

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
November 15 and 16, 2016
General Meeting**

Chair Chip Boring, called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 15th day of November, 2016.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Thomas Luzier, Patricia Fitzgerald, Dick Fryer and Poul Hornsleth. 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; Lori Crawford, Executive Director; Josh Kendrick, Chief Attorney; James Whealdon, Assistant General Counsel; Appearing via teleconference: Alicia Bhambhani, Neil Lawson, Brande Miller, Megan Silver, Crystal Stephens and William Vogel, Assistant General Counsels; Jocelyn Pomaes, Education Coordinator; Warren Sanger, Licensing Supervisor; Susan Bailey, Regulatory Specialist III; Mike Davis, Regulatory Specialist III. American Court Reporting, Inc. (407) 896-1813 provided court services.

Approval of the Minutes

The Minutes of the September 20 and 21, 2016, and October 18 and 19, 2016, General Meetings, are deferred to November 16, 2016.

Reports

Enforcement Trends and Escrow Audits Reports

The report was deferred to December, 2016.

Unlicensed Activity Report

The report was deferred to December, 2016.

Monthly Exam Performance Summary Report

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

Application and License Count Reports

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

Legal Case Activity Report

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

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Whealdon presented 10 Escrow Disbursement Orders and 7 Orders for the Commission's consideration. The Commission entered into discussion. Commissioner Fryer moved to accept 10 Escrow Disbursement Orders and 7 Orders. Commissioner Luzier seconded the motion; the motion passed without dissent.

Legal Appearance Docket

Tab J – Mario L. Sanchez, SL 3262174; Case No. 2015040413 – Respondent's Request for Informal Hearing

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

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

Penalty: Suspension for 2 years; investigative costs of \$792.00. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2013), when he pled guilty to and was adjudicated guilty of one count each of Cannabis Trafficking >25 but <2000 lbs (or Plants), Controlled Substance/Possession of Place/Purpose of Trafficking, and Grand Theft 3rd Degree; Section 475.25(1)(p), Florida Statutes (2013), when he failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

Tab E – Gaby Elias Gadah SL 3174430; Case No. 2015001524 – Respondent's Request for Informal Hearing

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

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

Penalty: Suspension for 2 years; investigative costs of \$371.25; 2 complete FREC general meetings; probation for 2 years. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes (2014), by failing to account for or deliver the security deposit to Complainant or Owner upon demand; Section 475.42(1)(b), Florida Statutes (2014), when he operated as a broker. Section 475.42(1)(d), Florida Statutes (2014), when he collected a security deposit and rental payments in his and/or Gadah Group's name and not in the name of his employer.

Tab F – Gaby Elias Gadah SL 3174430; Case No. 2016007024 – Respondent's Request for Informal Hearing

Respondent was present; Respondent was represented by Thomas Crapps, Esquire, present. No current commissioners were recused due to participation on the probable cause panel.

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

Penalty: Suspension for 2 years to run concurrent with Case No. 2015001524; investigative costs of \$313.50; 28 hour reactivation; probation for 2 years. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2015), when he pled nolo contendere to and adjudication was withheld for one count of Scheme to Defraud (Less than \$20,000).

Tab C – Jack Elkins, SL 3226762; Case No. 2016003806 – Petitioner’s Motion for Informal Hearing

Respondent was present; Respondent was represented by Steven Johnson, Esquire, present. Chair Boring was recused due to participation on the probable cause panel.

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

Penalty: Administrative fine of \$500.00; investigative costs of \$102.30; attend 1 complete FREC general meeting ; probation for 6 months. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to report his guilty plea and conviction of driving under the influence and refusal to submit to chemical or physical test to Petitioner within 30 days.

Tab P – Rebecca Marie Davis, BL 583894; Case No. 2016003405 – Stipulation Settlement

Respondent was not present; Respondent was represented by Steven Johnson, Esquire, present. Chair Boring and Commissioner Fitzgerald were recused due to participation on the probable cause panel.

Mr. Whealdon represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Fryer to accept the Settlement Stipulation. The motion passed without dissent.

Penalty: Administrative fine of \$500.00; investigative costs of \$397.50; attend 1 complete FREC meeting; 3-hour core law course. **Violation(s):** Section 475.227(1)(t), Florida Statutes, by failing to inform the Commission in writing after pleading nolo contendere to and being adjudicated guilty of DUI and Damage to Person/Property.

