

Matilde Miller, Interim Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
December 13 and 14, 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 13th day of December, 2016.

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

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Lori Crawford, Executive Director; Josh Kendrick, Chief Attorney; Alicia Bhambhani, Jenny Schwartz, Crystal Stephens and James Whealdon, Assistant General Counsels; Appearing via teleconference: Brande Miller and William Vogel, Maureen White, Assistant General Counsels; Jocelyn Pomales, 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

Commissioner Fitzgerald moved to approve the Minutes of the October 18 and 19, 2016. Vice-Chair Luzier seconded the motion. The motion passed without dissent.

The Minutes of the November 15 and 16, 2016, are deferred to December 14, 2016.

Reports

Enforcement Trends and Escrow Audits Reports

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

Unlicensed Activity Report

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

Monthly Exam Performance Summary Report

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

Financial Reports

Director Watkins presented the Financial Reports ending September 30, 2016. Director Watkins addressed questions and comments from the Commission.

Quarterly Education and Foundation Scholarship Report

Deputy Director Johnson stated that the report was provided last month, however, she inquired if the Commission had any additional questions. The Commissioners had no additional questions.

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 6 Escrow Disbursement Orders and 6 Orders for the Commission's consideration. The Commission entered into discussion. Commissioner Hornsleth moved to accept 6 Escrow Disbursement Orders and 4 Orders. Commissioner Luzier seconded the motion; the motion passed without dissent.

Commissioner Luzier requested to discuss Tabs J and L, the department recommended for interpleader. Mr. Vogel addressed Commissioner Luzier's questions. After discussion, Commissioner Hornsleth moved to accept the Orders under Tabs J and L. Commissioner Luzier seconded the motion; the motion passed without dissent.

Legal Appearance Docket

Agenda B, Tab A – Walner Gerard Gachette, BK 3152573; Case No. 201508473 – 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. The Commission entered into discussion. 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.

Agenda A

Tab O – Gustavo J. Mas, SL 3079148; Case No. 2016023646 – Stipulation Settlement

Respondent was not present; Respondent was represented by Steven W. Johnson, Esquire, present. 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 to deny the Settlement Stipulation as presented and offer a counter Stipulation. Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Action taken: Counter Stipulation Settlement offered.

Tab Q – Nadia Melatta Zebold, SL 3245407; Case No. 2015043788 – Stipulation Settlement

Respondent was not present; Respondent was represented by Steven W. Johnson, Esquire, present. 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 to deny the Settlement Stipulation as presented

and offer a counter Stipulation. Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Action taken: Counter Stipulation Settlement offered.

Tab A – William Keith Leary, SL 555308; Case No. 2015020264 – Respondent’s Request for Informal Hearing

Respondent was present; Respondent was represented by Steven W. Johnson, 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 entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Fitzgerald to find Respondent guilty. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed without dissent motion passed without dissent to impose the following sanctions:

Penalty imposed: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2016), when he pled nolo contendere to and was adjudicated guilty of eight counts of Misapplication of Construction Funds between \$1,000 to \$1000,00, all second-degree felonies.

Tab G – Reynaldo Valls, SL 3191195; Case No. 2015028696– Respondent’s Motion for Reconsideration

Respondent was present; Respondent was represented by Randy Schwartz, 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. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to grant the reconsideration. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed without dissent to modify the penalty of the existing Final Order and impose the following sanctions:

Penalty imposed: Administrative fine of \$1,000.00; investigative costs of \$511.50; attend 3 complete FREC general meetings; complete a 3-hour core law course; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading guilty to one count of “Trafficking Cannabis/25-2000LBS”; Section 475.25(1)(a), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes. Respondent violated Section 455.227(1)(t), Florida Statutes, by failing to submit a written report to the Department within 30 days of pleading guilty to one count of “Trafficking Cannabis/25-2000LBS.”

