harris, Jonathan Pierre	Paul, Daphnee
Berrier, Justin Brian	Harrison, Charles William III	Pena, Sonia
Borrero, Andres Jr.	Heydinger, Rae Ann	Radyko, James Matthew
Brown, Anthony Scott	Hicks, Shelby Leigh	Rand, Sean Christopher
Buigas, Eric	Hoffman, Ivonne	Storfer, Mitchell Brian
Capaldo, Mario Leonardo	Hon, Heather	Thompson, Colleen Rinet
Colvin, Nicole	Jaack, Dylan	Totten, Joseph
Cox, Vanessa	Kecskes, Zoltan Jr.	Tye, Scott
Cruz, Nicolas	Larkin, Ashley Lorraine	Valcarcel, Enrique
Crystal, Kevin Wade	Leibowitz, Lindsey	Valentino, Manlio
Dales, Daniel	Lowry, Toby Daniel	Vilela, Patricia

Di Pano, Robert Christopher
Fagg, Randy Michael
Ferrante, John

Mandoeng, Donovan
Manrique, Carlos David Jr.
Mccloud, Barbara

Wan, Suelan
White, Kenneth Levon II

Agenda B

The Commission considered 69 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve 46 applicants and require 23 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Aldambayev, Kanat
Amodeo, Jerry
Augustin, Pierre J.
Barone, Kyle P.
Brodersen, Thomas A.
Camargo, Nicolas A.
Canales, Jesus
Castillo, Alvaro Luis
Christensen, Stephanie Jean
Conner, Ronald Terrance
Cooper, Virgil Lorin Jr.
Davis, Shannon M.
Dowell, Winship Alan
Emerson, David Strohm
Feinberg, Marc Richard
Fleming, Forrest Keyron

Floberg, Kimberly N.
Georges, Samson
Gibbs, Andrew
Gontovnik, Eitan
Harrigan, Kevin Michael
Hill, Lina Mae
Kontorchik, James R.
Levine, Matthew
Lora, Maria
Mejia, Marcia Arelis
Messina, Andrew J.
Morales, Elliott Carl
Onick, Terri
Parton, Christopher Jarred
Patterson, Christopher

Pereira, Ludovico Adriano
Perry, Mark James II
Persaud, Shiv Sukul
Pike, Sheila Renee
Puhek, Louis John
Rios, Melanie
Roberts, Kyle
Rodgers, Vanessa
Serrano, Beatrice
Shah, Dharmang
Shelton, Thadrin
Simpson, Mark Timothy Sr.
Van Heusen, Steven
Venerio, Jaime R.
Wallace, James Dale

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

Amoresano, Luke Thomas
Bailey, Derek
Batista, Josue
Bohanon, Matt
Cantave, Jimmy
Coles, Richard
Cortes, Luz Adriana
Fanuelsen, Erik

Fredricks, Matthew G.
Godwin, Jamis
Green, Don Eric Sr.
Heinz, Kimberly
Ismail, Mohammad Yousuf Joe
Lee, Nathan
Lynch, Andrew David
Perrot, Colette

Prescott, Charmene
Roser, Kevin R.
Santamaria, Esther
Tateo, Tyler Steward
Tuttle, Daniel
Westmoreland, Ronald Hugh
Wheeler, Tami Marie

Public Comments

The Commission received a comment from a member of the audience.

Recess

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

November 19, 2014

Chair Furst reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 19th day of November, 2014.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Dick Fryer, Chip Boring, Lee Chotas, Poul Hornsleth and Josh Podolsky. Commissioner Enzor had an excused absence. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Andrew Fier, Chief Attorney; Jennie Schwartz, Assistant General Counsel; Jocelyn Pomales, Education Coordinator; Jeannie Adkinson, Regulatory Specialist III; Johanne Knudson, Government Analyst I; Nyasha Riley, Government Analyst I; Susan Bailey, Administrative Assistant II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

Government Analyst Nyasha Riley presented 49 Summary of Applicants requesting to sit for the real estate examination.

Tab A – Rafael G. Fernandez, present; was presented by Timothy P. Atkinson, Esquire, also present – informal hearing – Vice-Chair Fryer moved; seconded by Commissioner Boring to vacate the previous denial; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

Tab X – Bobby W. Long, present; was represented by Nancy P. Campiglia, Esquire, also present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the vote was 3 to 3. No action taken.

Tab N – Shirley A. Green, not present; was represented by Nancy P. Campiglia, Esquire, present – Ms. Campiglia withdrew the application on behalf of the Applicant.

Tab Q – Arlene M. Hernandez, present; was represented by Daniel Villazon, Esquire, also present – Vice-Chair Fryer moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

Tab W – Alan E. Leon, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Podolsky moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Y – Jason D. Long, present; was represented by Daniel Villazon, Esquire, also present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 5 to 1.