Action taken: Settlement Stipulation accepted.

Tab T – Donna M. Wood, SL 3027649; Case No. 2016009484 – Stipulation Settlement

Respondent was not present; Respondent was represented by Leighton Hyde, Esquire, present. Vice-Chair Luzier was recused due to participation on the probable cause panel.

Mr. Whealdon represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Fryer to accept the Settlement Stipulation. The motion passed without dissent.

Penalty: Administrative of \$500.00; investigative costs of \$495.00; complete a 3-hour core law course; attend 1 complete FREC general meetings. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to timely inform the Commission in writing after being found guilty of DUI Unlawful Blood Alcohol with Property Damage/Injury .

Action taken: Settlement Stipulation accepted.

Tab Q – Patrick Dearborn LLC, SL 3283528; Case No. 2016003104 – Stipulation Settlement

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

Ms. Bhambhani represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Fitzgerald to accept the Settlement Stipulation. The motion passed without dissent.

Penalty: Administrative fine in the amount of \$500.00; investigative costs of \$297.00; complete a 3-hour core law course. **Violation(s):** Section 475.25(1)(a), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to submit a written report to the Department within 30 days of pleading no contest to one count of Reckless Driving (Reduced from a DUI).

Action taken: Settlement Stipulation accepted.

Tab R – Charles Darrell Lopez, SL 3292994; Case No. 2015043139 – Stipulation Settlement

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

Mr. Lawson represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved, seconded by Commissioner Fitzgerald to accept the Settlement Stipulation as modified. The motion passed without dissent.

Penalty: Administrative fine in the amount of \$500.00; investigative costs of \$387.75; 1 complete FREC general meeting. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to report his plea of nolo contendere to “Make Harassing Phone Call” to the Department within 30 days.

Action taken: Settlement Stipulation modified and accepted.

Tab Y – Carol Ann Kemp, ZH 1002708; Case No. 2015048866 – Petitioner’s Motion for Waiver and Entry of Final Order

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

Ms. Bhambhani represented the department and presented the case to the Commission. The Commission granted the waiver hearing and entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fryer to find Respondent guilty. Vice-Chair Luzier moved; seconded by Commissioner Hornsleth to impose the following penalty:

Penalty: Administrative fine of \$2,000.00; investigative costs of \$222.75; 1 year probation. **Violation(s):** Section 475.4511(2), Florida Statutes, by inaccurately advertising a pre-licensure course that requires twenty-five (25) hours instead of the mandated sixty-three (63) hours per Rule 61J2.3008(1), Florida Administrative Code; and misleadingly advertising a pre-licensure course as being available through correspondence delivery without noting the hardship requirement of Rule 61J2.3.008(4)(b)2, Florida Administrative Code.

Tab B – Central Florida Real Estate Schools Inc., CQ 1001792; Case No. 2015046645 – Petitioner’s Motion for Informal Hearing

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

Ms. Bhambhani represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fryer to find Respondent guilty. The motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fryer to impose the following penalty:

Penalty: Administrative fine of \$1,000.00; investigative costs of \$726.00; 1 year probation. **Violation(s):** Section 475.4511(2), Florida Statutes by inaccurately advertising a pre-licensure course that requires twenty-five (25) hours instead of the mandated sixty-three (63) hours per Rule 61J2.3008(1), Florida Administrative Code; and misleadingly advertising a pre-licensure course as being available through correspondence delivery without noting the hardship requirement of Rule 61J2.3.008(4)(b)(2), Florida Administrative Code.

Tab M – David A Wood, SL 3088424; Case No. 2016021123 – Respondent’s Request for Informal Hearing

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

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

Action Taken: Administrative Complaint dismissed.

Tab A – Luis Jorge Alonso, SL 3179068; Case No. 2015040373 – Respondent’s Request for Informal Hearing

Respondent was not present; Respondent was represented by Raquel Leon-Pereira, Esquire not present. Vice-Chair Luzier was recused due to participation on the probable cause panel.

Ms. Stephens represented the department and presented the case to the Commission. Ms. Leon-Pereira requested a continuance on behalf of the Respondent. Commissioner Hornsleth moved, seconded by Commissioner Fryer; motion passed without dissent to continue the matter until January 2017.

Action taken: Case continued until January 2017.

Tab H – Stas Matias, SL 3252660; Case No. 2016003012 – Respondent’s Request for Informal Hearing

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

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

Penalty: Administrative fine of \$1,000; investigative costs of \$280.50. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to inform the Commission in writing after pleading nolo contendere to and being adjudicated guilty of Battery.

Tab I – Juan C. Murillo, BK 3223844; Case No. 2015052268 – Respondent’s Request for Informal Hearing

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

Mr. Whealdon represented the department and presented the case to the Commission. The Respondent requested a continuance. The Commission entered into discussion. Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the request. The motion passed without dissent. Commissioner Fryer moved; seconded by Vice-Chair Luzier to find Respondent guilty. The motion passed without dissent. Commissioner Fryer moved; seconded by Vice-Chair Luzier to the following penalty:

Penalty: Administrative fine of \$1,000; investigative costs of \$112.20; license suspended until Respondent complies with this case and the previous Final Order is paid; attend 1 complete FREC general meeting; probation for 10 years. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with a Final Order by failing to pay the \$1,000 fine.

Tab K – Smart Choice Realtors Inc., CQ 1047296; Case No. 2015022539 – Petitioner’s Motion for Informal Hearing

Respondent was present; Respondent was represented by Richard L. Skeen, Esquire not present. Chair Boring was recused due to participation on the probable cause panel.

Ms. Stephens represented the department and presented the case to the Commission. The Respondent requested a continuance. Commissioner Hornsleth moved, seconded by Commissioner Fryer; motion passed without dissent to continue the matter until December 2016.

Action taken: Case continued until December 2016.

Tab L – Veronica Ulloa, SL 3088723; Case No. 2016015965 – Respondent’s Request for Informal Hearing

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

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

Penalty imposed: Revocation; investigative costs of \$387.75. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when Respondent pled guilty and was convicted of making and presenting a false, fictitious and fraudulent claim upon and against the United States; Section 475.25(1)(p), Florida Statutes, by failing to inform the commission of Respondent's felony guilty plea and conviction of making and presenting a false, fictitious an fraudulent claim upon and against the United States within 30 days of the plea.

Tab N – Ciara Elizabeth Seng, SL 3252566; Case No. 2016016563– Respondent's Request for Issuance of a Final Order

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

Mr. Whealdon represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved, seconded by Commissioner Hornsleth to find Respondent guilty. Commissioner Fryer moved; seconded by Commissioner Hornsleth; the motion passed without dissent motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine of \$750.00; investigative costs of \$247.50; complete a 3-hour core law course; attend 1 complete FREC general meeting; probation for 6 months. **Violation(s):** Section 475.227(1)(t), Florida Statutes, by failing to timely inform the Commission in writing after entering a plea of nolo contendere to the crime of Driving While Under the Influence.

Tab O – Janine Amanda Alexander, SL 3289606; Case No. 2015040208 – Stipulation Settlement

Respondent was not present; Respondent was not represented by counsel. Chair Boring 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 Fryer to accept the Settlement Stipulation. The motion passed without dissent.

Penalty: Administrative fine of \$500.00; complete a 3-hour core law course. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading nolo contendere to "Falsely Impersonating an Officer", by pleading nolo contendere to "Battery on an Elderly Person", and by pleading nolo contendere to "Uttering a Forged Bill, Check, or Draft"; Section 455.227(1)(t), Florida Statutes, by failing to report her pleas to "Falsely Impersonating an Officer" and "Battery on an Elderly Person" on May 22, 2015, failing to report her plea of "Misuse of 911" on May 22, 2015, and failing to report her pleas to "Uttering a Forged Bill, Check, or Draft" and "Resisting an Officer without Violence" on May 22, 2015 to the Department within 30 days.

Action taken: Stipulation Settlement accepted.

Tab S – Linda A. Pollog, SL 3267846; Case No. 2015042668 – Stipulation Settlement

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

Ms. White represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved to deny the stipulation and offer a counter a stipulation; seconded by Commissioner Fitzgerald. The motion passed 3 to 1.

Action taken: Stipulation rejected; Counter-stipulation offered.

Tab U – Joseph Keven Ard, BK 3187430; Case No. 2016003105 – Petitioner’s Motion for Waiver and Entry of Final Order

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

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

Penalty: Revocation; investigative costs of \$445.00. **Violation(s):** Section 475.25 (1)(d)1, Florida Statutes, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, or deposit; Section 475.25(1)(b), Florida Statutes, by failing to properly remit Subject Funds.

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

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

Ms. Bhambhani represented the department and presented the case to the Commission. Ms. Campiglia requested a continuance on behalf of the Respondent. Commissioner Fryer moved, seconded by Commissioner Fitzgerald; motion passed without dissent to continue the matter until December 2016.

Action taken: Case continued until December 2016.

Tab V – Karen Marie Berger, BK 533546; Case No. 2016011349 – Petitioner’s Motion for Waiver and Entry of Final Order

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

Mr. Whealdon represented the department and presented the case to the Commission. The Respondent requested a continuance. Commissioner Hornsleth moved, seconded by Commissioner Fitzgerald; motion passed without dissent to continue the matter until January 2017.

Action taken: Case continued until January 2017.

Tab G – Jae Hong, SL 3254461; Case No. 2015022270 – Petitioner’s Motion for Informal Hearing

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

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

Penalty: Suspension for 6 months; administrative fine of \$1,000.00; investigative costs of \$841.50; attend 1 complete FREC general meeting; probation for 12 months. **Violation(s):** Section 475.25 (1)(a), Florida Statutes, by acting as a Broker as defined by Section 475.01(1)(a), Florida Statutes, without being the holder of a valid and current active broker’s license.

Tab W – Jean Berthelot, SL 3226474; Case No. 2015025940 – Petitioner’s Motion for Waiver and Entry of Final Order

Respondent was not present; Respondent was not represented by counsel. No current members served on the probable cause panel.

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

Penalty: Revocation; investigative costs of \$1,089.00. **Violation(s):** Section 475.25 (1)(d)1, Florida Statutes, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, or deposit. Section 475.25(1)(b), Florida Statutes, by failing to properly remit Subject Funds.

Tab X – Investment Portfolio Management LLC, CQ 1047737; Case No. 2016005734 – Petitioner’s Motion for Waiver and Entry of Final Order

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

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

Penalty: Revocation; investigative costs of \$379.50. **Violation(s):** Section 475.25 (1)(d)1, Florida Statutes, when Respondent failed to account or deliver to any person, including a licensee under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, or deposit.

Tab Z – Andrew John Pietrak, SL 3230206; Case No. 2016019984 – Respondent’s Request for Entry of Final Order

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

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

Penalty: Administrative fine of \$750.00; investigative costs of \$82.50; attend 1 complete FREC general meeting; probation for 6 months. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to inform the Commission in writing after being convicted of Driving Under the Influence.

Tab AA – Mario Rodriguez, BK 630149; Case No. 2015052114 – Petitioner’s Motion for Waiver and Entry of Final Order

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

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

Penalty: Investigative costs of \$437.25; complete a 4-hour escrow management course; probation for 120 days. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with the Final Order by failing to complete the four-hour escrow management course.

Tab AB – Joseph Michael Winpisinger, SL 3268729; Case No. 2015048087 – Petitioner’s Motion for Waiver and Entry of Final Order

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

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

Penalty: Administrative fine \$750.00; investigative costs of \$470.25; complete a 3-hour core law course; attend 1 complete FREC general meeting; probation for 6 months. **Violation(s):** Section 475.227(1)(t), Florida Statutes, by failing to inform the Commission in writing after pleading nolo contendere to and being adjudicated guilty of Trespassing Fail to Leave Property Upon Order by Owner.

General Session continued

Petition for Declaratory Statement received from Gustavo Serrano – DS 2016-0074

FREC Counsel Barnhart presented a Petition for Declaratory Statement for the Commission’s review and consideration. Petitioner was represented by Ryan M. Clancy, Esquire. FREC Counsel Barnhart recommended that the Commission issue a Final Order Denying Petition for Declaratory Statement. The Commission entered into discussion. Commissioner Hornsleth moved; Vice-Chair Luzier seconded the motion to deny the Declaratory Statement. The motion passed without dissent.

Review and Consideration of the Real Estate Education Courses

Tab C – Realtor Branding – New Course (11 hours, classroom) – Application No. 27891 – South Florida Real Estate School

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

Tab A – Divorce Elder Real Estate for Consumer Protection – New Course (12 hours, classroom) – Application No. 28152 – Collaborative Continuing Education Council, Inc.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to deny the course; Vice-Chair Luzier seconded the motion. The motion passed without dissent.

Tab B – Successfully Selling HUD Homes – New Course (3 hours, classroom) – Application No. 38151 – Freda Realty, Inc.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to deny the course; Vice-Chair Luzier seconded the motion. The motion passed without dissent.

Tab D – The Resource Efficient Homes – New Course (7 hours, classroom) – Application No. 28045 – St. Augustine & St. Johns County Board of Realtors

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab E – Representing Buyers and Sellers – New Course (7 hours, classroom) – Application No. 28071 – St. Augustine & St. Johns County Board of Realtors

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab F – The New Face of Risk – New Course (2 hours, classroom) – Application No. 28015 – Total Digital Security

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to deny the course; Vice-Chair Luzier seconded the motion. The motion passed without dissent.

Tab G – *Fraud Prevention* – New Course (3 hours, classroom) – Application No. 28129 – Title Resources Guaranty Co.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course for 2 hours; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab H – *Ethics & Professional Practice* – New Course (6 hours, distance) – Application No. 28022 – Van Education LLC

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab I – *Ethics for Realtors* – New Course (4 hours, distance) – Application No. 28149 – Van Education LLC

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Rule Discussion

Rules Report

FREC Counsel Barnhart reported on the status of the rules currently open for discussion, workshop or rulemaking and addressed questions and comments from the Commission.

Rule 61J2-3.009 – Continuing Education for Active and Inactive Broker and Sales Associate Licensees

FREC Counsel Barnhart presented this rule for discussion to address concerns received from the Joint Administrative Procedures Committee (JAPC) relating to section (1)(f), (2)(b) and (4)(b). Mr. Barnhart requested the Commission consider revising the rule to address JAPC's concerns. The Commission received suggested language from Ms. Linda Crawford, Dearborn Education to address JAPC's concerns. The Commission also received comments from Margy Grant, Counsel, Florida Realtors. The Commission entered into discussion and deferred voting until tomorrow upon review of the final language.

Special Agenda

Tab A – Request for Multiple Broker License from Raymond Butterfield

Mr. Butterfield was present. The Commission heard from the applicant entered into discussion. Commissioner Fryer moved; seconded by Commissioner Fitzgerald to deny the application no. 4440157 for a multiple broker license based upon Section 475.215, Florida Statutes; the motion passed without dissent.

Tab B – Request for Multiple Broker License from Robbert Gaarlandt – reconsideration

Mr. Gaarlandt was present and was represented by Jeremiah Blocker, Esquire, present. The Commission entered into discussion. Mr. Gaarlandt was present. Commissioner Fryer moved; seconded by Vice-Chair Luzier to uphold the previous denial of application number 4367523 for a multiple broker license based upon Sections 455.213(3) and 475.215, Florida Statutes; the motion passed without dissent.

Consent Agenda A

The Commission considered 20 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commissioner Furst to approve 17 applicants and require 3 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Aliabadi, Ali	Cronce, Richard W Jr.	Middleton, Mark Allen
Amaro, Aldo	Cunningham, Pauline	Nester, Lauren E.
Baerga, Madelyn	Fell, Austin David	Oberle, Bryan
Bozkurt, Levent	Harris, Carla A.	Smith, Lawrence R.
Broker, Beau	Lovitt, Linda Lee	Williams, Michael C.
Cohen, Michelle C.	Meireis, Ingo Horst	

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

Garner, Karen	Matamoros Medina, Angela	Terrero, Belkis A.
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Consent Agenda B

The Commission considered 64 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Luzier to approve 42 applicants and require 22 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Abreu, Melissa Iris	Gonzalez, David Jr.	Rodriguez, Jeff
Agnew, Priscilla	Graham, James Lamar Sr.	Runyan, Robert C.
Artis, James Perry Jr.	Hancock, Joseph Arthur	Santana, Victoria
Bain, John Joseph	Hive, Lionel	Schweitzer, Terry
Bray, Jennifer Ann	Leong, Jennifer M.	Skarr, Catherine J. LLC
Campbell, Kareem Anthony	Mattocks, Jamie Marcella	Skidmore, Michelle
Colon, Patricia	Pereira, Giselly	Soldi, Edward Albert Jr.
Dalton, Steve Keith	Perez, Jose	Sperduti, Aaron
Damico, Michael Paul	Pinto, John	Stermer, Thomas W. III
Falero, Luis Daniel	Pitta, Sergio	Stiehler, Shana
Flores, Joseph	Pitts, Travis L Sr.	Thurmond, Judy L.
Garcia, Jeison	Powell, Amber N.	Trussell, Danielle A.
Gartrell, Ryan A.	Riley, Karen	Vazquez Rivera, Gerardo
Gaudier, Francisco	Rodriguez, Andres	Wilt, Megan V.

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

Alcoser, Jose Alejandro	Mendez, Mario Luis	Secure, William P.
Anderson, Samuel Jason	Occhiuto, Jacquae	Shingler, Christine D.
Anthony, Marvin	Oliver, Sarah Jane	Soto, Joel
Cassady, Steven D.	Orrell, Harry Lamar	Stovall, Kelli L.
Jones, Gena	Queypo, Keal II	Tape, Ronnie
Levy, Kfir	Rodriguez, Maria C.	Voss, Matthew
Lockeby, Pamela M.	Ross, Travis	Waller, Christopher A.
McDowell, Clement A.		

General Session continued

Public Comments

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

Recess

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

November 16, 2016

Chair Chip Boring reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 16th day of November, 2016.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Thomas Luzier, Patricia Fitzgerald, Dick Fryer and Poul Hornsleth. 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; Lori Crawford, Executive Director; Josh Kendrick, Chief Attorney; Warren Sanger, Licensing Supervisor; Janice Lugo, Regulatory Consultant; Mike Davis, Regulatory Specialist III; Jeannie Adkinson, Regulatory Specialist III. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

Licensing Supervisor Warren Sanger presented 80 Summary of Applicants requesting to sit for the real estate examination.

Tab H – Robert Bazo, present; was represented by Nancy Campiglia, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BB – Michael Lewis Neal, not present; was represented by Nancy Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab J – Juan Castaneda, present; was represented by Steven W. Johnson, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4 to 1.

Tab M – Richard Jose Correa, present; was represented by Steven W. Johnson, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab K – Ramon S. Cedana, present; was represented by Daniel Villazon, Esquire, present – Applicant requested a continuance and waived the 90-day requirement.

Tab R – Carolina Espinosa, present; was represented by Daniel Villazon, Esquire, present – Applicant requested a continuance and waived the 90-day requirement.

Tab AA – Pablo M. Gutierrez Jr., not present; was represented by Daniel Villazon, Esquire, present – Applicant requested a continuance and waived the 90-day requirement.

Tab AC – Jarid Leston Hardin, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BD – Taylor Robert Newman, present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BN – Daniel Wayne Sartori, present; was represented by Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BT – Erin Morgan Stubbs, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BY – Lesli Vercosa, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate with conditions; the motion passed 4 to 1.

Tab CA – Earnest Vickers III, present; was represented by Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AG – Lacey Ann Houston, present; was represented by Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab A – Michael B. Galler Jr., present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab C – Esther M. Sanchez Felicano, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AN – Leydis Lopez, present – Application Withdrawn.

Tab D – Gabart Aleger, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4 to 1.

Tab E – Tom I. Barrett, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab G – Angela D. Adu Poku, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab O – Carolina Susana Cruz, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for broker; the motion passed without dissent.

Tab P – Jeremy Lee Diggs, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Q – Timothy David Ellerbe, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab S – Boris Falconer, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate with conditions; the motion passed without dissent.

Tab T – Claudio Aramis Fernandez Jr., present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab U – Mark Fletcher, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab W – Sonya Lynn Fureigh, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for broker; the motion passed without dissent.

Tab X – Harold Gear, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab Y – Omar Germany, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab Z – Amber L. Griffin, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AB – Larry Hampton, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AD – Jeremy Louis Hardin, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AE – Candice Lajune Hershey, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AF – Bobby Horta, present – Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab AI – Duy Ngoc Huynh, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AK – Alejandra Jobson, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AL – Torrance Jones, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AM – Angela Long, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AO – Patrick Stephen Mackay, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application with conditions for sales associate; the motion passed without dissent.

Tab AP – Nicholas A. Maldonado, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AQ – Lashunda Davis Mangum, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AS – Milton Scott May, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AU – Nancy Diana Michel, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AV – Joseph Minor, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AW – Lakendra Moore, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AX – Miriam Morales, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate with conditions; the motion passed 3 to 2.

Tab BC – Katherine Miller Nelson, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BA – Zakary Najac, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BE – Vu Linh Nguyen, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed without dissent.

Tab BF – Eugene Park, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BG – Michael Perryman, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BH – Louis Ronald Prophete Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 4 to 1.

Tab BI – Bryan Regueira, present – Application withdrawn.

Tab BK – Luis Roses, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BO – Valery Scancellia, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BM – Jessica Alejia Santiago, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BQ – Daniel Aaron Sigafos, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BR – Noel Roy Sinclair Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed 4 to 1.

Tab BS – Joseph Stadler, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BU – Brandon Evan Taylor, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BZ – Elize Verty, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4 to 1.

Tab CB – Natasha Vogl, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab CC – David Anthony Wallace, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab B – Alex Menahem Roth, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to deny the application for broker; the motion passed without dissent.

Tab F – Joseph D. Back, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Luzier to approve the application for sales associate; the motion passed without dissent.

Tab I – Michelle Lee Brock, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

Tab L – Donald Charnin, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

Tab N – Austin Cranz, not present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to deny the application for sales associate; the motion passed without dissent.

Tab V – Arthur Boston Floyd, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

Tab AH – Justin Robert Howenstine, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab AJ – Kurtis Roy Jeter, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

Tab AR – Ryan Chad Mason, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab AT – Laura Marie McKamey, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AY – Patrick James Mulvaney, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AZ – Aaron Nagler, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to approve the application for sales associate; the motion passed without dissent.

Tab BJ – Mauricio Rocabado, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

Tab BL – Victor Rothaar, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab BP – Tennile Shynique Shell, not present – Vice-Chair Luzier moved; seconded by Commissioner Fitzgerald to deny the application for sales associate; the motion passed without dissent.

Tab BV – Graham Berdj Tchividjian, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab BW – Richard Van Der Dijs, not present - Commissioner Hornsleth moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Tab BX – Andrew Francisco Vargas, not present – Commissioner Fryer moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Approval of the Minutes

Vice-Chair Boring moved to approve the Minutes of the September 20 and 21, 2016, General Meeting, as written. Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

The Minutes of the October 18 and 19, 2016, General Meeting, are deferred to December 2016.

Rule Discussion

Rule 61J2-3.009 – Continuing Education for Active and Inactive Broker and Sales Associate Licensees

Director Watkins presented the rule language Ms. Linda Crawford provided and stated that the changes are consistent with the Commission's discussion yesterday. Commissioner Hornsleth moved to accept the language as presented; Commissioner Fryer seconded the motion; the motion passed without dissent. The Commission expressed their sincere appreciation for Ms. Linda Crawford's assistance.

Director's Comments

Director Watkins reported that the department and division are working on the budget issues and will present the First Quarter Financials next month.

Director Watkins reported that the National Association of Realtors Convention was recently held in Orlando and that she and Deputy Director Johnson were fortunate to be able to participate in an event along with many other Realtor members to help feed the homeless. Commissioner Fryer also participated. Ms. Watkins stated that it was a very rewarding experience.

Public Comments

The Commission received a comment from Robert Borr, Esquire. The Commissioners and Director Watkins addressed Mr. Borr's comments.

The Commission wished everyone has a happy and safe Thanksgiving Holiday.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 3:45 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for December 13 and 14, 2016, in Orlando, Florida.



Claude "Chip" Boring, Chair
Florida Real Estate Commission



Lori Crawford, Executive Director
Florida Real Estate Commission