Tab D – Crystal Lynnette McGriff, SL 3346853; Case No. 2015014867 – Respondent’s Motion for Reconsideration

Respondent was present; Respondent was represented by Daniel Villazon, 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. Commissioner Fitzgerald moved; seconded by Vice-Chair Luzier to grant the reconsideration. Commissioner Fitzgerald moved; seconded by Vice-Chair Luzier; the motion passed without dissent to modify the penalty of the existing Final Order and impose the following sanctions:

Penalty imposed: Administrative fine of \$1,500.00; investigative costs of \$280.50; attend 2 complete FREC general meetings; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2014), when she pled nolo contendere to Leaving the Scene of an Accident with Injuries; Section 475.25(1)(p), Florida Statutes (2014), when she failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

Tab F – Jessica Adria Redondo, SL 3265712; Case No. 2015044798 – Respondent’s Request for Informal Hearing

Respondent was present; Respondent was represented by Daniel Villazon, Esquire, 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. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine of \$250.00; investigative costs of \$1,179.75; attend 1 complete FREC general meeting; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes, when she pled nolo contendere to one count of possession of cannabis with intent to sell, manufacture or deliver, a crime involving moral turpitude; Section 475.25(1)(p), Florida Statutes, by failing to inform the commission of her felony plea of nolo contendere to one count of possession of cannabis with intent to sell, manufacture or deliver; and two counts of possession of a controlled substance within 30 days of the plea.

Tab K – Monica A. Venegas, BK 615819; Case No. 2015028694 – Respondent’s Motion for Reconsideration

Respondent was present; Respondent was represented by Daniel Villazon, 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 entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to grant the reconsideration. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed without dissent to modify the penalty of the existing Final Order filed September 27, 2016, and impose the following sanctions:

Penalty imposed: Investigative costs of \$1,072.50; attend 1 complete FREC general meetings; probation for 1 year. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to timely remit the funds to the Owner upon demand; Section 475.23, Florida Statutes, by failing to notify the commission of the change of address for the Brokerage within 10 days after the address changed; Rule 61J2-10.038(2), Florida Administrative Code, by failing to notify the Department of her change of address within 10 days after her address changed.

Tab J – Venegas Internationals Group LLC, CQ 1039977; Case No. 2015034694 – Respondent’s Motion for Reconsideration

Respondent was present; Respondent was represented by Daniel Villazon, Esquire, present. No current members served on probable cause.

Ms. Stephens represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to grant the reconsideration. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed without dissent to modify the penalty of the existing Final Order filed September 27, 2016, and impose the following sanctions:

Penalty imposed: Investigative costs of \$891.50; probation for 1 year. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to timely remit the funds to the Owner upon demand; Section 475.23, Florida Statutes, by failing to notify the commission of the change of address for the Brokerage within 10 days after the address changed.

Tab P – Steven John Morse, SL 3283860; Case No. 2016022980 – Stipulation Settlement

Respondent was not present; Respondent was represented by Daniel Villazon, 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. 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 of \$500.00; investigative costs of \$148.50; 3-hour core law course; probation for 6 months. **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 E – Andres Quintanilla, SL 3117419; Case No. 2015034875 – Petitioner’s Motion for Informal Hearing

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

Ms. White represented the department. The Respondent requested a continuance. The Commission entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Fitzgerald; motion passed without dissent to continue to the matter until January 2017.

Action taken: Case continued to January 2017.

Tab I – Walton Moore Chalmers, II, SL 3252282; Case No. 2015030548– Respondent’s Request for Issuance of a Final Order

Respondent was present; Respondent was not represented by counsel. Commissioner Fryer served on the probable cause panel. Commissioner Fryer was excused and not present.

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 find Respondent guilty. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; the motion passed without dissent motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine of \$500.00; investigative costs of \$122.10; 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 being found guilty of the crime of Driving Under the Influence.

Tab H – Warren T. Merriman, III, SL 3171587; Case No. 2016014426 – Respondent’s Request for Informal Hearing

Respondent was present; Respondent was not represented by counsel. Commissioner Fryer served on the probable cause panel. Commissioner Fryer was excused and not present.

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

Action taken: Administrative Complaint dismissed.