Tab AB – Luis F. Munoz, present; was represented by Daniel Villazon, Esquire, present – Commissioner Chotas moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AK – Ismael E. Romero Perez, present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 5 to 1.

Tab B – Dava Chanel Allen, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab C – Lazaro Mario Arcacha, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 2.

Tab D – Alyssa Atanasio, present – Commissioner Boring moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab G – Norma E. Blitch, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

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

Tab K – Dennis M. Dunnigan, Jr., present – Commissioner Chotas moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab L – Mark Dzulynsky, present – Applicant withdrew the application.

Tab O – Ludwig E. Guzman, present – Applicant withdrew the application.

Tab P – Cleveland N. Hammond, present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab R – Ryan W. Johnson, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab S – Jimmy Kassimis, present – Applicant withdrew the application.

Tab T – Daniel Kolb, present – Applicant withdrew the application.

Tab U – Andrew M. Latimer, present – Commissioner Podolsky moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab V – Ciera N. Lemire, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the vote was 3 to 3. No action taken.

Tab AA – Ricardo McClymont, Jr., present – Commissioner Podolsky moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

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

Tab AE – Nicola J. Perillo, present – Applicant requested to continue the matter and waived the 90-day requirement. Commissioner Podolsky moved; seconded by Commissioner Hornsleth to continue the application; the motion passed without dissent.

Tab AF – Schyler K. Pierce, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed 5 to 1.

Tab AG – Tatiana Quiroz, present – Applicant requested to continue the matter and waived the 90-day requirement. Commissioner Podolsky moved; seconded by Vice-Chair Fryer to continue the application until May; the motion passed without dissent.

Tab AH – Scott Reich, present – Applicant withdrew the application.

Tab AI – Gustavo A. Rivas, present – Applicant requested to continue the matter and waived the 90-day requirement. Vice-Chair Fryer moved; seconded by Commissioner Podolsky to continue the application; the motion passed without dissent.

Tab AJ – Jose Rodriguez, present – Applicant withdrew the application.

Tab AL – Zachary D. Stokes, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

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

Tab AM – Dan M. Susnjer, present – Commissioner Chotas moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AN – Russell E. Sykes, Jr., present – Applicant withdrew the application.

Tab AP – Gustavo Tomatti, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.

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

Tab AR – Konstantinos Tsoupeis, present – Commissioner Hornsleth moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 5 to 1.

Tab AS – Nico Valentino, present – Commissioner Podolsky moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AT – Julian J. Vogt, present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab I – Philippe Coriou, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

Tab E – Charles B. Ayers, not present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab F – Dane Baker, not present – Vice-Chair Fryer moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed 5 to 1.

Tab H – Marcus J. Bourne, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 5 to 1.

Tab M – Robert Egger, not present – Applicant requested a continuance until December 2015 and waived the 90-day requirement.

Tab Z – Sandra Lopera, not present – Applicant withdrew the application.

Tab AO – Emily Timlin, not present – Vice-Chair Fryer moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed 4 to 2.

Tab AQ – Melissa R. Toscano, not present – Applicant withdrew the application.

Agenda B

Tab A – Julian Galleo, Sr., not present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.

Tab B – Robin Renee Reid, not present – Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Special Agenda

Resolution for Commissioner Josh Podolsky

Chair Furst presented a resolution to Commissioner Josh Podolsky for his services to the Florida Real Estate Commission from December 7, 2011 through November 19, 2014. The Commission expressed their appreciation and wished him well in his future endeavors and that he will certainly be missed. Deputy Director Johnson also expressed her appreciation and expressed appreciation on behalf of Director Watkins and the Division staff. Commissioner Podolsky thanked everyone for welcoming him into the family stating that it has been pleasure and a very gratifying experience.

New Business

Vice-Chair Fryer requested to set a date for the Broker Syllabus update workshop and suggested January 12, 2015. Ms. Crawford stated that the conference room would be available on January 12, 2015, until 1:00 p.m. Commissioner Fryer suggested scheduling the workshop for 9:00 a.m. Deputy Director Johnson stated that the Division would coordinate the workshop.

Commission's Remarks

Chair Furst reported that she sat through an ARELLO meeting and that she would provide a report next month. Chair Furst added that she would request that the Division give some thought to sending some of the Commissioners. Ms. Johnson reported that the Division is requesting additional funds to allow more Commission and staff participation. Ms. Johnson also reported that she was recently was accepted as a member on the Commission Member Resource Committee and looks forward to participating.

Public Comments

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

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 3:10 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for December 16 and 17, 2014, in Orlando, Florida.



Darla Furst, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission