

Jonathan Zachem, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
August 15 and 16, 2017
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 August, 2017.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Thomas Luzier, Patricia Fitzgerald, Dick Fryer, Poul Hornsleth, Patti Ketcham, and Randy Schwartz. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Denise Johnson, Deputy Director; Lori Crawford, Executive Director; Allison McDonald, Deputy Chief Attorney; Warren Sanger, Operations Support Unit Supervisor; Janice Lugo, Regulatory Supervisor; Mike Davis, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

August 15, 2017

Minutes

July 2017 minutes deferred to Wednesday August 16, 2017.

Summary of Applicants

Operations Support Supervisor Warren Sanger presented 77 Summary of Applicants requesting to sit for the real estate examination.

1. Tab B – Vitoria Abranches, present; interpreter, present – Applicant continued and waived 90-day requirement.
2. Agenda B, Tab G – Juan Esteban Villa, present; interpreter, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.
3. Tab AG – Katherine Marie Heysel, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
4. Tab AS – Melody Marshall, present; was represented by Daniel Villazon, Esquire, present – Commissioner Schwartz moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
5. Tab AZ – Jesus Manuel Neyra, present; was represented by Steve Johnson, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
6. Tab F – John Robert Atherton, present; was represented by John Samaan, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
7. Tab AB – Raymond Anthony Giamporcaro, present; was represented by Clifford Geismar, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6-1.

8. Tab BG – George Andrewlite Robarts IV, present; Travis Koon, Esquire, present – Commissioner Schwartz moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4-3.
9. Tab A – Alla Puchalsky, present, informal – Commissioner Fryer moved; seconded by Commissioner Schwartz to set aside the notice of intent to deny, and approve the application for sales associate; the motion passed 6-1.
10. Tab D – Matthew Moise Alexandre, present – Commissioner Schwartz moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
11. Tab E – Vincent Joseph Andaloro, present – Commissioner Schwartz moved; seconded by Commissioner Fitzgerald to approve the application for broker; the motion passed 6-1.
12. Tab H – Christopher Jordan Barclay, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
13. Tab I – Robert Biggerstaff, present – Applicant withdrew application.
14. Tab J – Srecko Bokun, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
15. Tab L – Paulette Brown, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
16. Tab N – Antione R. Butler Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed 6-1.
17. Tab O – Abbe Newman Chane, present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for broker; the motion passed without dissent.
18. Tab Q – Sadie Comfort, present – Application continued.
19. Tab R – Eduardo Guillermo Coquelet, present – Applicant withdrew application.
20. Tab S – Douglas Paul Craig, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed 6-1.
21. Tab U – Jason Davidek, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed 6-1.
22. Tab V – Yosarian Diaz Rodriguez, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
23. Tab W – Kenneth Valentino Edgecombe Jr., present – Applicant continued and waived 90-day requirement.
24. Tab X – Ruth Fernandez, present – Commissioner Hornsleth moved; seconded by Commissioner Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.
25. Tab Y – Jorge Luis Forte, present – Commissioner Fryer moved; seconded by Commissioner Ketcham to approve the application for sales associate; the motion passed without dissent.
26. Tab AA – Vanessa Aileen Garcia, present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to approve the application for sales associate; the motion passed 5-2.
27. Tab AI – Jose Alejandro Hurtado, present – Applicant withdrew application.

28. Tab AJ – Juan Hurtado, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.
29. Tab AK – Kevin Washington Isaacs Sr., present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4-3.
30. Tab AL – Jehson Jessiah, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
31. Tab AK – Krstopher Maurice James, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6-1.
32. Tab AO – Kyrie Velary Koykar, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 4-3.
33. Tab AQ – Rickey Collon Lawhorn, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 5-2.
34. Tab AT – Michael McIntosh, present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
35. Tab AV – Carlos Medina Espeche, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
36. Tab AW – Charlie Marvin Meeks, present – Commissioner Schwartz moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 6-1.
37. Tab AX – Christopher Mercado, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
38. Tab BA – Jose Antonio Ochoa, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
39. Tab BB – Martell Aimee Otero, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
40. Tab BC – Karen Maria Parker, present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to approve the application for sales associate; the motion passed without dissent.
41. Tab BD – Wilma Faye Potter, present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed without dissent.
42. Tab BE – Ananias Purkett, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.
43. Tab BH – Enilda Rodriguez, present – Commissioner Schwartz moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
44. Tab BI – Chance Jared Sands, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
45. Tab BJ – Joseph Anthony Sassarini, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
46. Tab BK – Walter Winchell Singletary Sr., present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
47. Tab BL – Daniel Maxfield Tobey, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.