Tab T – Robert Benton Ellis, BK 3032786; Case No. 2015036288 – Petitioner’s Motion for Waiver and Entry of Final Order

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

Penalty: Investigative costs of \$1,412.40. **Violation(s):** Section 475.25(1)(f), Florida Statutes (2015), when he pled nolo contendere to and had adjudication withheld for two counts of Dealing in Stolen Property.

Tab C – Charles Marchica, Jr., BK 3197532; Case No. 2016015297 – Respondent’s Motion for Informal Hearing

Respondent was present; Respondent was not represented by counsel. Commissioner Fryer served on the probable cause panel. Commissioner Fryer was excused and not present.

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

Penalty: Investigative costs of \$521.40. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with the Final Order by failing to attend two two-day FREC meetings within twelve months of the effective date of the Final Order.

Tab B – Scott Owen Lipman, BL 481308; Case No. 2016015049 – Respondent’s Request for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Commissioner Fryer served on the probable cause panel. Commissioner Fryer was excused and not present.

Ms. Schwartz 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 Hornsleth moved; seconded by Commissioner Fitzgerald to impose the following penalty:

Penalty: Revocation; investigative costs of \$255.75. **Violation(s):** Section 475.25(1)(f), Florida Statutes, Respondent pled guilty to “Conspiracy to Commit Wire and Mail Fraud.”

Tab L – Anthony Dyshanowitz, SL 3041191; Case No. 2015047724 – Stipulation Settlement

Respondent was not present; Respondent was represented by Mark A. Ebelini, Esquire, not 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. 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 of \$1,000.00; investigative costs of \$465.30; complete a 3-hour core law course; probation for 6 months. **Violation(s):** Section 475.42(1)(a), Florida Statutes, by advertising the sale of a business with the expectation of compensation without having a valid and current active license; Section 475.42(1)(b), Florida Statutes, by operating as a broker while holding a sales associate license and while not employed by a licensed broker.

Action taken: Settlement Stipulation accepted.

Tab M – Erik Jeffrey Ginsberg, SL 3011288; Case No. 2015046017 – Stipulation Settlement

Case withdrawn.

Tab N – Nazareno Exequiel Lianza SL 3264128; Case No. 2015051183 – 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.

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 Fitzgerald to accept the Settlement Stipulation. The motion passed without dissent.

Penalty: Administrative of \$750.00; investigative costs of \$277.20; complete a 3-hour core law course; attend 1 complete FREC general meetings. **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 the crime of DUI Alcohol or Drugs and pleading guilty to the crimes of Aggravated Assault with a Deadly Weapon Without Intent to Kill, a crime of moral turpitude, Battery, Criminal Mischief- \$1,000 or more, and Criminal Mischief \$200 and under; Section 475.25(1)(f), Florida Statutes, by entering a guilty plea to Aggravated Assault with a Deadly Weapon Without Intent to Kill, a crime of moral turpitude.

Action taken: Settlement Stipulation accepted.

Tab R – Brian P. Fuller, BK 589908, BK 3266472, BK 3331231; Case No. 2016003431 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Bhambhani represented the department and presented the cases to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved, seconded by Vice-Chair Luzier to accept the Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

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

Tab S – Tina Renee Longwell, SL 3267846; Case No. 2016041221 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Bhambhani represented the department and presented the cases to the Commission. The Commission entered into discussion. Vice-Chair Luzier moved, seconded by Commissioner Fitzgerald to accept the Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

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

Tab U – Mark Gardner, SL 3309989; Case No. 201505916 – Petitioner's Motion for Waiver and Entry of Final Order

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

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

Penalty: Revocation; investigative costs of \$346.50. **Violation(s):** Section 475.25 (1)(f), Florida Statutes, by pleading guilty to one count of "Conspiracy to Commit Mail and Wire Fraud" and one count of "money Laundering"; 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 guilty to one count of "Conspiracy to Commit Mail and Wire Fraud" and one count of "money Laundering."

Tab V – Juan Jose Montes, SL 3102954; Case No. 2015032265 – 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.

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

Penalty: Revocation; investigative costs of \$462.00. **Violation(s):** Section 475.25 (1)(f), Florida Statutes, by pleading guilty to one count of "Conspiracy to Commit Mail and Wire Fraud" and one count of "money Laundering"; 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 guilty to one count of "Conspiracy to Commit Mail and Wire Fraud" and one count of "money Laundering."

Tab W – Yamil Polanco, SL 3341825; Case No. 2016017502 – Petitioner’s Motion for Waiver and Entry of Final Order

Respondent was not present; Respondent was not represented by counsel. Commissioner Fryer served on the probable cause panel. Commissioner Fryer was excused and not present.

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

Penalty: Administrative fine of \$250.00; investigative costs of \$313.50; attend 1 complete FREC general meeting; probation for 6 months. **Violation(s):** Section 455.227(1)(t), Florida Statutes (2015), and thereby violating Section 475.25(1)(e), Florida Statutes (2015), by failing to report to the department within 30 days after entering a guilty plea to one count of Reckless Driving.

Tab X – Juan Antonio Rodriguez, Jr., SL 3015181; Case No. 2016001512 – Petitioner’s Motion for Waiver and Entry of Final Order

Respondent was not present; Respondent was not represented by counsel. 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. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; motion passed without dissent to grant a continuance until January 2017.

Action taken: Continued until January 2017.

General Session continued

Petition for Declaratory Statement received from St. Petersburg Housing Authority – DS 2016-084

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

Petition for Declaratory Statement received from Robert Borr – DS 2016-085

FREC Counsel Barnhart presented a Petition for Declaratory Statement for the Commission's review and consideration. Petitioner was present. The Commission entered into discussion. Vice-Chair Luzier moved; Commissioner Hornsleth seconded the motion to decline issuing a Declaratory Statement based on the nature of the request. 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.

Chair Boring commented that a common topic of discussion at ARELLO related to advertising. Director Watkins Director stated that if the Commission is amenable to the idea of holding a workshop, the Division will contact Florida Realtors to see if we can get something on the calendar for spring to discuss various solutions relating advertising.

Review and Consideration of the Real Estate Education Courses

Tab A – *Housing Discrimination: A Closer Look* – New Course (1 hour, classroom) – Application No. 28119 – Kelley & Grant, PA

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

Tab B – *Advanced Land Lording* – New Course (1 hour, classroom) – Application No. 28120 – Kelley & Grant, PA

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

Tab C – *Title & Closing: What You Need to Know* – New Course (1 hour, classroom) – Application No. 28125 – Kelley & Grant, PA

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

Tab D – *Basic Land Lording* – New Course (1 hour, classroom) – Application No. 28128 – Kelley & Grant, PA

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

Tab E – 14-Hour Continuing Education – New Course (14 hours, classroom) – Application No. 27209 – Maximum Success, Inc.

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

Tab F – NAR RSPA Resort & Second Home Markets: Home Sweet Home, Investments, Luxury Properties – New Course (11 hours, classroom) – Application No. 28375 – South Florida Real Estate School

The applicant was not present in support of the application. The Commission entered into discussion. Vice-Chair Luzier moved to approve the course for 8 hours; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Consent Agenda A

The Commission considered 43 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve 28 applicants and require 15 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Allison, Mellissa Marie	Indorato, Michael Paul Sr.	Nolfo, Ashly Ryan
Benkirane, Hamza	Jewell, Charles Edward III	Peterson, Migdalia
Bogardus, Estrella Ramona	Jones, Christopher	Ravelo, Christina Chrystal
Boyd, Paxton	Kim, Paul Byungki	Shaw, Tangie P.
Bradley, David Wayne	Massimo, Lindsay	Suberi, Robyn
Cannon, John Colbourn Jr.	Miller, Kimberlee Robin	Swindell, Matthew
Caslin, Joseph Charles	Modico, Anthony	Weed, Peter M
Davis, Brandi Nicole	Mullen, John Arthur	West, Robert
Glysson, Jerad	Nahorney, Jason	Yancy, Darrell Bernard
Henrique, Lindsey Kaye		

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

Barajas, Isley Karina	Fraser, Richard	Pizarro, Anthony
Chrzaszcz, Bozena M	Graves, Bryan Sr.	Stanish, Edward
Combee, William	Johnson, Niki Lafaye	Thompson, Nicole
Edmonds, Calvin Shane	Lawhorn, Rickey Collon	Turley, Kathleen Ellen
Fraley, Kimberly Erin	Mazuera, Juan Fernando	Wooster, Jessica

Consent Agenda B

The Commission considered 30 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve 25 applicants and require 5 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Agee, Antonio Jamaal Sr.	Gorewitz, Marc	Rivera, Vanessa Alicia
Agostini Gonzalez, Ramon F.	Knecht, Bruce Paul	Ruiz, Pedro Andres
Ayala, Juana Ines	Langford, Donald P.	Salcedo, Ivonne
Barnes, Willie Calvin Jr.	Marcano, Hiram	Santiago, Angel Luis
Brannon, Cheryl Lynn	Martinez Silva, Teddy	Schake, Hunter
Cablsh, Brettin Jacob	Morris, Gylian Elaine	Snyder, Donald Alexander

Casas, John
Crooks, Sean
Ducharme, Michelle

Riggins, Robert B.
Rivera, Evelyn Ann

Uman, Jon
Yawn, Carah

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

Jackson, Marissa Ann
Quinn, Hillary

Ray, David Arthur
Senff, Stephen Mark

Slayton, Monty

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 3:00 p.m. until 8:30 a.m. tomorrow.

December 14, 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 14th day of December, 2016.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Thomas Luzier, Patricia Fitzgerald, Dick Fryer, Poul Hornsleth and Thomas Luzier. 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; Alicia Bhambhani, Crystal Stephens and Joseph Whealdon, Assistant General Counsels; Warren Sanger, Licensing Supervisor; Janice Lugo, Regulatory Consultant; Mike Davis and Jeannie Adkinson and Brittany Rogan, Regulatory Specialist III. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

Licensing Supervisor Warren Sanger presented 86 Summary of Applicants requesting to sit for the real estate examination.

Tab H – Marvin Anthony, present; was represented by Marycruz Aguiar and Nancy Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4 to 1.

Tab U – Joseph Anthony Gavagni, not present; was represented by Marycruz Aguiar and Nancy Campiglia, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Tab Z – Jeffery Harvey, present; was represented by Steven W. Johnson, Esquire, present – Commissioner Luzier moved; seconded by Commissioner Hornsleth to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AJ – Brenda Lee McCann, present; was represented by Duke Fagan, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AW – Alexandra Caesara Perlini, present; was represented by Richard Perlini, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab J – Miriam Batdes, 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 4 to 1.

Tab V – Christopher B. Geissler, 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 AV – Kenneth Alexander Oxsalinda, present; was represented by Daniel Villazon, Esquire, present – Application Withdrawn.

Tab AK – Clement A. McDowell, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed 4 to 1.

Tab A – James A. Cassidy, present – informal – Commissioner Hornsleth moved; seconded by Commissioner Fryer to vacate the previous denial; the motion passed without dissent. Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate with conditions; the motion passed without dissent.

Tab B – Christopher Derek Halloran, present – informal – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to vacate the previous denial and approve the application for sales associate with conditions; the motion passed 4 to 1.

Tab C – MacKenzie Raven Peatfield, present – informal – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to vacate the previous denial and approve the application for sales associate with conditions; the motion passed 4 to 1.

Tab D – Earnest Vickers III, present – informal – Commissioner Hornsleth moved; seconded by Commissioner Fryer to vacate the previous denial and approve the application for sales associate with conditions; the motion passed without dissent.

Tab E – Jabari Scruggs, present – informal – Commissioner Fryer moved; seconded by Commissioner Hornsleth to vacate the previous denial and approve the application for sales associate with conditions; the motion passed without dissent.

Tab F – Jose Alejandro Alcoser, present – Commissioner Hornsleth moved; seconded by Vice-Chair Luzier to approve the application for sales associate; the motion passed without dissent.

Tab G – Samuel Jason Anderson, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab I – James Perry Artis Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab K – Jack Harding Bond Jr., present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

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

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

Tab M – Steven D. Cassidy, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4 to 1.

Tab O – Brendan Clery, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab P – Vernice Margaret Dauphin, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for broker; the motion passed without dissent.

Tab Q – Terry Dowding, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for broker; the motion passed without dissent.

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

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

Tab Y – George Felix Gutierrez Sr., present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

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

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

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

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

Tab AI – Angela M. Matamoros Medina, present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

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

Tab AN – Veronique M. Mildor, present – Application withdrawn

Tab AQ – Gary D. Natkin, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AR – Jacquae Occhiuto, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AS – Perry Oken, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate with conditions; the motion passed 4 to 1.

Tab AT – Sarah Jane Oliver, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AU – Harry Lamar Orrell, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application with conditions for sales associate; the motion passed 4 to 1.

Tab AY – Laura M. Potter, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AZ – Brent Howard Pryor, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BA – Frank Daniel Pujol, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 3 to 2.

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

Tab AP – Randall Morris, not present; was represented by Nancy Campiglia, Esquire, present – Case continued

Tab BC – James Alexander Rimer, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

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

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

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

Tab BH – Victor Rothaar, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to deny the application for sales associate with conditions; the motion passed 3 to 2.

Tab BJ – Armando Cesar J.D Santana, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

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

Tab BM – Richard K. Shields, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed without dissent.

Tab BN – Christine D. Shindler, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab BP – Kelli Lynn Stoval, present – Vice-Chair Luzier moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab BQ – Ronnie Tape, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab BR – Belkis A. Terrero, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application with conditions for sales associate; the motion passed 3 to 2.

Tab BT – Asteripi Taslickis, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

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

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

Tab BX – Munodaoni Williams, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab N – Ramon S. Cedana, present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Agenda B

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

Tab B – Nicolas Garces, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab E – Carlos Alberto La Madrid, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for broker; the motion passed without dissent.

Tab F – Shawn Walker, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab I – Richard Gomez, not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab D – Skyler Hastings, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

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

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

Agenda A

Tab T – Karen Garner, not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

Tab R – Engin Emre, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab AA – Guillermo Izquierdo, not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Tab X – Shirley A. Green, not present – Applicant withdrew the application.

Tab AE – Kfir Levy, not present – Vice-Chair Luzier moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AG – Pamela M. Lockeby, not present – Applicant withdrew the application.

Tab AH – Francisco A. Martinez Alvarez, not present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AM – German Eduardo Mesones, not present – Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent.

Tab AO – Nicholas Mark Miruzzi, not present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

Tab AX – Brandon Piegari, not present – Applicant requested a continuance and waived the 90-day requirement..

Tab BD – Maria Cristina Rodriguez, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab BL – Denis Vladimirovich Sergev, not present – Vice-Chair Luzier moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed without dissent

Tab BI – Richard Russi, not present – Applicant withdrew the application.

Tab BO – Joel Soto, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

Tab BS – Julio Alexis Torres, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Luzier to approve the application for sales associate; the motion passed without dissent

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

Tab BY – Stuart Barry Yanofsky, not present – Applicant requested a continuance and waived the 90-day requirement.

Director's Comments

Executive Director Crawford provided a Legislative update on behalf of Director Watkins.

Ms. Crawford thanked the Commission for all they have done in 2016 and wished everyone a safe and Happy Holiday and Happy New Year on behalf of the Director and division.

Approval of the Minutes

Commissioner Fitzgerald moved to approve the Minutes of the November 15 and 16, 2016. Vice-Chair Luzier seconded the motion. The motion passed without dissent.

Public Comments

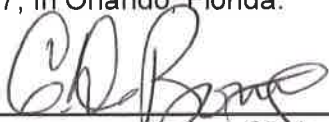
The Commission offered but did not receive any comments from members of the audience.

Chair's Remarks

The Commission wished each and every one a Merry Christmas and safe travels over the holidays.

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 January 17 and 18, 2017, in Orlando, Florida.



Claude "Chip" Boring, Chair
Florida Real Estate Commission



Lori Crawford, Executive Director
Florida Real Estate Commission