48. Tab BM – Niurca Ivelis Torres, present – Commissioner Fryer moved; seconded by Commissioner Ketcham to approve the application for sales associate; the motion passed without dissent.
49. Tab BN – Marc Myles Weissman, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
50. Tab BO – Steven Whitfield, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
51. Tab BP – Bruce Allen Wilson Jr., present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
52. Agenda B, Tab D – William L. Jones III, present – Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
53. Agenda B, Tab E – Bekir Onur Keskiner, present – Applicant withdrew application.
54. Agenda B, Tab F – John Schellenberg, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate with conditions; the motion passed without dissent.
55. Agenda B, Tab A – Patell Troutman, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for broker; the motion passed without dissent.
56. Tab C – Taufik Antonio Abuchaibe, not present – Applicant continued and waived 90-day requirement.
57. Tab G – Ramon Azcuidiaz, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed 6-1.
58. Tab K – Kristopher Clifford Bower, not present – Commissioner Fryer moved; seconded by Commissioner Ketcham to deny the application for sales associate; the motion passed without dissent.
59. Tab M – Michael Brusco, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 6-1.
60. Tab P – Jordan Clay, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
61. Tab T – Vanessa Cruz, not present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.
62. Tab Z – Andrea Gant, not present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6-1.
63. Tab AC – Bianca Nicole Glass, not present – Applicant continued application
64. Tab AD – Roger Sean Golden, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.
65. Tab AE – Yeasterly Churio, not present – Applicant continued and waived 90-day requirement.
66. Tab AF – Edison Parker Guintivano, not present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.
67. Tab AH – Jennifer Saint-Hilaire, not present – Applicant continued and waived the 90-day requirement.
68. Tab AN – Christopher Michael Joniec, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

69. Tab AP – Anastasia Kushnir, not present – Commissioner Fryer moved; seconded by Commissioner Schwartz to deny the application for sales associate; the motion passed without dissent.

70. Tab AR – Aurora A. Lewis, not present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for broker; the motion passed without dissent.

71. Tab AU – Mark McMullen, not present – Commissioner Fryer moved; seconded by Commissioner Schwartz to deny the application for sales associate; the motion passed without dissent.

72. Tab AY – Mayra Sarahi Navarro, not present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed 6-1.

73. Tab BF – Alethea Rae Lynn Reyes, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

74. Tab BQ – Laura Zambrano, not present – Applicant continued and waived the 90-day requirement.

75. Agenda B, Tab B – Tara Deaton, not present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.

76. Agenda B, Tab C – Michael F. Howard, not present – Applicant continued and waived the 90-day requirement.

77. Agenda B, Tab H – Bryann Wellington Workman, not present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

Consent Agenda A

The Commission considered 38 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve 24 applicants and require 14 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Claudia Andrade	Michael Klein	Lesley Allison Safer
Ashley Nichole Aylor	Blake Allen Kwek	Yolanda Santiago Gonzalez
Ryan Galloway	Anthoni Magnane	Reva Marii Soud
Mikey Garcia	Jorge Martinez	Mary Amber Tamez
Adrienne Cherice Greenwade	David Matter	Antrenia Vargas
Jana Lauren Harris	Jose Pantoja	Din M. Vizcaino
John R. Hezlep III	Nelson Poll	Jennifer Le Ann Williams
Aubrey Janelle Key	Brandon Randall Rains	Robert Ryan Young

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

Michael Edward Breit	Sandi Holtzclaw	John Press
Riann Brown	Ryan Nichols	Thomas James Preston
Sean Michael Bucknor	Justin Stephen Pa'Ala	Shantrece Thomas
Vasha Carter	Tristian Parrish	Leslie Tomlinson
Natalie Georges	Stanley Pettermon	

Consent Agenda B

The Commission considered 21 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve 14 applicants and require 7 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Travis Wayne Bliven	Adam Herning	Shawn James Morrison
Walter Cardenas	Heather Bambi Iorio	Elizabeth Michelle Olivares
Pamela Lin Culver	Ronald Wayne Maldonado	Kasali O. Opabola Jr.
Abbe Lynn Donlon	Dallas Eric McCluskey	John Fernando Tobon
Justin Bernard Edwards	Adam Lee Miller	

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

Matthew Blakely	Liam Egan	Nickole Wilson
Gary Leonard Bryant Jr.	Elijah Miller	Octavius Wilson
Cameron Lee Dempsey		

Public Comments

The Commission offered, but there were no comments from members of the audience.

Recess

There being no objection, the Chair recessed the meeting at approximately 4:15 p.m. until 8:30 a.m. tomorrow.

August 16, 2017

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 August, 2017.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Luzier, Patricia Fitzgerald, Dick Fryer, Poul Hornsleth, and Patti Ketcham. 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; Lori Crawford, Executive Director; Josh Kendrick, Chief Attorney; Sara Kimmig, Bureau Chief; Maureen White; Assistant General Counsels; Appearing via teleconference: Deputy Chief Attorney Brande Miller; Andrew Butler, Dan David, Nick Duval, Tabitha Herrera, Neil Lawson, Crystal Stephens, Maureen White; Assistant General Counsels; Warren Sanger, Licensing Supervisor; Jocelyn Pomales, Education Coordinator; and Mike Davis, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Chair's Comments

Chair Boring reads a letter from a licensee regarding a very favorable experience with a Division of Real Estate investigator.

Approval of the Minutes

Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve July 18 and 19, 2017 FREC meeting minutes; the motion passed without dissent.

Reports

Enforcement Trends and Escrow Audits Reports

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

Unlicensed Activity Report

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

Monthly Exam Performance Summary Report

Executive Director Crawford presented the monthly Exam Performance Summary Reports and addressed questions and comments from the Commission.

Application and License Count Reports

Operations Support Unit Supervisor, Warren Sanger presented the Application and License Count Report and addressed questions and comments from the Commission.

Legal Case Activity Report

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

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Miller presented 9 Escrow Disbursement Orders, and 3 Orders for the Commission's consideration. The Commission entered into discussion. Commissioner Fryer moved to accept 9 Escrow Disbursement Orders, and the 3 remaining Orders; Vice-Chair Luzier seconded the motion; the motion passed without dissent.

Recovery Fund Claims

Tab A – 1218 Duval KW, LLC v. Steven Douglas Schwartz, DBPR Case No. 2016-056454

Mr. David presented the above matter to the Commission. Neither the Licensee nor the Claimant was present. The Licensee was not present. Mr. David recommended the Commission grant the request. The Commission considered the facts and circumstances. Commissioner Fryer moved to grant the Final Order Granting the Recovery Fund Claim in the amount of \$40,078.89. Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Tab B – Brian and Amanda Bagley v. Steven Douglas Schwartz, DBPR Case No. 2017-012968

Mr. David presented the above matter to the Commission. Neither the Licensee nor the Claimant was present. Mr. David recommended the Commission grant the request. The Commission considered the facts and circumstances. Commissioner Fryer moved to grant the Final Order Granting the Recovery Fund Claim in the amount of \$10,019.72. Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Tab D – Whitehead Enterprises 1, LLC v. Steven Douglas Schwartz, DBPR Case No. 2017-004198

Mr. David presented the above matter to the Commission. Neither the Licensee nor the Claimant was present. The Licensee was not present. Mr. David recommended the Commission grant the request. The Commission considered the facts and circumstances. Commissioner Fryer moved to grant the Final Order Granting the Recovery Fund Claim in the amount of \$25,000.00. Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Tab C – Cynthia Smith v. Mohamed Shamshuedeem Donald and Bayyinah Suliaman, DBPR Case No. 2017-027723

Mr. David presented the above matter to the Commission. Neither the Licensees nor the Claimant was present. The Licensee was not present. Mr. David recommended the Commission grant the request. The Commission considered the facts and circumstances. Commissioner Fitzgerald moved to grant the Final

Order Granting the Recovery Fund Claim in the amount of \$7,800.00. Commissioner Fryer seconded the motion. The motion passed without dissent.

Legal Appearance Docket

Tab L – Renee Clara Kozlowski, BK 3174945; Case No. 2016015476 – Settlement Stipulation

Respondent was not present; Respondent was represented by John Samaan, Esquire, present. Commissioner Hornsleth was recused due to participation on the probable cause panel.

Ms. Bhambhani represented the department and presented the case to the Commission. After discussion, Commissioner Fryer moved to accept the Settlement Stipulation; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Penalty imposed: Suspension of 12 months; administrative fine of \$250.00; investigative costs of \$165.00; 1 year of probation. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with a lawful order of the Florida Real Estate Commission due to her failure to attend three (3) complete FREC meetings within five years of the filing date of the Final Order.

Action Taken: Settlement Stipulation accepted

Tab R – Alexander Daniel Virelles, BK 3248175; Case No. 2016029240 – Respondent’s Request for Informal Hearing

Respondent was present; Respondent was represented by John Samaan, 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 Fryer moved to find the Respondent guilty as charged in the Administrative Complaint; seconded by Commissioner Fitzgerald; motion passed without dissent. Commissioner Fryer moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine of \$1,000.00; investigative costs of \$594.00; 2 complete FREC general meetings; 1 year of probation. **Violation(s):** Section 475.25(1)(d)2, Florida Statutes, by failing to place deposit money in an escrow account during a real estate purchase in which the Respondent was the purchaser and the Contract required escrow money deposited into an escrow account.

Tab I – Steven J. Paige, BK 477871; Case No. 2016050214 – Settlement Stipulation

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

Ms. Herrera represented the department and presented the case to the Commission. After discussion, Commissioner Hornsleth moved to accept the Settlement Stipulation; Commissioner Fitzgerald seconded the motion; the motion passed 4-1.

Penalty imposed: Administrative fine of \$600.00; investigative costs of \$445.00; one 3-hour core law course. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with a lawful order of the Florida Real Estate Commission due to her failure to attend three (3) complete FREC meetings within five years of the filing date of the Final Order.

Action Taken: Settlement Stipulation accepted

Tab M – Betsy Ivette Moreau-Morales, SL 3245407; Case No. 2016015182 – Settlement Stipulation

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

Ms. Stephens represented the department and presented the case to the Commission. After discussion, Commissioner Fryer moved to accept the Settlement Stipulation; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Penalty imposed: Administrative fine of \$1,000.00; investigative costs of \$635.25; one complete 2-day FREC general meeting; one 3-hour core law course. **Violation(s):** Section 475.42(1)(b), Florida Statutes, by operating as a sales associate or broker for CIM when he was registered under AF; Section 455.227(1)(j), Florida Statutes, by aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter, the chapter regulating the profession, or the rules of the department or the board.

Action Taken: Settlement Stipulation accepted

Tab E – Rodney Jagessar, SL 3284439; Case No. 2016044073 – 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. Herrera represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved to find the Respondent guilty as charged in the Administrative Complaint; seconded by Commissioner Fitzgerald; motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; the motion passed 3-2 to impose the following sanctions:

Penalty: Suspension for 3 years; administrative fine of \$1,000.00; investigative costs of \$330.00; 2 complete FREC general meetings; 15 hours of continuing education; 3 years of probation. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by pleading guilty to one count of “Organized Scheme to Defraud, \$50,000 or More” a first degree felony, and one count of “Money Laundering \$20,000 or more but less than \$100,000” a second degree felony.

Tab J – Brandon Piegari, SL 3281809; Case No. 2015049594 – Respondent’s Request for Reconsideration

Respondent was present; Respondent was not represented by counsel. 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 Fitzgerald moved, seconded by Commissioner Hornsleth; motion passed 3-2 to reconsider the penalty. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; the motion passed 4-1 to impose the following sanctions:

Penalty: 30 day suspension; administrative fine of \$1,000.00; investigative costs of \$346.50; 28 hour reactivation course; 1 year of probation. **Violation(s):** Section 475.25(1)(d)1., Florida Statutes, by failing to provide the timely return of Complainant’s deposit upon demand; Section 475.25(1)(k), Florida Statutes, by failing to place Complainant’s deposit with his registered employer; Section 475.25(1)(b), Florida Statutes, by failing to return Complainant’s deposit; Section 475.42(1)(b), Florida Statutes, by collecting money related to a real estate transaction in his own name; Section 475.42(1)(d), Florida Statutes, by collecting money related to a real estate transaction in his own name.

Tab G – Michael J. Murgio, SL 174149; Case No. 2016052521 – Respondent’s Request for Informal Hearing

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

Mr. David represented the department and presented the case to the Commission. Commissioner Fryer moved; Commissioner Fitzgerald seconded the motion to find the Respondent guilty as charged in the

Administrative Complaint. Commissioner Fryer moved; seconded by Commissioner Ketcham; motion passed without dissent to impose the following sanctions:

Penalty: Revocation. **Violation(s):** Section 475.25(1)(f), Florida Statutes in one or more of following ways: by entering a plea of guilty to the felony of Conspiracy to Obstruct an Examination of a Federal Financial Institution in the United States District Court for the Southern District of New York; by being adjudicated guilty of the above offense by the Court on or about Jan. 27, 2017.

Tab D – William Giradeau Eaton Jr., SL 653742; Case No. 2013051874 – 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. David represented the department and presented the case to the Commission. Commissioner Fryer moved; Commissioner Hornsleth seconded the motion to reconsider the penalty; the motion passed without dissent. Commissioner Fryer moved; seconded by Commissioner Hornsleth; the motion passed without dissent to terminate suspension of the Final Order.

Action Taken: Suspension terminated.

Tab C – Lauren Elizabeth Daily, SL 3345796; Case No. 2016054303 – Respondent’s Request for Informal Hearing

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

Mr. Duval represented the department and presented the case to the Commission. After 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: Administrative fine of \$250.00; investigative costs of \$528.00; two complete 2-day FREC general meetings; 6 months of probation. **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 the charges of Driving Under the Influence and Refusal to Submit to Testing, and after pleading guilty to and being adjudicated guilty of Operating While Driver’s License Suspended.

Tab H – Jason Nazzaro, BK 3184902; Case No. 2016045313 – Respondent’s Request for Informal Hearing

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

Ms. Herrera represented the department and presented the case to the Commission. After discussion Commissioner Fryer moved; seconded by Commissioner Ketcham; 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: Administrative fine of \$250.00; investigative costs of \$145.20; 3-hour core law course; 6 months of probation. **Violation(s):** Section 475.25(1)(m), Florida Statutes, by failing to divulge the pending investigation of his real estate license in New Jersey.

Tab B – Edward Caussade, BK 572333; Case No. 2016047085 – Respondent’s Request for Informal Hearing

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

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

Penalty: Administrative fine of \$500.00; investigative costs of \$643.50; one complete 2-day FREC general meeting; 6 months of probation. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by violating Section 455.227(1)(t), Florida Statutes, by failing to report to the Department within 30 days of pleading no contest to, and being adjudicated guilty of, one count of "Leaving the Scene of an Accident with Property Damage."

Tab A – Raymond Lee Butterfield, SL 681956; Case No. 2015039399 – Petitioner’s Motion for Extension of Final Order

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

Ms. Stephens represented the department and presented the case to the Commission. Commissioner Fryer moved; Vice-Chair Luzier seconded the motion to grant an extension of Final Order compliance; the motion passed without dissent.

Action Taken: 90 day extension granted.

Tab F – Jesus M. Montero, SL 3167562; Case No. 2016059020 – 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.

Ms. White 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: Suspension of 5 years; administrative fine of \$1,000.00; investigative costs of \$412.50. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being found guilty of the crime of Mortgage/Obtain by False Representation, a crime which involves moral turpitude or fraudulent or dishonest dealing; Section 455.227(1)(t), Florida Statutes, by failing to timely inform the Commission in writing after being found guilty of the crime of Mortgage/Obtain by False Representation, a crime which involves moral turpitude or fraudulent or dishonest dealing.

Tab K – Isabelle M. Schillo, SL 565248; Case No. 2017006864 – Respondent’s Request for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Commission 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 entered into discussion. Commissioner Fryer moved; seconded by Commissioner Vice-Chair Luzier; 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: Revocation; investigative costs of \$23.10. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by being adjudicated guilty of one count of Exploitation of an Elderly Person or Disabled Adult, Offense Statute Numbers Florida Statute 825.103(1) and (2)(b), a second degree felony; Section 475.25(1)(f), Florida Statutes, by being adjudicated guilty of one count of Exploitation of an Elderly Person or Disabled Adult, Offense Statute Numbers Florida Statute 825.103(1) and (2)(b), a second degree felony.

Tab N, O, P – Lesbia J. Moreno, SL 3246468; Case Nos. 2016053703, 2016054344, 2016055213 – Voluntary Relinquishment of License for Permanent Revocation

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

Ms. Miller represented the department and presented the case to the Commission. Commissioner Hornsleth moved; Commissioner Fryer seconded the motion to accept the Voluntary Relinquishment; the motion passed without dissent.

Action Taken: Voluntary Relinquishment of License for Permanent Revocation accepted.

Tab Q – Katherine Shannon, SL 3142785; Case No. 2016057601 – Motion for Finding of Waiver and Entry of Final Order

Case Withdrawn

Review and Consideration of the Real Estate Education Courses

Tab A – Code of Ethics 3 hr CE – Reconsideration of Notice of Intent to Deny (3 hours, distance) – Application No. 28619 – Real Estate Training Institute, A Division of Certified Training

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to vacate the Notice of Intent to Deny and approve the course for 3 hours; Vice-Chair Luzier seconded the motion. The motion passed without dissent.

Tab B – Drones in Real Estate 4 hr CE – Reconsideration of Notice of Intent to Deny (4 hours, distance) – Application No. 28620 – Real Estate Training Institute, A Division of Certified Training

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to vacate the Notice of Intent to Deny and approve the course for 3 hours; Vice-Chair Luzier seconded the motion. The motion passed without dissent.

General Session continued

Rule Discussion

Rules Report

FREC Counsel Barnhart deferred until September 2017 FREC meeting.

Rule 61J2-10.026 – Team or Group Advertising

FREC Counsel Barnhart presented a proposed draft of Rule 61J2-10.026 for discussion. The Commission entered into discussion and received comments from several members of the audience. Upon conclusion of the discussion the proposed language was amended. The Commission requested that this rule be brought back next month for further review and discussion.

General Session continued

Special Agenda

Licensee Maria Vega – Hardship Extension Request – License Number BK 3056129

Ms. Vega presented this matter to the Commission. After discussion, Commissioner Fryer moved to deny the request for hardship extension; Commissioner Ketcham seconded the motion; the motion passed without dissent.

Calendar – FREC 2018 Meetings

Executive Director Crawford presented the proposed calendar to the Commission. The Commission entered into discussion and amended the calendar. Commissioner Hornsleth moved to approve the amended calendar; Commissioner Fryer seconded the motion; the motion passed without dissent.

Director's Comments

Executive Director Crawford reported that the Department has concluded three of four Instructor's Seminars. The remaining locations are:

- o August 23, 2017- Seminole State College, 100 Weldon Blvd., Sanford, FL

Ms. Crawford also mentioned that Commission Training will be scheduled in the future.

Public Comments

There were no comments from members of the audience.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 12:15 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for September 12 and 13, 2017, in Orlando, Florida.



Claude "Chip" Boring, Chair
Florida Real Estate Commission



Lori Crawford, Executive Director
Florida Real Estate Commission